

napo

The Trade Union and
Professional Association
for Family Court and
Probation Staff

2010-11 Annual Report and Constitution

RESISTANCE!



Annual Report and Constitution 2010/2011

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List of Abbreviations used in the Annual Report

ABPO	– Association of Black Probation Officers	NAAPS	– National Association of Asian Probation Staff
ACAS	– Advisory, Conciliation & Arbitration Service	NAGALRO	– National Association of Guardians ad Litem & Reporting Officers
ADP	– Anti-Discriminatory Practice		
AGM	– Annual General Meeting	NDSN	– National Disabled Staff Network
AGS	– Assistant General Secretary	NEC	– National Executive Committee
ARO	– Anti-Racism Officer	NHS	– National Health Service
ASBO	– Anti-Social Behaviour Order	NNC	– National Negotiating Council
AT	– Assistive Technology	NOMS	– National Offender Management Service
BME	– Black and Minority Ethnic	NPC	– National Partnership Committee
Cafcass	– Children and Family Court Advisory and Support Service	NPS	– National Probation Service
		NVQ	– National Vocational Qualification
CB	– Cross bencher	OASys	– Offender Assessment System
CJS	– Criminal Justice System	OASys-R	– Offender Assessment System – Revised
c-NOMIS	– computerised National Offender Management Information System	OFF	– Officer
		OFSTED	– Office for Standards in Education, Children’s Services and Skills
Cons	– Conservatives		
CPD	– Continual Professional Development	OM	– Offender Management/Manager
DDA	– Disability Discrimination Act	PA	– Probation Association
DOM	– Director of Offender Management	PAM	– Professional Associate Member
DSE	– Display Screen Equipment	PC	– Plaid Cymru
ECUA	– Essential Car Users’ Allowance	PCA	– Probation Chiefs Association
EDM	– Early Day Motion	PCMS	– Probation Case Management System
EHRC	– Equality and Human Rights Commission	PCS	– Public and Commercial Services union
EIA	– Equality Impact Assessment	PO	– Probation Officer
ERO	– Equal Rights Officer	POA	– Prison Officers Association
ET	– Employment Tribunal	PQAB	– Probation Qualifications Assurance Board
FCA	– Family Court Adviser	PQF	– Probation Qualifications Framework
FDR	– Fast Delivery Report	PSLG	– Public Service Liaison Group
FSW	– Family Support Worker	PSO	– Probation Service Officer
GFTU	– General Federation of Trade Unions	PSR	– Pre Sentence Report
GMB/SCOOP	– The union GMB/Society of Chief Officers of Probation	QC	– Queen’s Counsel
		SA	– Staff Association
GSCC	– General Social Care Council	SALFA	– Sustainable Access to Learning For All
H&S	– Health & Safety	SBC	– Specification, Benchmarking, Costings
HMCS	– Her Majesty’s Court Service	SCCOG	– Standing Committee for Chief Officer Grades
HMI	– Her Majesty’s Inspectorate	SEC	– Section Executive Committee
HMP	– Her Majesty’s Prison	SFO	– Serious Further Offence
HSE	– Health and Safety Executive	SM	– Service Manager
HSSG	– Health & Safety Steering Group	SPO	– Senior Probation Officer
ICCJ	– Issues in Community and Criminal Justice	SSAFA	– Soldiers, Sailors and Air Force Association
ICT	– Information and Communication Technology	TPO	– Trainee Probation Officer
ISOH	– Institution of Occupational Safety and Health	TUC	– Trades Union Congress
IT	– Information Technology	TUCG	– Trade Union Coordinating Group
JNC	– Joint Negotiating Committee	TUPE	– Transfer of Undertakings (Protection of Employment)
JUPG	– Justice Unions’ Parliamentary Group		
Lab	– Labour	TUO	– Trade Union Organisation
LAGIP	– Lesbians, Gay Men, Bisexuals & Transgendered people in Probation and the Family Courts	UHSS	– Union Health & Safety Specialists
		ULR	– Union Learning Rep
LGBT	– Lesbian, Gay, Bi-Sexual & Transgender	ULF	– Union Learning Fund
LGPS	– Local Government Pension Scheme	UPW	– Unpaid work
Lib Dem	– Liberal Democrat	VISOR	– Violent Offender & Sex Offender Register
MAPPAs	– Multi-Agency Public Protection Arrangements	VQ	– Vocational Qualifications
MP	– Member of Parliament	YOT	– Youth Offending Team
MoC	– Management of Change		
MoJ	– Ministry of Justice		

Annual Report

August 2010 to August 2011

Introduction

The summer riots in England produced some predictable knee jerk responses from many politicians and commentators. None of us sought to excuse criminal behaviour but it was clear something deeper than pure opportunism or greed was triggered following the death of Mark Duggan in Tottenham. Those who began to raise concerns about the impact of the cuts in public services on the quality of ordinary people's lives and the link between that and the loss of support structures for poorer communities in prompting the violence were derided and attacked as liberal 'do gooders'. But many of us will contend that Cameron's so called 'broken Britain' is not the responsibility of one parent families or disaffected youth but the product of large scale political and financial mismanagement.

Members working in both the Probation Service and Family Courts see the effect of the growing divisions in our society at work on a daily basis. The economic downturn has increased unemployment, that hardy perennial of criminality and social dysfunction. Consequently, members are working under increasing pressure as more and more staff leave and are not replaced as a result of recruitment freezes whilst the pay squeeze combines with high inflation to eat into disposable income.

Insult has been added to injury in the Probation Service as the threat of privatisation of key functions has begun to be made real. Earlier this year the tendering of Unpaid Work was introduced via the creation of huge geographical areas which bore no relation to the way the Probation Service organised its work but conveniently offered the volume of court orders needed to attract the likes of Serco and Sodexo. We drew some comfort from the Justice Select Committee report on the Probation Service, published in July, which described the NOMS tendering process as 'flawed' and 'incoherent'. A Government response is awaited but rumours abound about delays in the process outside London.

The Government's rehabilitation revolution didn't last beyond the first concerted right wing attack on those of its potentially liberal reforms which were designed to reduce the prison population from its shamefully high levels. The return to type is characterised by the political focus on punishment and downplaying of the responsibility of the state via its rehabilitative arm to change lives and reduce offending by challenging with care and understanding those who offend. The Government's resort to privatisation is illustrative of this dereliction of duty but, more worryingly, redolent of an approach that is motivated by profit, be it the education of our children or the dispensation of justice.

In Cafcass the threat of cuts and privatisation is less prominent but members continue to labour under a regime which too often appears to have forgotten its duty of care to its staff. The huge vote in favour of industrial action (with an excellent turn out) in the indicative ballot called in response to the workloads dispute was, it is to be hoped, a wake up call for the organisation. The influence of Ofsted may be less apparent but the performance culture developed in Cafcass continues to infect the working lives of Section members.

In this context the work of the Family Justice Review was broadly welcomed by Napo. Its enquiry into the organisation of the Family Court System is still taking place at the time of writing but its interim report suggests that it is sympathetic towards the idea of a new Service being established incorporating the work of Cafcass with a strong emphasis on the contribution of front line practitioners

and managers. The Review's work appears to have been helpfully informed by Professor Eileen Munro's comprehensive report on child protection published in the spring. Its recommendations included reducing bureaucracy and target cultures and increasing the autonomy of practitioners working with children and families. The final report of the Review is important to the future of Section members and Napo will respond positively presuming its proposals provide job security and encourage professional development and initiative.

In these uncertain times it has been vital that trade unions work together and there has been much evidence of solidarity across the public sector this year. The March for the Alternative in the spring was an inspiring response from hundreds of thousands of trade unionists to the attacks on jobs resulting from the Government's swingeing cuts to services. Napo members turned out in large numbers and took encouragement from the united and determined stand taken by unions. The March created a momentum which has been maintained in the negotiations about pensions. The four unions that struck in June put down a marker for the Government that unfair and unreasonable attacks on the pensions of staff will be resisted. The range of proposals peddled by the Treasury are an unjustified attempt to eat into provision staff across the public sector have earned over a lifetime of service to their communities. It is likely that Napo will be considering its position at AGM in relation to threats to the Local Government Pension Scheme with the possibility of industrial action stronger than it has been for some years.

As ever, Napo has been working hard nationally and locally to respond to the issues facing members at work and this annual report sets out that work in detail. We have striven in our campaigns against cuts and privatisation to ensure that the work of members in the Probation Service and Cafcass is sustained and supported. It is this collective effort that has helped the union increase its membership density at a time when staffing numbers are falling in response to budget cuts and recruitment freezes. Consequently, and with the assistance of sensible savings measures, we have maintained a sound financial position which enables us to plan positively for the future.

None of our success could be achieved without the dedication and commitment of members, branches, national committees, national reps and officers, and staff. During the past year two of Napo's longest serving administrators have retired. Chris McGarry and Jeannie Ah-Fong are well known to members and have worked tirelessly for Napo over many years. Their contribution is greatly appreciated and we wish them a long and happy retirement. Two of our Vice Chairs complete their terms this year. Paul Bishop and Mike Quinn have served as Officers diligently and enthusiastically and stand down with our thanks.

Next year Napo will turn 100. There will be the opportunity to celebrate all that we have achieved as a professional association and trade union. But the emphasis of our centenary must be on the future as the importance of Napo to the survival of probation and family court work has never been higher. We have a track record of promoting best practice, striving for equality and fighting threats to the integrity of our work. Let's go forward together determined to maintain those principles for many years to come.

Jonathan Ledger, General Secretary

National Executive Committee

<i>Officers:</i>	Tim Wilson (Chair) Paul Bishop, Dino Peros, Mike Quinn, Lisa Robinson (Vice-Chairs) Keith Stokeld (Treasurer)
<i>Branch Representatives:</i>	Each branch is entitled to send one of its two elected representatives to each NEC meeting
<i>NEC Black Reps:</i>	Jomo Browne (Greater London Branch) Marilyn Owens (Leicestershire and Rutland)
<i>Officials:</i>	Jonathan Ledger (General Secretary) Harry Fletcher (Assistant General Secretary) Ian Lawrence (Assistant General Secretary) Cordell Pillay (Assistant General Secretary) until May 2011 Mike McClelland (National Official) Ranjit Singh (National Official)
<i>Administrator:</i>	Chris McGarry/Alison Bonner

1. **Meetings.** The NEC has met five times since the last annual report was written: in September and November of 2009 and February, May and July of 2010. The NEC oversees the work of all Napo standing committees and receives regular reports from them. Much of the business conducted by the NEC is therefore reported in other sections of the Annual Report.

2. **Officers.** Napo's officers for the year 2009-2010 were: Tim Wilson (Northumbria) – Chair, Paul Bishop (Cafcass), Dino Peros (South Western), Mike Quinn (West Yorkshire), Lisa Robinson (Napo Cymru) – Vice Chairs, and Keith Stokeld (Durham Tees Valley) – Treasurer.

3. **Black NEC representatives.** During the year black representative seats were filled by Jomo Browne (Greater London Branch) and Marilyn Owens (Leicestershire and Rutland).

4. **Employers issues.** In February 2011 Chris McGarry, Administrator to the Officers' Group, retired. Chris had worked for Napo since 1993 and was well known to NEC members in her role which included taking the minutes of each meeting. In August Jeannie Ah-Fong, Administrator for training and publications, also retired. Jeannie had worked for Napo for nearly 30 years and was the longest serving member of staff. In May Cordell Pillay, Assistant General Secretary, left Napo. She had worked for the union since 1998.

5. As a result of Chris' retirement her position was internally advertised and Alison Bonner, Membership Administrator, was appointed in her place. Consequently, an external competition for the Membership Administrator post resulted in Taytula Burke being appointed to the post. Tay joined Napo in January.

6. Following a review of the role of the Finance Administrator, Theresa Boorman, by the Officers Group the position was re-graded as Finance Officer. This change was implemented from September.

7. **Finance.** Napo's Treasurer reports regularly to the NEC on Napo's financial position. In accordance with legislative requirements the basic details of the union's income and expenditure during the course of the year are published annually in *Napo News*. The audited accounts for 2010 are included in the annual report.

8. Last year's report described concerns raised by Napo's auditors in relation to Napo's involvement in the Race for Justice Conference held in December 2009 and the use of ULF grants in relation to the Conference. At the time the report was written the ULF grants issue was still being addressed. Subsequently, this matter was resolved satisfactorily with the England and Wales ULF projects and the auditors were informed.

9. In line with the recommendations of the NEC enquiry group established last year to consider the concerns raised by the auditors, Napo's financial procedures have been reviewed and revised. The NEC was kept informed of developments and approved the proposed changes put forward by the Officers at its July meeting. They are currently under discussion with staff at Chivalry Road.

10. **Disputes.** The NEC receives regular reports regarding branch disputes. The NEC was informed of the following *registered* disputes by branches:

- Durham Tees Valley – there is a dispute over an 'add-on' to the Redundancy Policy.
- Essex – the dispute over the mileage allowance was resolved with the Chief Officer having agreed that the mileage rate cannot be changed locally.
- Family Court Section – in dispute over Workloads.
- Greater London – Two disputes; one over a revised management model involving POs managing PSOs and the other over Facility Time has been resolved.
- Hampshire & Isle Of Wight – in dispute over mileage allowance.
- Humberside – registered 3 disputes over:
 - * plans to make 20 PSO members compulsorily redundant – resolved late April;
 - * attempts to undermine national collective bargaining by unilaterally moving to only pay the lowest rate of mileage band – resolved late April;
 - * plans to remove double waking night cover from Approved Premises – resolved mid June.
- Surrey & Sussex – fighting 43 redundancies which had been announced for this year and remained in dispute until May/June 2011 as the process had been managed with no compulsory redundancies.
- Thames Valley – in dispute over sickness absence policy.
- Trent – the workload dispute in Nottinghamshire was resolved in January 2011.

11. **Motions.** During the year the NEC passed motions entitled:

- Allowing more time for debating motions at AGM
- We won't pay for their crisis
- Staff working with Violent Extremists
- Resisting the privatisation of Community Payback or further privatisation

12. **Operational Plan and Strategic Objectives.** The November meeting of the NEC agreed Napo's operational Plan 2010-11 and it was sent to branches in BR07/2011. The plan was set out in line with the five objectives set out under Napo's strategic aims covering the range of Napo's work.

13. **Public sector cuts.** Napo has sustained its campaign against the cuts to Probation and Cafcass budgets, reinforced by the Spending Review announcement in the autumn of 2010 which resulted in front-loaded cuts to the Probation Service of some 10% over the four years of the Review. Subsequently it has become clear that the threat of further cuts remains. The Campaigning Committee report provides greater detail of our ongoing campaign.

14. In March Napo joined over 500,000 other trade unionists in Marching for the Alternative, a TUC organised demonstration against public sector cuts and in support of an alternative economic strategy based on jobs and growth. We estimate that more than 500 members attended from across the membership.

15. **Unpaid Work.** The MoJ's announcement in November that it was to tender all unpaid work across the Probation Service in England and Wales resulted in confusion and disruption across the Service. Napo highlighted the inadequacies of the plans based on large, nonsensical regions designed to provide volume for private sector competitors. There followed the unedifying sight of a number of Trusts throwing themselves into alliances with private companies against the public sector bids.

16. Napo has provided support and guidance to branches engaged with the tendering process and produced, with Unison, a guidance pack on confidentiality agreements between branches and employers. The recent report of the Justice Select Committee on Probation which described the UPW process as flawed and incoherent may have created some doubt about the future of the process in some of the Lots.

17. **National Disputes.** In Probation Napo remains in dispute with the employers over workloads. The Probation Negotiating Committee report details some of the progress that has been made on addressing workload issues via the Specifications, Benchmarking and Costings programme.

18. **Public Service Liaison Group.** The TUC holds regular meetings of the PSLG which are attended by senior officials of all public service unions. Napo is represented by the General Secretary or Assistant General Secretary (Negotiations). The PSLG enables the unions to hold regular discussions about issues of common concern including cuts to jobs and services and privatisation threats. Recent meetings have focussed on pensions and the negotiations between the TUC and Government over threatened changes to pension entitlement.

19. **Trade Union Coordinating Group.** The TUCG has expanded to ten unions representing over 1 million members with the application for membership of the National Union of Teachers and University College Union during the past year. Napo is currently the chair of the TUCG and the General Secretary has chaired meetings of the group, the TUCG fringe meeting at the TUC and a rally on Health and Safety at work organised by the TUCG which took place in the Houses of Parliament in the spring.

20. Napo continues to receive support and briefings from the Parliamentary Coordinator for the TUCG.

21. **Ministerial/Officials meetings.** Napo holds occasional meetings with the Cafcass Board and the Prisons and Probation Minister. The latter has made a commitment to meet quarterly. Meetings with the Chief Executive of NOMS take place bi-monthly and with the Director of Probation each month. Irregular meetings are held with the Chief Executive of Cafcass. Napo also holds meetings with representatives of the PA and PCA.

22. **Union Learning Fund.** The NEC receives regular reports via Training Committee and the Officers Group on the work of the ULF projects in England and Wales. A detailed report on the ULF projects is contained in the Training Committee section of the Annual Report.

23. **Staff Associations.** Regular meetings take place between the SAs and Napo. The SAs are invited to nominate members to join Napo's delegations at TUC equality conferences. Much of the work undertaken by Napo and the SAs over the past year has focussed on the cut to the budgets of the SAs and the impact on their work on behalf of members. Representations were made to NOMS and some limited reduction in the cuts to budgets resulted. This work continues.

24. **General Federation of Trade Unions.** Napo remains an affiliate of the GFTU. The General Secretary was re-elected to the Executive at its Biennial Conference in May. Additionally, Lisa Robinson, Vice Chair, was also elected to the Executive. The GFTU's Educational Trust provides extensive training opportunities and many Napo members attend courses during the year.

25. **Trade Union Congress (TUC).** Congress 2010 took place in Manchester. Napo's motion entitled 'Justice is not a commodity' was passed as part of a composite. Napo's motion entitled 'Reforming Ofsted' was remitted.

26. Napo's delegation to Congress in addition to the Chair and General Secretary included Maureen Vernon (Staffordshire and West Midlands), Tom Rendón, Richard Ogwang-Aguma and Pauline Anderson (Greater London). A full report of the Congress was provided in *Napo News*.

27. 2011 Congress is taking place in London and Napo is submitting motions entitled 'Privatising Justice' and 'Family Justice Review'.

28. **TUC Women's Conference.** Napo's delegation included Lisa Robinson, Vice Chair, Judith Gardiner (Greater London), Lisa Francis, Arlene Simms and Bharti Shaw (Staffordshire and West Midlands). Napo's motion was entitled. 'Women and Trade Union leadership'.

29. **TUC Black Workers Conference.** Napo's delegation included Ranjit Singh, National Official, Pauline Anderson, Richard Ogwang-Aguma (Greater London), Bharti Shaw (Staffordshire and West Midlands) and Angela Carty (Thames Valley). Napo's motion was entitled 'The disproportionate impact of the cuts on black communities'. Pauline Anderson was re-elected to the TUC Race Relations Committee.

30. **TUC Disability Conference.** Napo's delegation included David Quarmby (West Yorkshire), Sarah Chapman (Warwickshire), Bobbie Thomas and Teena Lashmore (Greater London). Napo's motion was entitled 'Effects of cuts on disabled staff groups'. David Quarmby was re-elected to the TUC Disability Committee.

31. **TUC Lesbian Gay Bisexual and Trans Conference (LGBT).** Napo's delegation included Lauren Salerno (Napo Cymru), Nicola Aquilina, Cassie Newman and Sean Chapman (Greater London). Napo's motion was entitled 'Equal treatment of LGBT trade unionists'.

Cafcass Negotiating Committee

<i>Members:</i>	Jay Barlow (Cafcass South area) Christine Dyson (Cafcass South area) Catrina Flynn (Cafcass South area) Steve Hornby (Cafcass North area) Tony Mercer (Cafcass North area) Shirlaw Paterson (Cafcass Central area) Harvinder Watson (Cafcass South area)
<i>Official:</i>	Ian Lawrence (Assistant General Secretary)
<i>Officer:</i>	Paul Bishop (Vice Chair Cafcass) Committee Chair
<i>Administrator:</i>	Cynthia Griffith

32. **The future of Cafcass.** During the next few months major decisions about the future of Cafcass will be taken by the coalition government. The past year has been a mixture of hope and fear for Napo members. There has been hope for the development of a Family Court Social Work Service that will reverse the serious decline in Cafcass services to children and the increase in workloads for Family Court members to ridiculous levels. There

has been a very real fear that all Family Court members would be made redundant and the important service that they provide would cease to exist. Alongside this, has been a fear that while the service would continue it would be provided on a privatised or self employed basis.

33. There have been a number of parliamentary reviews/enquiries into the Family Courts during the past year. At the last AGM Napo had just made written submissions to the Family Justice Review, the Justice Select Committee (examining the Family Justice System), Education Select Committee (looking at Ofsted) and the Munro Enquiry (looking at the provision of Child Protection Social Work Services).

34. There were strong submissions, particularly from Local Authorities, that there was no need for the services that Cafcass provides. The interim report from the Family Justice Review in March 2011 rejected the argument that Cafcass did not need to exist, as did the Children's Minister, Tim Loughton. Both also shared the view that most Cafcass practitioners would continue to be employed with a small self employed workforce to deal with peaks in demand. However the review was silent on the many failings of Cafcass despite acknowledging that Cafcass was seriously criticised by most of the submissions. The Justice Select Committee was also very robust in its criticism of Cafcass. We now await the final Family Justice Review report which is due at the beginning of October.

35. **Workloads Dispute.** Napo registered a formal dispute about workloads on 8th December 2010. Following a series of exchanges at National Partnership level, Napo launched an indicative ballot of Family Court Service members during April. In what was a tremendously well supported exercise which highlighted the unity that exists amongst members, 62% of Napo members voted with 94% of them saying that they would be prepared to take industrial action, including strike action, if there was not a satisfactory outcome to the negotiations with Cafcass.

36. Extensive negotiations have taken place over the summer and senior managers have agreed to many of the demands set out by Napo and Unison which also joined the dispute. But much scepticism remains about Cafcass's ability to deliver more than just promises. As the negotiations were concluding the focus was on securing a series of measures that would provide members with real evidence that changes have been implemented and that they will make a difference to practitioners.

37. **Workload policies.** Workloads have been a major issue for the Negotiating Committee during the past year. As previously reported workloads have doubled and in some areas trebled, and they continue to rise. Cafcass targets have seemingly changed from getting good Ofsted reports to the eradication of backlogs. This has been 'achieved' largely by simply dumping cases on practitioners without the commensurate amount of supervision. Other methods that have been employed have been allocating cases to duty systems or to managers or practitioners who cannot do any work on them. This has sometimes resulted in punitive action against practitioners who have found themselves in the impossible position of having possession of a case where something has gone wrong before they have been able to commence work on it.

38. Napo has been working with Cafcass senior managers to develop a workload weighting measurement tool. There has been some success with this and it is hoped that this will be a useful aid in discussions between practitioners and their line managers about individual capacity. Cafcass senior managers have seemingly taken the view that the average current workload is a reasonable workload and all that needs to happen is that people with much higher caseloads have them reduced. Even this limited ambition has not been achieved. Cafcass has agreed to a simple time recording exercise to see how many hours practitioners are working each week. This should demonstrate whether practitioners have workloads that take, on average, 37 hours a week.

39. One of the most obvious solutions to this problem is employing more practitioners, service managers and family support workers. This may seem an unachievable ambition in the current economic climate, but in October 2010 a freedom of information request revealed that Cafcass spent (at that time) £43,344,922 on practitioners and £57,026,345 on other staff.

40. Napo has continued to press Cafcass on the allocation of expenditure throughout the extensive negotiations on the Workload Dispute. Since last year Cafcass has cut £5.65m from its operational budget and there have been a number of full and frank exchanges between the employer and ourselves amidst claims by senior managers that Napo's presentation of the figures has been "grossly inaccurate." Latterly, some progress has been made on this debate with the employer reporting that it is now intending to spend 83% of its overall budget on practitioners. A full breakdown of this figure across each grade will hopefully be available by the time of the AGM.

41. The Negotiating Committee believe that a much simplified recording and case management system would reduce workload, but both continue to take increasing amounts of practitioner time at the expense of direct contact with children and families. The consequence of this was powerfully demonstrated in the evidence to the Justice Select Committee by witnesses who said that children often did not know who their Guardian (Cafcass practitioner) was or what they did.

42. **Pay and Pensions.** Cafcass is about to make a formal offer (within the limitations of the current government imposed pay freeze), for a cost of living increase for staff earning less than £21,000. The vast majority of Family Court members earn more than this and it is welcome news that Cafcass has been able to agree (after taking legal advice) that any increments due will be paid, although many Family Court Section members will be at the top of their scale.

43. By the time of the AGM Napo FCS members will know more about the negotiations that have been taking place between the TUC and Government Ministers and those directly relating to the Local Government Pension Scheme (LGPS). At the time of writing there is a real prospect of a major increase in contributions by LGPS members and the prospect of an autumn campaign by LGPS unions in defence of pensions.

44. **Discipline and Capability.** Napo National Representatives have again had a busy year as Cafcass has continued to take a punitive attitude towards some staff. While the numbers of suspensions and cases involving formal proceedings have decreased, there remains a concern at the comments made by the Chief Executive in May that there would be a 'draconian regime' for people who fail standards. Napo National Representatives continue to report that Cafcass is among the worst employers that they deal with.

45. **AGM Resolution – Working whilst signed sick.** This issue has been a regular item of discussion at all levels of the National and Area negotiating process. It has also featured prominently in the current negotiations on the Workloads dispute as Napo has continually pressed for a clearer directive to be issued to managers in terms of the assistance and protection that we would expect to be afforded to staff who are absent due to sickness.

46. Whilst it is encouraging to report that national sickness rates within Cafcass have decreased markedly over the past year, it is still reported that many staff are engaging in their assigned duties whilst officially deemed unfit to work.

47. It is hoped to complete a wholesale joint national review of all HR policies by the end of October which will include revised guidance to managers along the lines of that sought in the resolution.

Campaigning Committee

<i>Members:</i>	Kath Alsop (Devon and Cornwall) Deb Borgen (Greater London) Caroline Cosgrove (South Yorkshire) Jenny Elsmore (Leicestershire) Committee Chair Jane Foster (Lancashire) Ceris Handley (Avon and Somerset) Teena Lashmore (Greater London) Iqbal Malik (Napo Cymru)
<i>Officer:</i>	Lisa Robinson (Vice-Chair)
<i>Official:</i>	Harry Fletcher (Assistant General Secretary)
<i>Administrator:</i>	Kath Falcon

48. **Membership.** Thanks are extended to all the members of the Committee, including the Link Officer and Official, for their hard work over the past 12 months.

49. **Overview.** The main focus of Probation campaigning during 2010/11 was, as in the previous two years, budget cuts and countering the threat of privatisation. The Committee took on board the Cuts Action Plan which was launched at the 2010 AGM in Scarborough. Although the level of cuts was revised downwards from the anticipated 25% shortly after AGM it was nevertheless still predicted to be high, at 15% over the four years until 2015. The threat of privatisation increased and became very immediate during the course of the year with the announcement of tendering for Unpaid Work and other measures outlined in the Sentencing Green Paper, *Breaking the Cycle*, including the introduction of payment by result schemes, and finally the Ministry of Justice announcement on the future shape of Probation Services in July.

50. **Budget Information.** The Committee sought to gather information on 2011/12 budgets from April 2011 onwards across the Probation Trusts by the issuing of a questionnaire to branches, with planned follow-up by committee members with assigned link branches. This resulted in limited success with information being forthcoming from only nine branches. However further detail was obtained from Helen Goodman MP and via parliamentary questions, so that by June 2011 information was available for 26 Trusts. Napo used this to produce a briefing on the consequences of the cuts in late June.

51. **Briefings Campaign.** The main thrust of the anti cuts and privatisation campaign was the production of a series of briefings for parliamentarians and the press arguing the case against privatisation; looking critically at areas where it had been tried i.e. hostels, facilities management, tagging, and highlighting the complex, specialised nature of probation work and its importance for public protection and victim support. The briefings were compiled from information and case studies gathered from branches and members and much thanks is due to all those who contributed and who assisted in this. Without this crucial information this important piece of work would have been impossible.

52. Over the first six months of 2011, briefings were produced by Harry Fletcher, with Branch and Committee assistance with case studies, on: waste and bureaucracy in the probation facilities management contract; payment by results schemes; probation hostels and high risk offenders; the success of probation programmes and the dangers of their curtailment; determinate sentences, automatic release at the 50% point and the need for discretion; the rise in recalls of dangerous offenders; and privatisation and the Probation Service. These were press released systematically and resulted in a great deal of media coverage (see Press and Parliamentary Section). There was also positive feedback from parliamentarians. Themes for future briefings have been identified on: domestic violence perpetrators; women offenders; PSRs and court reports; Prolific Offender Teams; and drug misusers. Again the emphasis will be on illustrating the complexity and importance of probation work

and the need for properly trained, qualified and dedicated, public sector staff to carry it out. The supply of case studies has been vital to the success of the campaigning work and thanks are due to the many members who assisted.

53. **Criminal Justice in Meltdown.** The Committee continued to work in the Justice Forum with the other justice sector unions. July saw the organisation of a unique joint parliamentary event bringing together Napo, PCS, the POA and the Police Federation for a 'Justice in Meltdown' parliamentary briefing, under the auspices of the Justice Unions' Parliamentary Group, and a lobby of MPs, on Wednesday 6 July. The event also saw the launch of a joint briefing on the impact of the cuts across probation, prisons, police, and court services.

54. **AGM Resolutions.** Campaigning Committee had been assigned only one resolution from the 2010 AGM, on Managerial Bureaucracy. The resolution calls on Napo to "campaign to highlight examples of this misdirection of resources in order to press the case for any cuts that are imposed to reflect these concerns". It was agreed to add this to the list of briefing papers to be produced as part of the Cuts Campaign. It was however noted that cuts to bureaucracy were already happening. It was further noted that there would be issues about the definition of 'front line' and which staff would be included.

55. **Family Court Campaigning Work.** Napo also campaigned on Family Court issues particularly concerns about workloads, the use of Cafcass resources and the independence of children's guardians, producing submissions for the Justice Select Committee Inquiry into the working of the Family Courts, the Committee of Public Accounts Inquiry into Cafcass, the Family Justice Review and the Munro Review of Social Work.

56. **Joint Work with Professional Committee.** Campaigning Committee met jointly with Professional Committee for part of its second two meetings to discuss the possibility of joint work and information gathering around budget cuts and their implications on service delivery and staffing. It is intended that further discussions will continue on how Campaigning Committee can work with Professional Committee to promote and campaign on professional issues.

57. **Campaign against the Far Right.** This continued to be high on the Committee's agenda with reports being received on the activities of anti fascist campaign groups Hope Not Hate and Unite Against Fascism.

58. **Stalking.** The Committee also received reports on work undertaken by Napo on the issue of stalking and harassment. Harry Fletcher worked closely with a number of stalking campaign groups and charities on this over the course of the year. The union produced a statistical briefing on aspects of the 1997 Protection from Harassment Act and also organised two parliamentary events, under the auspices of the Justice Unions Parliamentary Group, one in the Commons (in March) and one in the Lords (in June) to raise awareness about the need for a review of the current laws, increased training for criminal justice professionals, improved support for victims and to stop women being harmed or murdered. Further work is being undertaken in providing support and advice for a JUPG Inquiry into Stalking Law Reform. Campaigning Committee will also organise a fringe meeting on stalking and harassment at AGM.

59. **Veterans in the CJS.** Harry Fletcher continued to coordinate work on this area and the Veterans in the CJS group, chaired by Elfyn Llwyd MP, continued to meet. Napo produced two further briefings on the CJS, alcohol and the armed forces and on grass roots good practice initiatives. Napo drafted 20 amendments to the Armed Services Bill and met with representatives of the Ministry of Defence and the Ministry of Justice to discuss policy issues. The Committee is considering organising a fringe meeting on this at AGM.

60. **Role of the Committee.** At its last meeting the Committee had an in depth discussion about its role and function and a decision was taken to look afresh at the way the Committee is structured and its remit, particularly in relation to taking forward the work of other national committees. This will need further consideration and it is planned to develop proposals with advice from National Officers.

PRESS AND PARLIAMENTARY REPORT

61. **Period covered.** This section covers the period 01-07-10 to 30-06-11. The main press and parliamentary activity was combating threats of privatisation and budgetary cuts; although attention was also given to other issues such as veterans in custody, women who were stalked and seriously injured and murdered, changes to legislation, working with other organisations in the justice system, attempting to work with the Coalition and Opposition Parties.

62. **Parliamentary Groups.** The three parliamentary groups of which Napo is a member met regularly during the year. All the groups continued to play a vital role facilitating the tabling of parliamentary questions, enabling briefing of MPs and Peers for debates and organising parliamentary events including meetings on veterans in the CJS, parliamentary events on stalking and a joint Justice Sector unions briefing for MPs on cuts and budgets, 'Criminal Justice in Meltdown'.

63. During the year over 500 parliamentary questions were tabled. The subjects covered included Sex Offenders and MAPPA, Prison Population, Drugs in Prison, Unpaid Work, Youth Offending, Drug Treatment, Benefit Cuts, Crime Statistics, Prison Staffing, Reconviction Rates, Stalking and Harassment, Armed Forces Bill, Payment by Results, Diamond Borough Schemes, Privatisation, ClearSprings, Probation Facilities Management Contract, Electronic Tagging, Unpaid Work, Cafcass, Drugs and Alcohol Treatment, Health and Safety, the Police, Family Courts, Office Closures, Recalls, Prisons, Young Persons in the CJS.

64. **Early Day Motions.** During the year 13 early day motions were tabled via the Justice Unions and Family Court Unions Parliamentary Groups, as follows:

- EDM 50 Prisoners' Education Trust – 15 signatures
- EDM 312 Magistrates' Courts – 72 signatures
- EDM 389 Veterans in the Criminal Justice System – 37 signatures
- EDM 411 Court Closures – 59 signatures
- EDM 985 Violence on the Prison Estate – 37 signatures
- EDM 1203 Office of the Public Guardian – 19 signatures
- EDM 1234 Court Closures (No. 2) – 40 signatures
- EDM 1335 Prison Closures – 31 signatures
- EDM 1435 National Stalking Awareness Week – 74 signatures
- EDM 1490 Health and Safety in the Prison Service – 42 signatures
- EDM 1491 Health and Safety in the Probation Service and Cafcass – 26 signatures
- EDM 1693 Private Sector Prison Management – 14 signatures
- EDM 1885 Legal Aid: Clinical Negligence – 13 signatures

65. **Parliamentary Debates.** Napo prepared briefings for a range of debates including ones on the Armed Forces Bill, sentencing, minimum/maximum sentences, the 96 Hour Bail Bill and cuts in legal aid budgets.

66. **Opposition Seminars.** Napo organised seminars for the Labour Party Front Bench Justice Team on the purposes of sentencing and effective prison regimes.

67. **Bills and Amendments.** Napo drafted amendments to the Armed Forces Bill to place a duty on the Secretary of State to implement the military covenant. Napo also drafted a ten minute rule Bill for Elfyn Llwyd MP which proposed amendments to the Criminal Justice Act 2003 to make provision for the introduction of minimum and maximum sentences for persons sentenced to determinate terms of custody, extended supervision for certain categories of offenders, and a duty on the Secretary of State to ensure that relevant rehabilitation programmes are available for persons sentenced to terms of indeterminate custody. Napo continues to campaign for mandatory duties on local authorities to minimize knife, gun and gang related crime.

68. **Parliamentary meetings.** In pursuit of Napo's objectives, meetings were arranged during the year with a range of parliamentarians including: Maria Eagle (Lab), Diane Abbot (Lab), Baroness Gibson (Lab), Kevan Jones (Lab), Neil Gerrard (Lab), David Howarth (Lib Dem), David Burrowes (Cons), Dominic Rabb (Cons), Edward Garner (Cons), Alan Duncan (Cons), Anna Soubry (Cons), Gavin Shuker (Lab), Lisa Nandy (Lab), Elfyn Llwyd (PC), Mark Hunter (Lib Dem), George Howarth (Lab), Gordon Henderson (Cons), Adrian Sanders (Lib Dem), Graham Allen (Lab), Barry Sheerman (Lab), Tom Brake (Lib Dem), Jack Dromey (Lab), Lords Ramsbotham (CB), Baroness Morgan (Lab), Annette Brook (Lib Dem), Crispin Blunt (Cons), Lord McNally (Lib Dem), Lord Dholakia (Lib Dem), Helen Goodman (Lab), Gerry Sutcliffe (Lab), John McDonnell (Lab), Frank Field (Lab), Baroness Howe (CB), Roger Williams (Lib Dem), Tim Loughton (Cons), Sadiq Khan (Lab), Margeret Hodge (Lab), Baroness Howarth (CB), Jack Straw (Lab), Cheryl Gillan (Cons), Baroness Stern (CB), Ed Miliband (Lab), Nick Herbert (Cons), Baroness Anelay (Cons), Lord Shutt (Lib Dem), Baroness Hollins (CB), Baroness Corston (Lab), Baroness Linklater (Lib Dem), Andy Slaughter (Lab) and Clare Perry (Cons).

69. **Veterans in Custody.** During the course of the year Napo continued to convene the Veterans in Custody Group which is looking at ways of diverting former military personnel from the criminal justice system. Supporters of the group include the Royal British Legion, the Soldiers Sailors and Air Force Association (SSAFA), the Army Benevolent Fund, the Regular Forces Employment Service, the POA, Kent Police, HMP Everthorpe, Cheshire, Sussex and Hampshire Probation Services and a range of regional self-help groups.

70. **Briefing Papers.** A total of 30 briefing papers were produced over the course of the 12 month period for parliamentarians and the press. These included:

- Role of Probation (A submission to the Justice Select Committee) – September 2010
- Probation – the economic case for funding (September 2010)
- Consequences of Budget Restraints (October 2010)
- Prostitution the need for a policy review (September 2010)
- Response to the Justice Select Committee Inquiry into the Working of the Family Courts (September 2010)
- Alcohol, the Armed Forces and the CJS (October 2010)
- Response to the Committee of Public Accounts inquiry into Cafcass (December 2010)
- Payment by Results (December 2010)
- Supervision of Offenders on Unpaid Work (January 2011)
- Cafcass and use of resources (February 2011)
- Probation Hostels and High Risk Offenders (February 2011)

- Former Armed Service Personnel in the CJS – Best Practice (February 2011)
- Breaking the cycle: a response to the Green Paper on Sentencing (February 2011)
- Probation Programmes – Building on Success (April 2011)
- Probation Office Closure Programme (April 2011)
- Stalking and Harassment – statistical analysis (May 2011)
- Determinate Sentences – the need for the introduction of discretion (May 2011)
- Family Justice Review Proposals (May 2011)
- Cuts to Legal Aid (May 2011)
- Work of the Probation Service (May 2011)
- Huge Recalls of Dangerous Offenders (May 2011)
- Privatisation and the Probation Service (June 2011)
- Criminal Justice in Meltdown (Joint Briefing for 6 July event)

71. **Meetings with outside organisations.** There was frequent contact throughout the year with a range of bodies including: the Police Federation, the Prison Governors Association, the Trade Union Coordinating Group, PCS, Prison Reform Trust, the Welsh Assembly, Cafcass, the Black Police Officers Association, Kent Police, Tiger Aspect TV, the Westminster Drugs Project, the Howard League, Surrey Police, the College of Social Work, the Parole Board, the Metropolitan Police, NOMS, the Centre for Crime and Justice Studies, Policy Exchange, the Magistrates Association, Combat Stress, the Probation Chiefs Association, Birkbeck College, Serco, Sodexo, the Association of Chief Police Officers, the British Legion, Soldiers, Sailors and Air Force Association, Unlock, Network for Surviving Stalking, Protection Against Stalking, the Suzy Lamplugh Trust, Bedford University.

72. **Press contact.** During the 12 month period Napo received over one thousand mentions in the national and local media, on national websites and national and local TV and radio. A total of 30 press releases were issued over the period either to all the media or just to the Press Association. There were also over 200 other occasions where Napo was quoted in respect of stories which were current.

73. Journalists seen regularly over the period were from the Sun, Sky, ITN, Channel 4, Daily Mail, Observer, Guardian, Independent, Daily Telegraph, Mail on Sunday, Daily Express, Press Association, Mirror, Sunday Mirror, Sunday Times, Jewish Chronicle, the People, and the News of the World.

74. **Speaking engagements.** Speaking engagements included Veterans in the Justice System, Managerial Conference, International Harm Reduction Association, Child Exploitation and Protection Organisation, POA AGM, Police Federation AGM, NOMS and Reoffending, European Connections, TUC fringe meeting, Youth Justice in Scotland, Vets Launch Chester, Vets Launch North Wales, Munro Inquiry, City University of Journalism, Social Work College, Veterans Wrexham, and Stalking events at the Houses of Parliament.

75. **Napo News.** 10 issues of *Napo News* were published during the period covering a range of campaigning, professional, trade union and equalities issues. Front page stories over the year were largely about opposition to the government's austerity programme and privatisation agenda, coverage of anti-cuts protests and campaigns and mobilisation for the TUC demonstration on 26 March.

Editorial Board Probation Journal

<i>Members:</i>	Lol Burke (Merseyside) Editor Emma Cluley (Greater Manchester) Managing Editor Hindpal Singh Bhui (Greater London) Steve Collett (Cheshire) Angela Crawford (South Yorkshire) Liz Dixon (Greater London) Olivia Henry (Avon and Somerset) Helen Kenny (South Yorkshire) Pete Marston (Cumbria) Book Editor Kerry McCarthy (Greater London) Fergus McNeill (Universities of Glasgow and Strathclyde) Anisha Mehta (Greater London) Robin Tuddenham (Greater London)
<i>Officer:</i>	Keith Stokeld (Treasurer, ex-officio)

76. **Editorial Arrangements.** Oversight of the editorial process is shared between Lol Burke (Editor) and Emma Cluley (Managing Editor), backed by an experienced and committed board membership. The Editor chairs the board meetings, provides the written feedback to authors regarding publication decisions, and copy edits articles for production. The Managing Editor, oversees the submission of articles, deals with general enquiries, organises the board meetings and liaises with the publishers and authors during the publication process.

77. **Sage Partnership.** The relationship with Sage Publications remains extremely positive and regular meetings are held with Sage's production team. Sage actively promotes the Journal both nationally and internationally and has given it access to markets which it would be difficult to reach without an internationally respected publisher. It is already read in more than two dozen countries worldwide, and the income and profile of the Journal has continued to increase as a result of Sage's international marketing. The net royalty earned by Probation Journal for 2010 was **£22,745**. This represents an increase of £3,510 on the previous year income of £19,235. The contract with Sage is due for renewal and will be the focus of discussions in the coming months particularly in relation to how we can maximise benefits for members.

78. **Board Meetings and Board Composition.** The editorial board continues to meet every three months and remains a very strong and highly committed team. There is a decent geographical spread in terms of probation representation and board meetings tend to alternate between London and Liverpool. Including the editors, the board now comprises probation practitioners, senior academics, a member of HMI Prisons, a youth justice manager, a senior research consultant and a former Chief Officer. External academic and professional assessors continue to provide specialist assessment, helping the board to maintain an effective and respected peer review system. Peter Marston has assumed responsibility for book reviews.

79. **Journal Contents and Copy Flow.** The Journal continues to receive a high number of good quality papers from across the world and usually has a waiting list of a year between acceptance and publication. However, the policy of prioritising topical papers means that articles on pressing current issues are still published relatively quickly when compared to many other journals.

80. The Journal aims to produce articles of the highest academic quality whilst retaining their relevance to probation practitioners. This sets it apart from other criminal justice related publications. Over the last year, published articles have covered a wide range of topics, including those on risk assessment, addressing sexual orientation in the workplace, racially motivated offending, and domestic violence. The increasingly international dimension to the Journal has been reflected in the fact that it continues to receive submissions from North America, Australia and across Europe.

81. The 2010 special edition was a retrospective on the New Labour Government (1997-2010) and was very well received. A copy of the edition was sent to all those involved in formulating criminal justice policy via the House of Commons. Two of the contributions in the edition were quoted in the House of Lords debate on the future of the Probation Service. This edition also produced the best paper prize winner, David Scott for his paper 'Who's protecting Who' which provided a powerful account of the political manoeuvring following the Sonnex case.

82. The 2011 Special edition is a reflection on the issues and challenges facing probation in different jurisdictions and has received submissions on the following countries: Norway, France, USA, Russia, Australia, Jamaica, Korea – which should further enhance the international reputation of the Journal and Napo.

83. The editorial board is currently discussing potential topics for the 2012 edition.

84. In 2011, the Journal was submitted and accepted for inclusion in Scopus which is an indexing database covering over 18,000 peer-reviewed journals from more than 5,000 international publishers. The Journal was described in the following terms in the feedback regarding its application:

'Probation Journal is a well-known and recognised outlet for research on offender populations that is from a major publisher and widely cited by scholars around the globe. Its readership is international, as is its influence.'

85. **Issues in Community and Criminal Justice.** In order to increase circulation and reduce costs the ICCJ monographs have moved from the production of hard copies to being available on-line. All monographs can be purchased at: <http://www.napo.org.uk/iccj.shtml>. There were no ICCJ monographs published this year and the board is considering ways of more effectively publicising them via social networking and other sites.

86. **Concluding Comments.** The Probation Journal, along with its sister publication Issues in Community and Criminal Justice, continues to reflect and enhance Napo's reputation as a professional association. The main objective of the editorial board over the coming year is, as ever, to meet the needs of the Journal's diverse readership with high quality and accessible papers. It aims to link research and theory to the realities of practice, and to cast an informed and critical light on the rapid changes affecting the criminal justice system. The editorial board welcomes comments, suggestions and submissions, and is always willing to discuss submissions with potential authors.

Equal Rights Committee

<i>Members:</i>	Nicola Aqualina (Greater London) resigned May 2011 Ken Boyall (Lincolnshire) Sarah Chapman (Warwickshire) Committee Chair Charron Culnane (Greater London) David Quarmby (West Yorkshire) Lauren Salerno (Napo Cymru) Bharti Shaw (Staffordshire and West Midlands) Maureen Vernon (Staffordshire and West Midlands)
<i>Officers:</i>	Tim Wilson (Chair) Dino Peros (Vice Chair)
<i>Officials:</i>	Jonathan Ledger (General Secretary) Ranjit Singh (National Official)
<i>Administrator:</i>	Shireena Suleman

87. The Equal Rights Committee has not operated to full capacity at any of the meetings this year. This has been for a variety of reasons including sickness, and workload pressures. Nonetheless, Committee members have remained committed to working outside the meetings when they have been able to do so and thus much has been achieved. In some ways it has been a difficult year for the Committee following the reduction in committee size and the frequency of meetings especially with the enactment of the Equality Act. The Committee has met on three occasions since AGM 2010.

88. The Equal Rights Committee is the Committee with overall responsibility for the implementation and monitoring of Napo's Action Plans and Policy and Strategies on Anti-Racism, Disability, LGBT and Anti-Sexism. As such, the committee has (with limited resources), worked as effectively as possible at all levels to provide support at a national and local level, whilst working to ensure it meets all of its objectives. The Committee's priorities for the year were: Disability Training, Policy reviews and Equality Impact Assessments. Throughout the year the crisis experienced by the Staff Associations also became a priority both for the Officers and the Committee. The following outlines the work undertaken by the Committee over the past year.

89. The Committee has continued its liaison with branches and individual members to ensure enduring commitment to equality and diversity.

90. **AGM Resolutions 2010.** The Committee has undertaken work on one resolution from last year's AGM – trying to improve the patchy provision for disabled staff within Trusts. National Officers have assisted branches where needed but updating branches with relevant case law has proved more difficult to achieve as, following late publishing of the reduced public sector duty by the coalition government, case law is yet to develop.

91. The Committee, once again, noted that motions pertaining to the Committee came very low in the motion tree for AGM.

92. **Equality Impact assessments.** The Committee has not been required to any great extent to undertake EIAs. The Officers are deciding on a process whereby relevant policies, criteria and practices could be referred to the Committee. It is expected that those responsible for developing new policies should be undertaking Equality Impact Assessments from inception. Napo's EIA template now requires updating to include all of the protected characteristics.

93. **Training.** The one-day training programme for monitors is scheduled to take place in September. The purpose of the course is to clarify the role and responsibilities of monitors, primarily at AGM, and to develop skills relevant to the tasks in order to establish a pool of confident monitors. The training will be delivered by a new trainer this year and we look forward to a fresh look at equipping monitors for their duties.

94. The annual anti-racism course went ahead as planned and proved to be very successful.

95. Disability Training was a priority for the Committee this year, following the cancellation of last year's training and this led to the rescheduling of the course to earlier in the financial year. The course was oversubscribed and the General Secretary arranged for prioritisation of places in addition to extra places being made available.

96. The annual Public Speaking course for women took place and was a well attended event, empowering women in Napo to develop more confidence in public speaking and it is hoped that the impact of this might be to achieve greater involvement of women in Napo's business.

97. The LGB and T equality and diversity training is scheduled for 29 and 30 September.

98. **Equality Act.** Enactment of the Equality Act in October 2010 has presented a new challenge for the Committee. This brought together some of the established anti-discrimination laws and this legislation now covers: Sexual Orientation, Gender Reassignment, Disability, Race, Religion and Belief, Age, Pregnancy and Maternity and Marriage and Civil Partnership. More work will be undertaken by the committee in order to develop its remit to embrace the new protected characteristics.

99. **Equality Policies and Strategies.** In view of the Equality Act, the Committee believes that Napo needs to have a single Equality Policy, separated into different sections. Initially as each policy is approved by NEC it will be added to the website and a paper publication will be considered once all sections are complete.

100. It is planned that the Lesbian, Gay and Bisexual policy and the Gender Reassignment policy and their respective Equality Impact Assessments will be presented to the NEC in September for approval. The Committee would like to especially thank LAGIP and Michael Lloyd for their valuable input into these policies.

101. Work continues on the Disability and Religion and Belief policies and it is hoped that these will be completed in 2011. A member of the Committee is beginning to develop an Age policy and another has been liaising with ABPO over updating Napo's Anti-Racism policy.

102. **Promoting equality within Napo and tackling discrimination.** In pursuance of our legacy policies, the Committee has continued to support Officers and branches in delivering the equality agenda. The Committee has been concerned that some black members report inequality within branches and advice and support has been given in these cases. Disabled members are still expressing their concerns over Trusts' failures to make reasonable adjustments, to apply the absence management policy equitably and to address the unequal application of the capability procedure. Napo has sought to renegotiate the sickness absence management policy nationally but this has not been welcomed at NNC. Support and advice has been given to branches over disability discrimination and we continue to monitor the issues. LGB and T members often feel that they are subject to discrimination within the workplace and sometimes within Napo. Support has been given to individual members and one Trust was tackled about a blanket ban on internet searches involving LGB and T issues.

103. **NEC reform.** NEC reform has been discussed by the Committee on several occasions and the Committee contributed to the NEC's working party decision to propose enhancing diversity representation by moving to one Black representative, one Asian representative, one LGB and T representative and one Disability representative. This mirrors the Staff Associations and the remaining protected characteristics are more likely to be represented within a re-constituted NEC.

104. **Women in Napo.** The biennial Women in Napo conference, chaired by Lisa Robinson, Vice Chair, took place in Birmingham on the 6 May. It was a well attended conference and was enjoyed by delegates. In addition to the full sessions, there was the opportunity to attend two workshops on a variety of topics of importance to women in Napo. The women's strategy was discussed by the conference. As a result of the strategy being approved by NEC, the Committee welcomes the development of a separate women's committee and looks forward to close links in the future.

105. **TUC Equality Conferences.** Napo was represented at all of the TUC's Equality Conferences this year and all motions proposed by Napo were passed convincingly. Congratulations to Pauline Anderson (Race Relations Committee) and David Quarmby (Disability Committee) for their re-appointment to their respective committees. It is encouraging that a union of Napo's size is so well represented on TUC equalities committees.

106. **Staff Associations.** Napo has continued to work with the four Staff Associations throughout the year and the Committee has been briefed about continuing issues. All were shocked in November last year when the Associations were informed that the budget for the financial year was already exhausted and NOMS indicated that it would not be seeking to bid for any further financing of staff associations. Trusts supported the Staff Association in the interim by allowing chairs and executives some facility time – thus allowing continued operations. The position improved somewhat following Napo's intervention with Michael Spurr aided by Gerry Marshall (Probation Chief's Association's equality lead) and a budget was allocated to the Staff Associations of £210,000 for 2011-12, a cut of over 50% in two years. In addition Trusts now charge 20% VAT on facility time re-claimed further reducing available budget. Napo continues to meet with the Staff Associations on a regular basis and the Protocol with Napo is being reviewed. There remain strong links between the Committee and the 4 Staff Associations. Issues remain over future funding and governance but the Committee is committed to retaining a close working relationship with the Staff Associations along with the Officers and Officials.

107. **Monitoring.** The Committee has provided monitors for all the NEC meetings this year. The Committee feels that the monitoring process is contributing to the effective work of both the NEC and the AGM.

Family Court Committee

<i>Members:</i>	Elspeth Bourne (Cafcass Central area) Diane Ford (Cafcass South area) Eileen Horton (Cafcass Central area) Liz (Felicity) Hurwitz (Cafcass South area) Andrew Stanton (Cafcass Central area/Retired) Committee Chair Peter West (Cafcass South area)
<i>Officer:</i>	Paul Bishop (Vice Chair Cafcass)
<i>Official:</i>	Harry Fletcher (Assistant General Secretary)
<i>Administrator:</i>	Shireena Suleman

108. The Committee met three times this year. The work of the Committee is to consider professional developments in Family Court Work and to advise the union and membership on policy required not simply to respond to the situation but to shape and influence thinking.

109. **Parliamentary Reviews.** This year has been a particularly busy one with a number of Government initiatives that not only affect the way we work, but also the way we may be employed. Cafcass, the employer of the membership of the Family Court Section has come under significant scrutiny from parliament in two select committee inquiries, the Public Accounts Committee and the Justice Committee, both of which asked close questions about Cafcass' ethos and methods. Napo has presented submissions to these committees and given evidence.

110. Parallel to these developments the Government also asked an eminent academic authority to report on the recruitment and training of social workers. Prof Eileen Munro reported earlier in the year with challenging ideas about the discretion professional social workers should be trusted with and strong recommendations about restructuring the way social workers are managed.

111. At the time of writing we are still awaiting the final report of the Justice Committee on the organisation of Family Justice. The interim report hinted strongly that Cafcass' work which at present is the responsibility of the Department of Education would be taken over by the Ministry of Justice. There was a suggestion that Family Justice Councils would become far more involved in managing Family Court Advisors than previously.

112. **Working practice.** The running issue of case overload continues to be one that troubles most of our membership, and the task of challenging Cafcass on this remains with the Family Court Section Negotiating Committee. However, an aspect of Cafcass' unending attempt to overload its staff is a matter of how professional standards are to be maintained in the face of such overload. The Committee is concerned by Cafcass' reliance on 'proportionate working' as a means of getting the staff to do more. Earlier last year this was referred to as 'safe minimum standards' and the Committee sees this as a worrying concept in that it allows Cafcass to continue pressurising staff by expecting them to identify where savings can be made by leaving non essential work. The term was criticised by Dr Julia Brophy, in her oral submission to the Justice Committee's review of Family Law, as 'undefined'!

113. The Committee will be advising membership what it considers to be 'safe minimum practice'. By the AGM we will have issued a short handbook in which we will define the Napo notion of safe and appropriate practice, and we anticipate that this standard will become a useful negotiating tool on the issues of work overload and safe working with the employer.

114. **Conference and Journal.** In April the Committee held its annual Family Court Conference at Hughes Parry Hall in London. It covered the Family Justice Review and research on children's attendance at Court and was well received. The Family Court Committee has already convened a working party to start planning the conference for next year with special reference to Napo's centenary.

115. The Committee is also responsible for the publication of the Family Court Journal, an edition of which has been recently published.

Family Court Journal Editorial Board

Members: Jim Kelly (Cafcass Central area)
Philip Kent (Cafcass Central area)
Brian Kirby (Cafcass Central area) Editor
Andy Stanton (Cafcass Central area/Retired)
Peter West (Cafcass South area)

116. The re-establishment of the Journal has been widely welcomed and two issues each year will now be produced, as was formerly the case. Last year, additional electronic newsletters were circulated containing more immediate news on practice matters and with a lighter tone. The Editorial Board intends to retain the possibility of periodic, supplemental newsletters on practice matters and will issue them when appropriate. Since last year, Andy Stanton has joined the Board and his experience and enthusiasm is very welcome. He contributed an incisive article in the summer issue. Additional recruits are being sought, as we want the Board to be more representative of Napo membership and not consist solely of white males.

117. Feedback on the Journal has made it clear that members want it to provide sound professional material, both from academics and experts and particularly from the experience and practice of family court practitioners. Members say they want the Journal to be a voice for experience, sanity and good practice. The Editorial Board intend it to live up to that potential and so far, as intended, the bulk of articles have been by practitioners about their practice. As is usual with such publications, the views of contributors will not necessarily reflect Napo policy and differing views and arguments may be presented. Readers, so far however, have commented on the remarkable consistency of the material and views of contributors and have found it both reassuring and reinforcing of their own views.

118. What the Journal is helping to show is that there is a high level of consensus amongst academics and practitioners about what sound practice should consist of and how it needs to be developed. It is unfortunate that this consensus seems not to be shared by all the employers and senior managers in the family court arena.

119. As always we are looking for fresh material from new contributors. We would like to make good use of material from any research done by teams or individual practitioners and also welcome case studies and more informal items. We also want feedback and letters. Contributing to the Journal can be both a useful addition to the contributor's CV, but and in these times of constraint, can also usefully contribute to the training/study requirement of the regulatory social work body.

Health and Safety Committee

Members: Nigel Courtney (Leicestershire)
Nicki Kenney (Cafcass Central area)
Committee Co-Chair
Cheryl Lancashire (Wiltshire and Gloucestershire)
Penny Lawrence (West Yorkshire)
Rod Mitchell (Trent)
Francis Sanders (Cheshire) Committee Co Chair
Pat Waterman (Greater London)
Trevor Webster (West Mercia)

Officer: Mike Quinn (Vice Chair)
Official: Mike McClelland (National Official)
Administrator: Margaret Pearce

120. **Communication with Health & Safety Reps.** All Napo reps receive the international journal Hazards, the TUC Hazards manual, and the Labour Research Department Health & Safety Law. There has also been a series of Health & Safety Bulletins issued, which have been well received, with advice on campaigns and links to websites. In addition the Napo H&S section of the website has been updated and upgraded with many more links to useful sites, including all the TUC training events for stage 1 and 2 H&S which it is hoped all reps can undertake (10 days for each). We continue to need to recruit more H&S reps, as it is clear that workplaces with more union appointed safety reps have fewer accidents and incidents.

121. **Training.** There have been three training events this year, all well attended and well received. There was basic training for new Cafcass H&S reps in September 2010, followed by delayed training in March (due to December weather) for new and inexperienced Probation H&S reps. Finally there was training in June, attended by Probation and Cafcass members on work related stress and how to tackle it. There were some unexpected non-attendees whose costs could not be recovered and we would like to emphasise the need to communicate this in advance to save money.

122. AGM Motions

- **IT Issues:**
This was the only AGM motion to be passed. During the past 12 months, the IT Forum (involving NOMS and the unions) has got back on its feet with productive meetings taking place on a quarterly basis.
The issue of linking IT failures to work lost/down-time was raised with NOMS and it received a very sympathetic response with NOMS reps stating that it was their intention to do just this – i.e. set up a system for identifying such 'hidden costs'. In October 2010, following AGM, branch advice, including a pro-forma for use, was issued. However, there was little take up in branches. Meanwhile NOMS commitment seems to have slipped somewhat and we will chase it up, hopefully with further news before AGM.

- **Joint Unions Stress Audit:**
This did not reach discussion at AGM. However one of the three training events of the year focussed on work place stress, and a questionnaire regarding stress will be carried out with members at this year's AGM. Mike McClelland and Committee members are also producing a model supervision policy on H&S following a discussion on this at the June training event.
- **Branch Exit interviews:**
This did not reach discussion at last year's AGM. It related to the retention and further involvement of retired members. This involvement and retention has been aided by last year's constitutional amendment for membership.
- **AGM questionnaire:**
There was a questionnaire on suitability of work places distributed at last year's AGM. About 90 were returned from both Probation and Cafcass and analysis of these was carried out. This has recently been circulated in the most recent H&S bulletin.

123. Campaigning Events

- **Health & Safety Lobby of Parliament:**
A cross union lobby of parliament took place in May involving Napo alongside other unions (Trade Union Coordinating Group) in regard to the swingeing cuts to the HSE and the implications of being regarded as "Low risk" working environments. MPs were invited to the meeting and lobbied.
- **Hazards Conference:**
The Committee continues to encourage branches and the Family Court section to support safety reps to attend this annual weekend Conference in September and supports places for two Committee members, who followed this up by writing an article for Napo News about the event.
- **UK National Workstress Network (workstress.net):**
The Committee has supported one place for one Committee member for the annual conference in November, which again was written up in *Napo News*.
- **Worker's Memorial Day – 28 April 2011:**
We promote an activity to correspond with the international theme for the day such as a workplace inspection and encourage both employers to support H&S reps in carrying out the activity. In the last two years this has been overshadowed by the General Election and this year by the royal wedding. It is hoped that the event in 2012 will be more visible.
- **European Health & Safety Conference in Leeds:**
Given that the conference had rotated to Britain, the Committee sponsored one Committee member to attend. This was written up in *Napo News*.
- **Union Health & Safety Specialists (UHSS):**
Mike McClelland continues to attend these quarterly meetings with lead Trade Union H&S negotiators to discuss common themes.
- **Provisional Improvement Notices:**
The Committee has been working on a suitable version of these for the Probation Service, adapting the TUC model. The proposed version has been issued on the most recent H&S Bulletin. This could be introduced to Trust H&S Committees where there has been a consistent failure to address a problem.
- **Personal safety leaflet/card:**
The Committee has been working on a suitable pocket sized/dashboard sized tips for personal safety when home visiting. This has been issued in the most recent H&S Bulletin.

- **Safe Parking:**
This is becoming a major issue as offices close and centralise with insufficient space. Risk assessments should be requested on the basis of change in working practices.
- **Becoming a H&S rep:**
The Committee has been devising a recruitment tool and instruction kit on the benefits and duties of a H&S rep integrating latest TUC guidance. This has been issued in the latest H&S Bulletin. Current gender ratio of 140 reps is 50/50 split; though in staffing women predominate on 70/30 balance.
- **H&S poster series:**
There have been a short series of quarterly posters produced over the last year titled "You don't have to put up with...".

124. National H&S Negotiations

- Between September 2010 and March 2011 the Committee was able to provide a reduced one day per week position to Francis Sanders, having been negotiated down by NOMS from a half time post after John Hague retired. The Forum, where NOMS Unions and H&S specialists have met quarterly since 2002 has now been radically altered. Kathryn Ball's post as NOMS Health Safety and Well Being manager was removed and NOMS has declined responsibility for the Forum in the new world of competition, (except in the fields of Facility Management, IT and Probation Instructions) and a facilitative role only has been taken up by the Probation Association. Forum meetings in future will be six monthly with no facility time allowance. Unless Trusts are willing to allow specific time for attendance then this is likely to fall on the relevant national official (Mike McClelland) and membership involvement could cease. Given the vacuum surrounding ownership and accountability it is felt that forming a H&S sub-committee to the National Negotiating Council to advise on H&S national issues may be the appropriate way forward.
- Accident/Incident Reporting. The Data Warehouse, despite minor setbacks in introduction, has been progressing well and as a consequence much better information is now coming through in regard to both accidents and incidents.
- Mergers between Trusts have continued through the year and thus Branches have also had to merge. Formal requests to ensure H&S committees are maintained has been successful, though in some areas the agreed ratio of 1 H&S advisor to 500 staff has not been maintained (e.g. Wales).
- Facilities Management. There have been ongoing problems with contracts and both contractors, Amey and Interserve, have had to field critical meetings with H&S advisors and NOMS staff and unions to which Napo has contributed. There are expensive penalties however for withdrawing contracts early. New contracts are due in 2013.
- Approved Premises. Despite the long struggle for and success of double waking cover at night this has been withdrawn in a number of areas despite protests regarding safety. Full risk assessments have been demanded but there has been a strong emphasis on cutting costs wherever possible.
- Unpaid Work. It remains a key point that H&S standards should not be compromised and that there should be a level playing field with competitors in this regard.

Probation Negotiating Committee

<i>Members:</i>	Tania Bassett (West Mercia) Dave Bellingham (Leicestershire) Robbie Bourget (Thames Valley) Cyril Cleary (Greater London) resigned March 2011 Jan Desquesnes (Chiltern Counties) Judith Gardiner (Greater London) Duncan Moss (South Western) resigned June 2011 Les G Smith (Staffordshire and West Midlands) Nick Smith (East Anglia) Jean Steer (Staffordshire and West Midlands) Chris Winters (Humberside)
<i>Officers:</i>	Tim Wilson (Chair) Committee Chair Keith Stokeld (Treasurer)
<i>Officials:</i>	Jonathan Ledger (General Secretary) Ian Lawrence (Assistant General Secretary)
<i>Administrator:</i>	Annoesjka Valent

125. The Committee has met regularly throughout the year. Its meetings coincide with the formal, quarterly meeting of the NNC. The Committee was allocated 6 resolutions from the 2010 AGM entitled: Probation pay principles, Manageable workloads, Right to represent in SFO interviews, Extending workload measurement, Organisational change needs proper consultation, and Sickness absence policy. Progress in relation to these resolutions is reported under the relevant report headings.

126. **Pay Claim 2011/2012/Pay Modernisation.** In line with the principles set out in the 2010 resolution (which highlighted the protection of jobs and harmonisation of working hours) a claim to be submitted to the employers was agreed with Unison. As the Government had imposed a two year pay freeze on the public sector the claim focused on other elements designed to improve the pay and conditions of staff. It was formally presented on 17 January 2011 and included the following:

- incremental progression of 3, 2 or 1 points applicable to staff on bands 1-6;
- negotiation of a 'no compulsory redundancy agreement';
- a consolidated increase of at least £250 on all pay points in pay bands 1 and 2. A non-consolidated payment to staff in pay bands 3, 4, 5 and 6 to ensure that those at the top of their pay band, or for whom incremental progression is worth less than the consolidated increase, receive an in year increase equivalent to at least the agreed payment to staff on bands 1 and 2;
- an increase to the London Allowance;
- the harmonisation of working hours across bands 1-6;
- structural improvements to the pay bands based on equal pay principles which will shorten the bands; this to include raising the minimum pay for pay bands 1, 2, 3 and 4 by one pay point.

127. Since the claim was submitted regular negotiating meetings have taken place between the unions, employers and NOMS representatives. Whilst the discussions have been conducted professionally and honestly (which has not always been the unions' side experience in recent years) progress has been slow and difficult.

128. An already testing negotiating environment was made more complicated as it emerged that not only would every penny of any improvement in pay and conditions – no matter how small – be questioned in relation to its cost implications but the employers had developed a 'claim' of their own in relation to staff terms and conditions. It has also become clear that there are some

employers, feeding their views into their national negotiators, who appear to have little concern for the conditions in which staff work and are governed by the need to make cuts in order to be 'competitive'.

129. The negotiations are addressing long running elements of the pay modernisation agenda chief among them the harmonisation of hours and the length of the pay bands. Negotiations are continuing but, at the time of writing, there is no immediate sign of an offer that negotiators feel they can put to members. It is recognised that our fundamental commitment to national collective bargain makes it vitally important that we reach an agreement and, as such, every effort will be made to achieve an acceptable offer.

130. **Management of Change.** Following last year's review of the agreement the Joint Secretaries agreed minor changes to the process by which employers and branches engage with the protocol. However, this has very little impact on the application of the agreement.

131. There have been a number of interventions by the Joint Secretaries in local redundancy proposals but the actual number of compulsory redundancies has been very low, no doubt assisted by the existence of this agreement. However, significant numbers of staff have continued to leave the Service as a result of voluntary arrangements which are not covered by MoC.

132. **NNC/SCCOG Review.** This review, originally proposed by the employers last year, has been conducted via two one-day meetings of all parties to the NNC and SCCOG facilitated by ACAS. In general the conclusion was reached that current national bargaining arrangements are fit for purpose. However, it was recognised that the process for referring matters to the Joint Secretaries could be made clearer for the benefit of both local branches and employers. To this end, advice and guidance is due to be issued by the NNC before the end of the year.

133. The other development arising from the review was the agreement of NOMS to reintroduce a Probation Consultation Forum to consider matters relating to professional practice that might not normally be within the province of the NNC. The previous Forum was disbanded following the creation of NOMS as a joint prison and probation agency in 2007. The new Forum should begin meeting in 2012.

134. **Chief Officers.** Pay negotiations between GMB/Napo and the Probation Association have taken place within an extremely difficult negotiating climate and an outline offer (which was similar in almost all respects to that arriving via the NNC pay negotiations) did not appear until early August.

135. Negotiations are ongoing and mirror the content of those taking place under the auspices of the NNC.

136. **Pensions issues.** Negotiations between the Government and the TUC over the last few months have been coordinated by the Public Services Liaison Group (PSLG) at which Napo has been fully represented. These discussions which have followed the Hutton Review to which Napo has made two major submissions, have been overshadowed by much rhetoric and ill informed media coverage about the so called 'gold plated pensions' enjoyed by members of the Local Government Pension Scheme (LGPS) which covers Napo members working within the Probation and Family Court sections.

137. Napo has added its weight to a comprehensive TUC campaign which has highlighted how the Government's approach has created division between public and private sector workers on the back of a 'race to the bottom' mindset. The situation has been compounded by the prospect of a 3% increase in contributions for LGPS members. The TUC has pointed out that this increase will not directly benefit the scheme itself but will raise £2.8 billion towards a public deficit created by the profligacy of the banks and financial institutions.

138. At the time of writing details were awaited on the 'scheme specific' negotiations that were due to commence between Government Departments and Union negotiators representing the various pension schemes (LGPS, Health, Teachers etc) and how these discussions would inform the ongoing central negotiations between the TUC and the Treasury and Cabinet Office.

139. There appears little likelihood of a fair and equitable settlement at this time with serious differences remaining between the parties covering:

- 'Fair Deal' commitment to TUPE'd pension arrangements
- pension age
- career averaging
- the value of schemes
- future contributions policy
- the change in the basis of indexation from the Retail Price Index (RPI) to Consumer Price Index (CPI)

140. There is a real chance that, by the time of the AGM, unions involved in the LGPS could be in discussions about plans for industrial action.

141. **Workloads and Specifications, Benchmarking and Costings (SBC).** During the past year some significant progress has been made.

142. The work of the SBC project is nearing its conclusion (it is due to complete its work by April 2012) and most of what it has produced is now available on EPIC and the MoJ Website. PREview (the software application enabling trusts to undertake a comprehensive cost attribution) is in place and should now have been 'run' at least twice by Trusts at 6 monthly intervals.

143. The Offender Engagement Programme seems to have proved popular with practitioners and is being rolled out beyond the original pilot area in Surrey/Sussex and alongside that, National Standards have been pared to the bone and are due to be rolled out in revised form with an accompanying Practice Framework between now and April 2012.

144. Also now available on EPIC are a comprehensive set of workbooks enabling Trusts to develop their own workload measurement tools and priority documentation.

145. Whilst the SBC specifications, which are mandatory, enable the potential competition of all aspects of Probation work (the downside), branches are advised to explore and use all of the above-reported products to Napo's advantage. Guidance has been issued during the year. Local employers are often surprisingly uninformed about the specifications. None of the SBC products (apart from the specifications) are mandatory and branches should resist any attempts to suggest this locally. Branches are advised to use the published processes to their advantage and to agree workload measurement and management practices and procedures locally. Benchmark timings are available for most elements and should be the starting point for negotiations. Local variation is possible but it should be by agreement.

146. **Probation Qualifications Framework (PQF).** Napo has been represented at every quarterly meeting of the Probation Qualifications Assurance Board (PQAB) this year.

147. A number of concerns around training opportunity were raised at Napo's PSO Conference on 24 June, and these have been fed into the PQAB.

148. The findings of the Training Committee survey of branches about PQF implementation have been shared with the national employers. The concerns in relation to protected learning time and accessibility of training opportunities are consistent with the arguments made by Napo before the PQF was rolled out last year ie that in the absence of a national agreement there would be inconsistency in provision, difficulties in ensuring that learning could be undertaken with appropriate workload relief and cover and problems in securing the uniform application of transparency and fairness in the process of selection for Probation Training. These have also been discussed at the PQAB meetings.

149. Two instances of Trusts' practice which undermines the Probation Qualifying Training have been passed to the Probation Inspectorate for information this year.

150. We will continue to raise these concerns and the emerging evidence, at the PQAB and at the NNC.

151. **Improving Attendance at Work (Sickness Absence Policy).** At the turn of the year Napo and Unison wrote to the employers' side of the NNC presenting a compelling case to begin a review of the existing model sickness absence management policy. This was in line with AGM resolution and the enactment into statute of the 2010 Equality Act.

152. The NNC discussed the joint request in some detail, but regrettably the response from the employers' side has been disappointing. Napo and Unison have formally registered our disappointment at the NNC and have agreed to undertake joint research among our respective branches to build up more evidence of poor practice among Probation Trusts.

153. Branches are encouraged to make more referrals to the NNC Joint Secretaries via the local JNC process where there is a failure to agree or a failure to engage in a review of local policies by employers.

154. **Information Technology.** This year has seen regular meetings of the joint Napo/NOMS ICT Forum. It is good to report that the culture of these sessions has been markedly different from the curmudgeonly dealings or cancelled meetings with the centre, which we were forced to endure until as recently as eighteen months ago. Napo's firm line on the need for Disability Equality Impact Assessments of IT applications and on accessible and accountable Assistive Technology solutions for staff, has been accepted. Napo has been included on demonstrations of the promised OASys-R and PCMS developments and are feeding in instances and examples of Trusts' IT system failures (sent in to Napo by branches and members), so that NOMS has a clearer image of these and Steria's shortcomings. It appears that NOMS has taken notice of this evidence. As a result, Steria is being held more accountable, and the benefits of this close work are more apparent in the testing of new ways of working, such as the digital pen.

155. Currently Napo is engaged with NOMS on a review of the 'Blue Book' which defines the standard for Trusts' introduction, piloting and Risk Assessment of new IT systems with User Acceptance testing.

156. **NOMS Employee Relations and Facilities for Napo representatives.** The scope for achieving improvement in facilities time has been extremely limited in the current political and economic climate with evidence of a clear directive from Government to reduce or even curtail facilities time across public services.

157. Fortunately most Probation Trusts have recognised the value of effective employee relations and have felt able to agree the contents of NNC circulars 6&7 in relation to time off to attend the Napo AGM and to recognise the importance of facilities time for Napo representatives engaged in new challenges such as those in relation to the current UPW commissioning exercise.

158. The Committee greatly appreciates Napo representatives at all levels of the union who undertake vital work on behalf of Napo members.

159. **Serious Further Offences (SFOs).** Napo referred the concerns raised in the 2010 resolution to our legal advisors. Napo received confirmation from Thompsons that there is no right to representation at SFO investigations. Notwithstanding, Napo is aware that some Probation Trusts have allowed Trade Union reps. to accompany members to these meetings and that, accordingly, it is always worth making a request to be present (albeit on a non-speaking basis).

160. Meanwhile, Napo has taken part in consultation on the latest NOMS draft Probation Instruction on SFOs. We have provided detailed comment on the importance of PQF training for those involved in reviewing SFOs and on nationally standardised training and terms for all those involved in supervision/management of Probation cases (ie. including the private sector). Most important, we have stressed the need for attention by Trusts to the principles of staff care at every stage of an SFO and its aftermath. Napo has emphasised that an adversarial or blaming approach must have no place in the course of the investigation process.

Professional Committee

<i>Members:</i>	Sheree Coleman (Trent) Ben Entwistle (Cheshire) Deanne Mason (Napo Cymru) Diane Oatley (Wiltshire and Gloucestershire) Andrew Preston (Staffordshire and West Midlands) Tom Rendón (Greater London) Committee Chair Lauren Salerno (Napo Cymru) Sarah Wake (South Yorkshire)
<i>Officer:</i>	Lisa Robinson (Vice Chair)
<i>Official:</i>	Jonathan Ledger (General Secretary)
<i>Administrator:</i>	Shireena Suleman

161. The Committee has met 3 times since the last AGM. For the latter 2 meetings we have shared a lunchtime session with the Campaigning Committee to look at issues which are of joint interest and concern. The Committee was allocated 5 resolutions from the AGM in 2010 and this has formed the lion's share of the work. In addition, the Committee was allocated a further resolution from NEC and we have contributed articles to Napo News and kept abreast of current developments in professional practice.

162. AGM Resolutions 2010

- **Inappropriate Allocation of FDRs:**
Work took place on this resolution early in the Napo year culminating in the publication of guidance for members on the Napo website. Document P02/11 "Allocation of Court Reports: Guidance for Members and Branches".
- **Let the Probation Service be the Probation Service:**
This resolution arose from discussion within Professional Committee about probation practitioners being asked to undertake an increasingly broad range of tasks which fall outside their remit, for example, issuing Chlamydia tests. The resolution called for the Professional and Campaigning Committees to canvas members for ways of "reducing the remit" of the Probation Service. Unknown to members of Professional Committee (at the time of writing the motion) was the speed at which 'any willing provider' will be able to deliver probation services.

The Committee members felt very strongly that a public discussion about how to reduce our remit would be unpalatable and potentially harmful to Probation in this climate. The Committee felt that this work should be re-framed in a more beneficial way and focus on defining and strengthening the core identity of the Probation Service. This work will continue with our Fringe meeting at AGM 2011.

- **Addressing the overuse of OASys with IT Targets:**
Discussion on this resolution continued throughout the year and, on behalf of Professional Committee, Lauren Salerno drafted a questionnaire as instructed by the resolution. The Committee ran into some difficulty here as an updated version of OASys, known as OASysR, will be rolled out in December 2011 so the results of the questionnaire risk being obsolete and ineffective. The Committee came to a view that a more effective course would be to redesign the questionnaire to influence how much OASys is used in the context of the Revised National Standards i.e. reducing the total use of OASys. While acknowledging this is a revision of what is requested in the resolution, the Committee felt it would be in the same spirit and yield better results. Given that the roll out of the Revised National Standards is due by April 2012, this work will be ongoing for the Committee.
- **Serious Further Offences:**
This resolution called upon the Committee to undertake a thorough review of the SFO investigation process. Unfortunately, the Committee does not have the resources to undertake this piece of work and concluded that information relating to members' experience of SFO interviews should be collated and sent to the General Secretary. The General Secretary would, in turn, write to the Chief Executive of NOMS seeking a response on the record. This work is in progress at the time of writing this report.
- **Prison Recalls:**
Work has begun on this resolution but, due to the resourcing of committees, this work is likely to be completed during the next Napo year.

163. **Resolution from NEC – Working with Extremism.** This resolution came half way through the year and members in Greater London Branch sought the assistance of the Committee in drafting practice guidance to working with extremism. The Committee Chair will co-ordinate the members in Greater London to organise this guidance and create opportunities for other interested members to feed in. It is likely that this work will continue past the AGM 2011.

164. Work on Previous Resolutions:

- **Politically Motivated Offenders 2008:**
This policy is completed and waiting to be formally signed off with NOMS.
- **Middle Manager Workloads 2009:**
Issues raised further in an article in *Napo News* and a meeting with NOMS is pending.

165. **Miscellaneous Work.** Committee members had a lengthy discussion about the Revised National Standards and what this means for practitioners who have a wide range of views, skills and experience. We agreed to develop a Napo view and the starting point to this will be to contact Branch Chairs asking for the Standards to be an agenda item and get some feedback about the issues this raises for members. Also on the horizon is the spectre of 'biometric reporting' for clients which Committee members felt Napo should take a view on.

166. **AGM 2011.** The Committee will hold its Fringe Meeting under the heading of ‘Probation: Defining Our Core Identity’.

Steering Committee

Members: Carolyn Mack (Trent)
Howard Davies (Greater Manchester/Retired)
Derek Padgett (Greater London)
Jeanne Peall (Kent) Committee Chair
Ian Sammut-Smith (Northumbria) until December 2010
Andy Stanton (Cafcass Central area) until December 2010
Jo Thompson (Trent/Retired)
Graham Walsh (Cafcass North area/Retired)

Officer: Tim Wilson (Chair)
Official: Jonathan Ledger (General Secretary)
Administrator: Annoesjka Valent

167. Steering Committee has a specific remit, which means that its responsibilities rarely vary from year to year and, as a result, it operates differently from other Napo committees. The Steering Committee year runs from January to December and there are usually three meetings outside of AGM. Representatives, including the Committee Chair, attend the AGM motion “slotting” meeting in August. The Committee also sends a representative to venue site visits. At AGM, the Committee is in session from its preparatory meeting which takes place the day before the start of business until the AGM closes. The focus of the Committee’s work during the year is always preparing for AGM, putting those preparations in action and reviewing what happened.

168. The venue at Scarborough is a very familiar one but in 2010 access to the main hall and entrance area was affected by extensive building work. Conference was therefore based around the Ocean Room and Promenade Lounge to one side of the complex, although large areas of the upper floor of the main building were used for the Family Court Section and fringe meetings. This presented some organisational challenges but on the whole it worked better than had been anticipated. There were issues controlling the temperature of the Ocean Room and the spaces used for the Administrative staff, Steering and the Monitors had their difficulties.

169. A total of 37 motions were submitted for debate (five less than in 2009) as well as nine constitutional amendments. Two amendments to motions were received, both of which were accepted. Four potential composite motions were identified prior to AGM, involving a total of 10 motions. Of these, three were eventually agreed becoming Composite A (motions 33, 35, 36), Composite B (motions 5, 6) and Composite C (motions 23, 34, 37). Of the remaining motions available for debate, including the composites, 20 were debated. All the Constitutional Amendments were debated and carried. In total 12 motions were not reached, the same number as in 2009.

170. 187 minutes were spent on debating motions and the constitutional amendments. A further 297 minutes were spent on general business: this includes the Annual Report, accountability session and formal business. This figure also includes the debate during the first part of the last session on Thursday afternoon, which lasted 57 minutes. Various speakers and sessions not involving motions or formal business totalled 172 minutes. 86 minutes were lost to inquiracy at the start of morning and afternoon sessions, slightly up on 2009 and 16 minutes were lost to ‘no business’ during ‘quorate’ time.

171. Five emergency motions were submitted to the Committee during the course of AGM, which involved a lot of Committee time behind the scenes. Of these, three were eventually considered by the Committee to meet the criteria for an emergency and these decisions were agreed by AGM. The debates on the emergency motions took a total of 27 minutes. The decision by the Committee to reject one potential emergency was not contested and the other potential emergency was dealt with by including speeches on the topic in the debate on Composite A.

172. The Committee was provided with excellent support from the Napo administrative staff. Special thanks go to the Chief Steward, the Deputy Chief Steward and the Stewards, all of whom worked particularly hard this year assisting Steering and the Monitors, as well as ensuring members were able to navigate the venue successfully.

173. The statistics relating to the race and gender of speakers are collected by a monitoring exercise of all full members and Professional Associate Members (PAMs) registering for AGM, as well as by the Steering Committee timing table. The figures produced from the information collected on the timing table used in the lower table relate to the contributions from all the sessions. In terms of contributions, as in Torquay, the bias towards men speaking changes if platform contributions are removed. Contributions from the floor comprised 85 women and 85 men. However, women made up 59% of the total registrations.

Race/Gender	Analysis of Registrations	
	Number	Percentage
Black	51	8.5%
White	512	85%
Mixed & Other	39	6.5%
Total	602	100%
Female	356	59%
Male	246	41%
Total	602	100%
Black female	30	5%
White female	302	50%
Mixed & Other female	24	4%
Total	356	59%
Black male	21	3.5%
White male	210	35%
Mixed & Other male	15	2.5%
Total	246	41%

Race/Gender	Analysis of Speakers	
	Contributions	Percentage
Black	20	6.5%
White	286	93.5%
Total	306	100%
Female	102	33%
Male	204	67%
Total	306	100%
Black female	10	3%
White female	92	30%
Total	102	33%
Black male	10	3%
White male	194	64%
Total	204	67%

Trade Union Organisation Committee

<i>Members:</i>	Pauline Anderson (Greater London) Shirley Anderson (Northumbria) Bill Cookson (Lancashire) Mike Dunne (Napo Cymru) Judith Gardiner (Greater London) – Committee Chair Roger Peel (Lancashire) Jonathan Townshend (Durham Tees Valley) resigned February 2011 Maureen Vernon (Staffordshire and West Midlands)
<i>Co-opted:</i>	Tony Mercer (Cafcass) resigned March 2011
<i>Officer:</i>	Mike Quinn (Vice-Chair)
<i>Official:</i>	Ranjit Singh (National Official)
<i>Administrator:</i>	Cynthia Griffith

174. Trade Union Organisation Committee met on three occasions in London in accordance with the reduction in committee meetings agreed by NEC, and whilst not all members were able to make every meeting, each was well-attended and productive. Several members were involved in substantial pieces of work outside meetings as described below.

175. As the committee places were all taken at the beginning of the year (although we lost Jonathan Townsend when he left the Service), we agreed to co-opt Tony Mercer of the Family Court Section if he were able to attend as we were anxious that we should be kept apprised of developments and be able to offer support to Cafcass members in a very difficult period. Unfortunately, his attendance was not possible due to heavy commitments, but a commitment has been made to ensure that a member of Cafcass is encouraged to put forward a nomination to join the Committee for the coming year.

176. AGM resolutions 2010:

• Retired Members

The change in membership options to allow retired members to take up Professional Associate status should they wish, was introduced with effect from 1 January 2011. There has been a good response with over twenty members taking up the new option. Guidance was sent to Branches to encourage them to inform their members of the new options and to clarify practical points re voting rights and quoracy issues. Membership Department has also instigated a procedure to routinely remind members of the membership options available to them.

• Constitutional Amendment 1 – Workplace Meetings

A working group was set up to explore the practical, technical and legal issues involved in implementing this amendment with a view to issuing detailed guidance to branches which may wish to pursue this option. Some branches are considering experimenting with use of video-conferencing, but it is recognised that suitable facilities for this would not be available in all areas and it would be necessary to ensure that a member of the Branch Executive was at each linked meeting. Branches will need to be more organised about keeping contact details for members up to date and will need to identify key locations and set dates for meetings in advance. Guidance has been sent to branches on how to adopt and implement workplace meetings. Ranjit Singh and Mike Dunne have also worked on producing a model Branch Constitution which was circulated prior to Branch AGMs which included the necessary changes to implement this and the constitutional amendment on Terms of Office.

• Constitutional amendment 2 – Terms of Office

The Committee also discussed the issues in relation to implementing this amendment, in particular the issues around transitioning for coming to the end of a term of Branch office. Guidance was issued prior to the 2011 Branch AGMs advising that, after due consideration and discussion with Officers, Officials and others, it had been agreed that the fairest and easiest way forward was to allow everyone to start with a clean slate. However, Branches could decide to make some positions for one year only to begin with to allow for rolling elections on the model of national officers, thus avoiding having to re-elect the entire BEC every 2 years.

• Facility Time

The Committee noted the considerable national variation in provision of facility time and the pressures that employers, with encouragement from Government spokespeople, are putting on branches to renegotiate existing agreements in a detrimental direction. Several members of the Committee produced a survey to go to branches to collect objective information on the current position and provide a benchmark for negotiations. Thus far only a small number of Branches have responded, but Committee members will contact non-responders to try to ensure we have a full picture. Ranjit Singh has been liaising with Carl Roper from the TUC who will address an AGM Fringe meeting on this topic and work is in hand to pull together guidance from the TUC, ACAS, Labour Research Department and the NNC Handbook to fill in the gaps and clarify issues that exist with local agreements.

177. **Events.** The Committee organised and ran a number of events targeted at specific sections within the membership.

• Hostel Conference

In May this year the biennial approved premises seminar was held. The seminar was entitled 'More than just a bed: Rehabilitation, Reintegration and Public Protection.' The seminar was over-subscribed and it proved to be a timely reminder of the important work done by Approved Premises staff. The Seminar also saw the official launch of Napo's Approved Premises Vales Statement. The statement outlines a set of ten principles for the delivery of Approved Premises work.

• PSO Conference/ PSO Forum

The PSO Forum in line with the NEC decision met twice this year. The Forum meetings have been well attended and discussion focussed on the increase in density in PSO Grades in Napo and how to continue this trend. The PSO Conference was held in June and was a huge success and valued by members who attended. Key note speakers included Frances O'Grady, TUC deputy General Secretary, Colin Allars, NOMS Director of Probation and Jonathan Ledger, Napo General Secretary. The conference also had a number of useful and relevant workshops.

• Napo: The Next Generation

In September 2011 it is planned to hold an event to develop the next generation of Napo activists. As Napo has an ageing membership profile, it is essential we look at ways to encourage younger activists to get involved. The event is scheduled to take place in Birmingham and coincide with a lobby of the Liberal Democrat Party Political Conference.

178. **Women's Strategy.** We were delighted to welcome Lisa Robinson, national Vice-Chair to our March meeting to present OFF 14/2011, 'The Representation of Women in Leadership Posts in Napo – Developing a Strategy Towards Improved Proportionality'

and to discuss the Women's Strategy paper which was launched at the Women in Napo Conference in May and discussed at subsequent NECs. This considered various barriers to women's progression in Napo including issues around the timing and structure of leadership elections, the format of nominations and other issues around participation in ballots and rules on campaigning. Lisa and the Chair of the Committee were speaking delegates at the 2011 Women's TUC Congress where our motion calling for all Unions to do more to address these issues was widely supported. A sub-forum page for Women in Napo is now on Napo's website. We look forward to assisting in taking the strategy forward.

179. **NEC reform.** This has been a major topic of discussion throughout this year. Early drafts of the reports prepared by the NEC Working Party (of which the Chair of TUO was an ex-officio member) were presented to the Committee for comment. We discussed the imperative for change to ensure that the NEC could function more cost-effectively and properly carry out its constitutional responsibilities. We also looked at the pros and cons and practicalities of the various options, and were keen to ensure that the need for improved gender representation was recognised. Being aware of the differing interests of various branches on these issues depending on their geography, size and history, we did not take a formal position on which option to support as we were aware that we would have responsibility for actioning whichever option was agreed by NEC for presentation to AGM. The May 2011 NEC endorsed the need for change and instructed our Committee to bring forward Constitutional Amendments to facilitate a move to a Regionally Elected model of NEC representation and these will be debated at this AGM. If approved, next year's Committee will need to work hard to ensure this significant change is implemented smoothly.

180. **Organising and Recruitment:**

- **Recruitment**

This has been a difficult year for recruitment given the number of members, often of long standing, who have been taking Voluntary Redundancy or Early Retirement due to the cuts. It is therefore pleasing to see that branches have been keeping up the momentum of recruitment work begun as part of the 'Target 10K' campaign and that our density of representation at target grades has increased significantly although our absolute numbers have decreased slightly. We presented reports to the NEC on this, giving a more detailed breakdown in relation to age, ethnicity and grade, but noted again a relative lack of information about disability and other protected characteristics. Membership forms have been revised to make it easier to gather this information but it is dependant on applicants choosing to respond. With the challenges ahead and prospects of ballots for industrial action increasing, it will be important to keep up our strength and have accurate mapping of our membership. National Officers and Officials have been working with branches to assist them on this, especially in preparation for the Unpaid Work Competition exercise. Materials will be available to assist branches in their activity around Recruitment Week in September this year titled "Time for Resistance" and we will be seeking feedback on what branches have been able to achieve. We have also asked Officers and Officials to consider whether some form of award or other recognition could be given to branches which are the most successful and innovative in increasing density.

- **Organising**

In addition to the above the Committee and Officers and Officials put in considerable work to encourage branches to mobilise a huge turnout for the "March for the Alternative" demonstration in London. Our presence in

relative terms was huge with an estimated 6 per cent of members turning out to march. Our presence was well noted and appreciated by other Union colleagues and we will want to ensure we can mobilise equally effectively for whatever other demonstrations, lobbies or actions we may need to take in this coming year.

181. **Reps handbook.** The Committee is developing and revising this important guidance for Branch reps which will give information about the union and how it works and other useful information, good practice guidelines and contacts to assist Reps in supporting members effectively. Once the handbook is ready it will be distributed to all branches and used as a companion on training courses thereafter.

182. **Trade Union Education.** This was the first year of provision of courses by City of Southampton College. Thus far, according to the findings of a member survey and feedback forms, their work has been well received, as has the new emphasis on pre and post course work designed to ensure that members and branches get full benefit from these courses. Unfortunately, the "Organising the Union" course scheduled for May 2011 had to be cancelled due to a number of late drop-outs – we hope to prioritise this in the programme for next year, but have also tried to ensure that recruitment and organising issues are mainstreamed into all the other courses too. We noted that, due to cuts in TUC funding for courses such as these that are due to come into force in 2012, it may be necessary for Napo to fund some courses from its own resources if it is to maintain a full programme for the future.

183. **Family Court Section.** Given the major challenges that Cafcass has been facing nationally, with uncertainty about the future of the Service, major restructuring and ongoing issues regarding workloads, the Committee was keen to ensure that we maintained contact with Family Court Section reps. Ranjit Singh reported to each meeting on FCS issues and the Section's input was sought on key issues such as the Women's Strategy and NEC Reform (the FCS chair Tony Mercer, being a member of the NEC Working Group on the latter). The Committee expressed its support and appreciation of the work FCS Committee has done in making representations to various Parliamentary committees and in helping formulate Nape's response to the Justice Committee Final Report due in September 2011.

184. **National Reps.** The National Representatives Panel is managed by Ian Lawrence, Assistant General Secretary with vital day to day administrative support being provided by Cynthia Griffith. The panel has again provided excellent support for Napo members who find themselves at a critical point in their career, being the subject of capability or conduct proceedings which threaten their continued employment. National Representatives have also been involved in a number of appeals against an employer's refusal to grant ill health pension provision.

185. Members of the Officers Group attend National Reps panel meetings and have agreed the recommendation from the AGS that there is currently no need to increase the size of the Panel. The situation will be kept under regular review in light of any further announcements about further cuts to Probation Trust budgets.

186. **Case trends.** This year the focus has very much been on cases involving allegations of gross misconduct against Napo members (within Probation Trusts) and performance issues (within Cafcass). Feedback from the National Reps has provided valuable information for National Officers and Officials in their contact with employers' representatives. The number of suspensions of Napo Family Court Section members within Cafcass has shown a very welcome reduction this year. Nevertheless, some National Reps have reported on the poor quality of proceedings and the ability of some of the organisation's managers. These particular cases have been taken up centrally with the employer and in some instances remedial action has resulted.

Training Committee

<i>Members:</i>	Pauline Anderson (Greater London) Sue Brooks (Wiltshire and Gloucestershire) resigned February 2011 Darren Daniel (Kent) Paul Jones (Surrey and Sussex) Teena Lashmore (Greater London) Michelle Leighton (Greater London) Lesley Morris (Trent) Richard Ogwang-Aguma (Greater London) Committee Chair
<i>Officer:</i>	Dino Peros (Vice Chair)
<i>Official:</i>	Jonathan Ledger (General Secretary)
<i>Administrator:</i>	Jeannie Ah-Fong
<i>Co-opted:</i>	Marilyn Owens (UL Project Manager, England) Briony Marder (UL Project Manager, England) Aziz Bouleghlimat (UL Project Manager, Wales)

187. The Training Committee met on three occasions, two of which were well attended. Members were involved in work outside of the formal meetings, mainly in connection with the Probation Qualifications Framework and the ULF Project. The ULF Project Team has liaised closely with the Committee this year to the benefit of the whole of Napo.

188. **Committee priorities.** The Committee set out its priorities as follows:

- PQF, addressing practice and application issues arising and liaising with the Probation Negotiating Committee where appropriate;
- ULF, monitoring and supporting the project in Wales and ensuring that the England project legacy is sustained once it has ended. This last priority was subsequently overtaken by events as reported later in this report.

189. **AGM 2010 Resolutions.** Two resolutions relating to training were allocated to the Committee following the 2010 AGM: Protected Learning Time for PQF learners, and PQF and role boundaries. The work undertaken in relation to the two resolutions is reported in the following section of the Committee's report.

190. Probation Qualifications Framework (PQF)

(a) PQF Assurance Board

The Board has responsibility for monitoring the implementation of the Framework and its further development. Napo is represented on the Board by Tim Wilson, National Chair.

Napo welcomed the proposal at the Board to introduce a Case Administrator vocational qualification as this was an outstanding commitment from the original PQF work. However, Napo has had to make strong representations about the inclusion of an optional diversity component in the qualification arguing that it should be mandatory as in the rest of the PQF. This issue is still under discussion.

During the course of the year the data on take up of the PQF grew more encouraging and, at the time of writing, it is understood that more than 600 people are studying under the Framework. However, there is concern that the take up across England and Wales is inconsistent with some Trusts more committed to supporting the professional development of staff than others. This concern was reinforced by the announcement that a significant amount of national training money was lost from the budget due to poor take up by Trusts. This development reinforced Napo's belief that a national quota system should have been maintained to avoid cuts in Trust budgets dictating the training opportunities provided regardless of need and future workforce planning.

(b) Branch survey

In February the Committee sent a survey to branches. It sought information about the take up of training in Trusts, the number of places on offer and detail of the numbers applying and being successful. It also requested diversity monitoring information and whether Trusts had undertaken Equality Impact Assessments (EIAs). The survey was reissued in March after an initial poor response.

Returns were received from fourteen branches. The information confirmed the variation between Trusts in providing access to the PQF for staff. Whilst all the Trusts covered by the branches appeared to have completed EIAs, the only consistent monitoring data was in relation to gender which suggested a 4:1 ratio of women to men successfully applying to go on to the gateways, a figure reasonably consistent with the demography of the Service as a whole.

Other areas of concern raised by branches included protected learning time and backfilling posts, pay detriment and role boundaries. The information in the survey has been shared with the NEC and the Probation Negotiating Committee which can raise relevant matters at the NNC.

191. **Union Learning Fund.** The Committee has welcomed the attendance of ULF Project staff at its meetings. This has been part of an improved focus on the Project within Napo with regular, detailed reports to the NEC. Two of the Officers Group are members of the ULF Steering Group which brings together partner organisations including the TUC, Skills for Justice and NOMS. The General Secretary has overall management responsibility for both projects.

192. **ULF England.** Towards the end of 2010 finance was agreed to continue existing projects for at least one more year. In light of this unexpected development Napo's Officers approved an application for an additional year's funding. This was successful and means that the England Project is now funded until 31 March 2012.

193. The Project budget includes the training of around 30 new ULRs across branches. Two events for new ULRs are planned to run in December 2011 and March 2012. As part of the promotion of the work of the Project two Dissemination Seminars have taken place. The first, in June, was aimed at employers and senior managers and some dozen or so Trusts were represented. In September a similar event was held for Branch representatives with 14 branches sending reps. One anticipated consequence of these events is an increased number of local learning agreements following on from the national agreement secured in 2009.

194. The Project budget for the current year includes an allocation of £20,000 to be used as part of Napo's planned centenary professional conference. This money will ensure that learning and development is at the heart of the conference which is currently in development. Project Manager, Marilyn Owens, is representing ULF on the planning group.

195. **ULF Wales.** The Project is currently in its second year of a three year contract. The Project is entitled Sustainable Access to Learning for all (SALFA) and has a number of targets including the creation of transferable learning opportunities, support with transition and structural change at work, an improved ULR network and Welsh language learning.

196. The Project Manager and General Secretary attended an annual review meeting with Welsh Assembly representatives in March at which the Project was given a 'green' rating in recognition

of the excellent progress being made. The Welsh Assembly is kept apprised of progress on the Project via quarterly reports which are also shared with the NEC. The Project Manager has excellent links with Napo Cymru Branch and this has helped strengthen the Project's links with members at work.

197. **Skills for Justice.** Tim Wilson, national Chair, has been representing Napo on the Council of Members which, while not providing critique of government policy, does offer links and networking opportunities across the Justice/Learning sector. The Council meets twice a year; the first meeting was in February and the second took place on 6 September 2011. There are also opportunities to attend events in between that are specifically requested by Council Members and to focus on particular issues of interest to the sector. Tim Wilson attended the seminar on the 22 June on "reducing re-offending" – with inputs from the government offices of Scotland, Wales and Northern Ireland. The event was interesting as well as challenging, provoking energetic discussion and food for thought.

Report on the Implementation of Anti-Racism Policy, Disability Action Plan and Equal Rights by Napo Committees

198. **National Executive Committee.** The Committee, in conjunction with the Officers, is responsible for monitoring the progress of Napo's equal rights policies. Primarily, this is achieved via the receipt of regular reports from each committee. The Committee elects the delegation for all TUC conferences including the equality conferences. Napo continues to be represented on the TUC committees representing black and disabled members.

199. The Committee maintains direct links with the staff associations via Napo's regular meetings with representatives of the SAs.

200. **Cafcass Negotiating Committee.** The Committee continues to review its practices to ensure that activities comply with standing Napo policy and 'best practice' elsewhere in respect of equality of access, and the involvement of Committee members from across all the represented FCS grades in negotiations with senior management.

201. The Committee comprises a selection of elected FCS representatives and Officials that provides a proportionately representative group in relation to grade coverage and ethnicity.

202. **Campaigning Committee.** Work undertaken on Stalking and Harassment Law Reform, training and support for victims was of particular relevance to women. Eighty per cent of victims of stalking and harassment are female and much stalking behaviour arises from domestic violence and abuse situations. Support for victims of domestic violence and treatment of perpetrators was also a prevalent theme in the work undertaken on highlighting the importance of Probation programmes and issues around supervision of offenders on determinate sentences who are released automatically at the half-way point of sentence regardless of the effect on former women victims. Napo also produced briefings on the need for a policy review on sex workers following the murders in Bradford in 2010 and looked at the impact on women sex workers of the clamp down on prostitution and brothels in the Olympic Boroughs in the run-up to 2012. Meetings were held regularly with the Black Police Association on relevant community issues.

203. Attention was paid to ensuring that more women's voices were featured in *Napo News* and there was also good coverage of issues of particular relevance to women. Disabilities, LGBT and race issues were also given significant coverage in the newsletter, including the production of the annual 'Pink Pages' and reports from all the TUC diversity conferences.

204. **Editorial Board Probation Journal.** The Probation Journal has board members drawn from across England and Scotland. Including the editors, the board now comprises five probation practitioners, one full-time senior probation officer, three academics (one part time), a youth justice manager, a senior research consultant and a chief officer. Including all those who have been on the board during the reporting period, it has included one Asian woman, five white women, two Asian men, and six white men.

205. The Journal continues to seek to promote articles and other features on themes addressing discrimination and diversity. Every board meeting agenda includes an anti-discriminatory issues slot which gives an opportunity for discussion of issues such as submission patterns and board membership. All article submissions are monitored to identify trends and patterns of discrimination by grade or job title.

206. Much work has been done by members of the editorial board to assist first time authors and practitioners whose work has potential throughout the re-drafting process. The board also encourages submissions from managers and practitioners in the probation service and wider criminal justice sector. Contributions which seek to genuinely enhance the reader's understanding of difference are always welcome.

207. **Equal Rights Committee.** The Committee has overall responsibility for the development and governance of all issues relating to equality and diversity in Napo. However it is also the responsibility of every employee and member to show commitment to equality and diversity through their actions.

208. The Committee's work over the past year reflects legislative and political changes. Provision for minority groups has often been withdrawn and the charity sector cannot fund additional activities. This has meant that minority groups have often been affected by cuts in services coupled with welfare reform. In addition some of the provisions of the Equality Act were removed by the coalition government and the public duties to promote equality have been substantially weakened. Officer and Officials have attended Equality Act training and TUC briefings, there has also been an update for the National Representatives panel. The late publication of statutory guidance and the public duties has somewhat hampered the work of the Committee. The Committee has been working to develop Napo's policies and procedures to embrace all of the protected characteristics in line with the Equality Act. We continue to work towards becoming a more inclusive trade union and professional association but there is still much to achieve. The Equal Rights Committee will continue to work with Officers and Officials to ensure an emerging best practice approach to equality.

209. Due to competing priorities the Committee has not achieved all of its objectives but its work has continued to raise the profile of equality issues throughout Napo's operations.

210. **Family Court Committee.** In all the work of the Committee the members are mindful of Napo's general policies on diversity and these are regular considerations in progressing the Committee's work, not least in the planning that is necessary for the annual Family Court Conference.

211. **Health and Safety Committee.** The Committee has maintained a full complement throughout the year with an even gender balance.

212. IT accessibility issues remain a focus for the Committee both in Cafcass and Probation. Napo has continued to represent the needs of disabled staff by attending the NOMS IT Forum, which has been more effective this year. The Committee has also supported Cafcass in a similar way through its Health & Safety Steering group (HSSG).

213. We continue to stress the importance of carrying out Equality Impact Assessments at the design stage of new IT systems – notably software programmes, so that proper account can be taken of the requirements of staff.

214. Via the National H&S Forum and the HSSG in Cafcass, the Committee has maintained pressure on employers to separate disability related leave and discount it on Absence Management practices.

215. The Committee continues to promote the importance of reasonable adjustments both in the context of return to work interviews, particularly members with impairments, but also more generally as a central feature in risk assessments within the working environment.

216. **Probation Negotiating Committee.** The Committee maintains a commitment to equality issues in pay negotiations. This year's claim included the harmonisation of working hours and pay band restructuring. These issues are being addressed in the ongoing negotiations with NOMS and the employers.

217. A number of areas for which the Committee holds responsibility include clear equality dimensions. The Management of Change protocol incorporates the need for an equality impact assessment as part of the national intervention, ongoing work on sickness absence procedures has a central focus on DDA issues and the treatment of disabled staff, and pensions negotiations incorporate concerns about changes to provision which will impact unfairly on the basis of age and gender. The improved engagement with NOMS over IT issues has facilitated continuing work on the provision of assistive technology.

218. **Professional Committee.** The principles of equality and valuing diversity underpin and inform the Committee's approach to work on the resolutions and more broadly. The Committee is concerned that these principles may risk being sacrificed in the proposed out-sourcing of probation work and will seek a firm commitment from the employers.

219. **Steering Committee.** Steering Committee comprises six elected members. The current Committee continues to maintain a gender balance and has members from both the Family Court Section and Probation Branches. There were no black members on the Committee during 2010-11. The Committee is not involved in proposing policy through motions, but implements policy in the specific context of its constitutional remit for the planning and running of Napo's AGM. The Committee responsibilities, therefore, alter little from year to year.

220. The Committee sends representatives to the site visits at the AGM venue as part of the planning process. The site schedule for each venue is drawn up in negotiation with the venue staff by the Conference Organiser. However, the site visits enable the Committee to identify issues of accessibility in terms of the dedicated rooms for Steering Committee and the Monitors, as well as more generally for members during the conference. The Committee representatives also consider any other factors that could impact on AGM business, including the ability of members to participate.

221. The ordering of business at AGM and ruling on Emergency Motions form two of the Committee's main responsibilities. The Committee works to ensure that the process is as transparent as

possible and is carried out in line with Napo policies on anti-racism and equal rights. The Committee's decisions are explained and accounted for publicly during AGM sessions and members have the right to challenge those decisions. Part of the Committee's role at AGM is to monitor all spoken contributions to sessions in relation to race and gender. The information gathered is reproduced in the Steering Committee section of the Annual Report. Women now form a majority in terms of members attending AGM. The statistics from AGM in Scarborough show that women speaking from the floor made an equal number of contributions to men, although women made up 59% of registrations. In order to continue to sustain progress in this area, Steering Committee continues to urge the Officers, other Committees and Branches to pay attention to gender balance when considering the proposers and seconders of their motions. The number of black members attending AGM at Scarborough declined very slightly from the previous year – 51 registered at Scarborough against 52 at Torquay.

222. The Committee endeavours to make its role accessible to members through written material provided in Conference packs (available in other formats on request) and by actively seeking to be available to advise members during the course of Conference, although the location of the Steering room in some venues can impact on this. In addition to this we have established a Steward's Information Point at the entrance to the Conference venue. The purpose of the Information point is to provide an accessible and dedicated place for any members, who requires it, to seek initial assistance.

223. **Training Committee.** The Committee has considered diversity issues, inclusivity and access in the context of the PQF and ULF. It has raised concerns in relation to the possible failure of the developing PQF gateway for case administrators to include a mandatory diversity component.

224. **Trade Union Organisation Committee.** The Committee had two of its members representing Napo at the TUC Black Workers' Conference. The motion taken to the Conference focussed on the disproportionate impact of the cuts on black communities and how this will exacerbate the over representation of black people in the criminal justice system.

225. The Committee has worked to further enhance the development of Napo Women's Strategy by exploring the barriers to women's progression in Napo.

226. The Committee through the link Official has formal links to the Staff Associations to address any specific concerns around organising and recruitment and particular issues that may need to be addressed for the protected characteristics they represent.

227. The diversity and harassment course is a regular part of Napo's Education programme. It provides Napo representatives with the knowledge and skills to enforce the responsibilities on employers to provide a workplace that is safe and treats its workers with dignity in relation to diversity.

Report on the Implementing Anti-Racism Policy; Disability Policy and Lesbian, Gay, Bisexual and Transgender Action Plan

228. Branches are required under section 19(b), (c), and (d) of Napo's constitution to liaise with the Equal Rights Committee to provide and report on the implementation of the Anti-Racism Policy and inform the Committee of "any complaints from members concerning racism, specifying the nature of the complaint, the action being taken and the eventual outcome".

229. Pro-formas have also been sent to branches to report on the implementation of the LGBT and the Disability Policy. Although there is no constitutional requirement for branches to report back on these two areas, it is nevertheless, seen as an important step in furthering Napo's commitment to these areas of work.

230. The pro-formas sent to branches are going to be reviewed for future returns.

231. **Anti-Racism.** Reports have been received from 10 branches. Some branches have reported difficulties recruiting Anti-Racism Officers (AROs). However, in the absence of an officer with direct equality and diversity responsibilities the report should be completed either by the Branch Chair or Secretary.

232. The following summarises the responses received:

- (a) **Anti-racism initiatives:** most branches have adopted, though not always formally, anti-racism initiatives. Branches report their continued commitment to taking an anti-racist stance in all areas of work undertaken.
- (b) **Branch liaison with Equal Rights Committee:** a few branches have liaised directly with Equal Rights Committee.
- (c) **Provision of local anti-racism training for branch executive:** in a few branches, branch executive members have undertaken their employer's Diversity training or attended training courses provided by Napo.
- (d) **Complaints of racism:** two branches reported dealing with complaints and members were supported and advised through formal procedures.
- (e) **Liaison with local ABPO reps:** a few branches have regular meetings and formal contact with ABPO reps and a few branches informal liaison. Some branches are not aware of local ABPO reps but will contact national ABPO if necessary.
- (f) **Support:** branches express commitment to supporting black members when approached. Some branches are promoting and celebrating Black History Month.

233. **Disability.** Nine branches have submitted a report.

234. Branches are committed to supporting disabled members when approached. Some branches are unaware of the Disability Action Plan and are asking for guidance and support. In some branches executive members have attended courses organised by Napo or the TUC. Some branches have formal or informal links and meetings with NDSN.

235. Concerns raised by branches: experiencing difficulties in obtaining Equality Impact Assessments; major issues regarding 'Improving Attendance at Work' (Sickness Absence) policies where what should have constituted disability leave is categorised as sickness absence leading to disabled members reaching trigger points sooner, and also having difficulties obtaining 'reasonable adjustments'; Assistive Technology has been a major concern particularly in the context of IT upgrades.

236. Five branches reported complaints from members concerning disability. Some cases were dealt with locally and in consultation with HR but a few were referred to Chivalry Road and dealt with at national level.

237. **LGBT.** Seven branches have submitted a report.

238. Branches express a commitment to support LGBT members when approached. Some branches are unaware of the LGBT Action Plan and are asking for guidance and support. Formal or informal links with LAGIP are reported by a handful of branches.

239. Three branches reported complaints from members concerning heterosexism, homophobia or transphobia. Cases were dealt with locally except for one case that was referred to a national rep. Issues for transitioning members were also reported.

Affiliations for 2010

Abortion Rights

Campaign for Homosexual Equality

Cuba Solidarity Campaign

GFTU – General Federation of Trade Unions

Hope not Hate

Howard League for Penal Reform

IER – The Institute of Employment Rights

Justice for Columbia

Labour Research Department

NPC – National Pensioners Convention

TUC – Trades Union Congress

UAF – Unite Against Fascism

Venezuela Solidarity Campaign

Wales TUC Cymru

Napo

ACCOUNTS

for the year ended 31 December 2010

Report of the Officers

The Officers present their annual report with the accounts of the union for the year ended 31 December 2010.

OFFICERS

The Officers who held office throughout the year were as follows:

<i>Name</i>	<i>31 December 2010</i>
T. Wilson	(Chair)
K. Stokeld	(Treasurer)
P. Bishop	(Vice Chair)
D. Peros	(Vice Chair)
M. Quinn	(Vice Chair)
D. Borgen	(Vice Chair)

STATEMENT OF OFFICERS' RESPONSIBILITIES

The Trade Union and Labour Relations (Consolidation) Act 1992 requires a trade union to:

- keep proper accounting records with respect to its transactions and its assets and liabilities, and
- establish and maintain a satisfactory system of control of its accounting records, its cash holdings and all its receipts and remittances;
- maintain such accounting records as are necessary to give a true and fair view of the state of affairs of the trade union and to explain its transactions;
- prepare annual accounts, in accordance with the requirement to make an annual return to the Certification Officer.

Signed, on behalf of the National Executive Committee:

K. STOKELD, *Treasurer*

Approved on 26 May 2011.

Independent Auditors' Report

TO THE MEMBERS OF Napo

We have audited the accounts of Napo for the year ended 31 December 2010, which comprise the Income and Expenditure Account, Balance Sheet, Statement of Total Recognised Gains and Losses and the related notes. The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice).

RESPECTIVE RESPONSIBILITIES OF OFFICERS AND AUDITORS

As explained more fully in the Statement of Officers' Responsibilities, the officers' are responsible for the preparation of the accounts in accordance with Trade Union and Labour Relations (Consolidation) Act 1992 and for being satisfied that the accounts give a true and fair view.

Our responsibility is to audit the accounts in accordance with applicable law and International Standards on Auditing (UK and Ireland). Those standards require us to comply with the Auditing Practices Board's Ethical Standards for Auditors.

We report to you our opinion as to whether the accounts give a true and fair view and have been properly prepared in accordance with the Trade Union and Labour Relations (Consolidation) Act 1992. We also report to you if, in our opinion, the Report of the Officers is not consistent with the accounts, if Napo has not kept proper accounting records, if we have not received all the information and explanations we require for our audit, if Napo has not established and maintained a satisfactory system of control over its accounting records, its cash holdings and its receipts and remittances, if we have not received proper returns, adequate for our audit, from branches not visited by us and if the Balance Sheet and Income and Expenditure Account are not in agreement with the accounting records and returns.

We read the Report of the Officers and consider the implications for our report if we become aware of any apparent misstatements or material inconsistencies with the audited accounts. Our responsibilities do not extend to any other information.

This report is made solely to the members of Napo, as a body, in accordance with the Trade Union and Labour Relations (Consolidation) Act 1992. Our audit work has been undertaken so that we might state to the members of Napo those matters that we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the members of Napo as a body, for our audit work, for this report, or for the opinions we have formed.

SCOPE OF THE AUDIT OF THE ACCOUNTS

An audit involves obtaining evidence about the amounts and disclosures in the accounts sufficient to give reasonable assurance that the accounts are free from material misstatement, whether caused by fraud or error. This includes an assessment of: whether the accounting policies are appropriate to Napo's circumstances, and have been consistently applied and adequately disclosed; the reasonableness of significant accounting estimates made by the officers; and the overall presentation of the accounts.

OPINION ON THE ACCOUNTS

In our opinion the accounts:

- give a true and fair view of the state of Napo's affairs at 31 December 2010 and of its surplus for the year then ended; and
- have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice the Trade Union and Labour Relations (Consolidation) Act 1992.

Elizabeth Ridge
Senior Statutory Auditor

For and on behalf of BRYAN AND RIDGE, Statutory Auditors
Chiswick, London W4

Income and Expenditure Account

FOR THE YEAR ENDED 31 DECEMBER 2010

		2010		2009	
	Notes	£	£	£	£
Income from Subscriptions			2,232,509		2,156,958
TUC Projects			171,743		226,824
Other Income	2		24,206		28,292
			<u>2,428,458</u>		<u>2,412,074</u>
Staff Costs	3	970,368		913,721	
TUC Projects		171,743		226,824	
Accommodation Costs		66,892		60,522	
Operating Costs		287,174		312,748	
Committee, Conference and Affiliation Costs		417,894		470,515	
Financial and Legal Costs		12,452		19,843	
Branch Expenses		167,409		212,503	
		<u>2,093,932</u>		<u>2,216,676</u>	
			(2,093,932)		(2,216,676)
Surplus for the Year before Taxation			334,526		195,398
Taxation	4		(2,450)		(2,872)
Surplus for the Year after Taxation			332,076		192,526
Transfer to Special Aid Fund	6		(161,772)		(181,218)
Transfer to Action Fund	6		(5,000)		(5,000)
Transfer to Hardship Fund	6		(2,000)		(2,000)
Amount transferred to Accumulated Fund			<u>163,304</u>		<u>4,308</u>

The notes on pages 26 and 27 form part of these accounts.

Balance Sheet

AS AT 31 DECEMBER 2010

		2010		2009	
	Notes	£	£	£	£
FIXED ASSETS	5		155,847		153,434
CURRENT ASSETS					
Sundry Debtors		118,045		142,320	
Cash at Bank and in Hand					
— Branches		154,441		148,595	
— Head Office		1,538,628		1,326,648	
		<u>1,811,114</u>		<u>1,617,563</u>	
CURRENT LIABILITIES					
Sundry Creditors		33,512		67,773	
NET CURRENT ASSETS			<u>1,777,602</u>		<u>1,549,790</u>
TOTAL ASSETS LESS CURRENT LIABILITIES			<u>1,933,449</u>		<u>1,703,224</u>
<i>Represented by:</i>					
ACCUMULATED FUND	7		1,615,068		1,451,764
OFFICE RELOCATION RESERVE FUND			200,000		200,000
SPECIAL AID FUND	7		63,229		2,308
ACTION FUND	7		38,790		33,790
HARDSHIP FUND	7		16,362		15,362
			<u>1,933,449</u>		<u>1,703,224</u>

J. Ledger, General Secretary

K. Stokeld, Treasurer

The notes on pages 26 and 27 form part of these accounts.

Statement of Total Recognised Gains and Losses

FOR THE YEAR ENDED 31 DECEMBER 2010

	<i>Notes</i>	<i>2010</i> £	<i>2009</i> £
Surplus for the financial year after taxation		332,076	192,526
Surplus for the year on Office Relocation Reserve		—	—
Deficit for the year on Special Aid Fund		(100,851)	(180,809)
Surplus/(Deficit) for the year on Branches Hardship Fund		(1,000)	700
Surplus for the year on Action Fund		—	—
Total recognised gains since last annual report		<u>230,225</u>	<u>12,417</u>

Notes to the Accounts

FOR THE YEAR ENDED 31 DECEMBER 2010

1. ACCOUNTING POLICIES

- (i) The Accounts have been prepared under the historical cost convention.
- (ii) Subscriptions income includes amounts receivable at the balance sheet date.
- (iii) Expenses are written off in the year to which they relate.
- (iv) Rates of Depreciation and Amortisation are provided so as to write off the cost of Fixed Assets in equal instalments over their estimated useful lives.

Freehold Buildings – 2% on cost
Computer Equipment and Software – 25% on written down value

Other Capital Items are written off in the year of purchase.

(v) Pension Costs

Contributions in respect of the company's defined contribution pension scheme are charged to the Income and Expenditure Account for the year in which they are payable to the scheme.

Differences between contributions payable and contributions actually paid in the year are shown as either accruals or prepayments at the year end.

	<i>2010</i> £	<i>2009</i> £
2. OTHER INCOME		
Interest Receivable	11,321	13,677
Sundry Income	12,885	14,615
	<u>24,206</u>	<u>28,292</u>

	<i>2010</i> £	<i>2009</i> £
3. STAFF COSTS		
Included in staff costs are:		
Wages and Salaries	738,305	706,604
Social Security Costs	80,026	74,951
Other Pension Costs	82,548	70,193
	<u>900,879</u>	<u>851,748</u>
General Secretary		
Remuneration	63,573	61,734
Social Security Costs	7,534	7,190
Pension	10,832	10,803
	<u>81,939</u>	<u>79,727</u>

4. TAXATION

Corporation Tax is provided on the Association's Bank Deposit interest after allowable deductions.

	<i>2010</i> £	<i>2009</i> £
Current Corporation Tax	<u>2,450</u>	<u>2,872</u>

5. FIXED ASSETS

	<i>Freehold Land and Buildings</i> £	<i>Computer Equipment and Software</i> £	<i>Total</i> £
Cost			
At 1 January 2010	205,339	258,264	463,603
Additions	—	14,248	14,248
Disposals	—	—	—
At 31 December 2010	<u>205,339</u>	<u>272,512</u>	<u>477,851</u>
Depreciation			
At 1 January 2010	68,571	241,598	310,169
Charge for the year	4,107	7,728	11,835
Deduct for Disposals	—	—	—
At 31 December 2010	<u>72,678</u>	<u>249,326</u>	<u>322,004</u>
Net Book Value			
At 1 January 2010	<u>136,768</u>	<u>16,666</u>	<u>153,434</u>
At 31 December 2010	<u>132,661</u>	<u>23,186</u>	<u>155,847</u>

6. COMMITMENTS

The union operates a defined contribution pension scheme. The assets of the scheme are held separately from those of the union, in an independently administered fund. The annual pension commitment under this scheme is for contributions of £82,548 (2009 – £70,193). No contributions were due at the year end (2009 £nil).

7. MOVEMENT OF FUNDS

Office Relocation Reserve Fund

The Fund has been created in order to help fund the cost of Napo moving to new offices.

Special Aid Fund

The Fund was created for contesting legal and other actions on behalf of members or for any other purposes that the Officers of the Association, members of the National Executive Committee or Annual General Meeting may from time to time determine.

Action Fund

The Action Fund was established to help offset financial loss suffered by members taking bona fide industrial action.

The Branches Hardship Fund

The Branches Hardship Fund was established to assist branches in financial difficulty.

Movement of Funds – Summary

	<i>Notes</i>	<i>General Fund</i> £	<i>Office Relocation Reserve</i> £	<i>Special Aid Fund</i> £	<i>Action Fund</i> £	<i>Branches Hardship Fund</i> £	<i>Total</i> £
Income		2,428,458	—	4,320	—	—	2,432,778
Expenditure		(2,093,932)	—	(105,171)	—	(1,000)	(2,200,103)
Surplus/(deficit) for the year		334,526	—	(100,851)	—	(1,000)	232,675
Taxation		(2,450)	—	—	—	—	(2,450)
Net surplus		332,076	—	(100,851)	—	(1,000)	230,225
Transfers between Funds	6	(168,772)	—	161,772	5,000	2,000	—
		163,304	—	60,921	5,000	1,000	230,225
Balance at 1 January 2010		1,651,764	—	2,308	33,790	15,362	1,703,224
Transfer to Office Relocation Fund		(200,000)	200,000	—	—	—	—
Balance at 1 January 2010 as restated		<u>1,451,764</u>	<u>200,000</u>	—	—	—	—
Balance at 31 December 2010		<u>1,615,068</u>	<u>200,000</u>	<u>63,229</u>	<u>38,790</u>	<u>16,362</u>	<u>1,933,449</u>

National Office

Detailed Income and Expenditure Account

FOR THE YEAR ENDED 31 DECEMBER 2010

Schedule	2010		2009	
	£	£	£	£
Membership Subscriptions		2,232,509		2,156,958
Bank Deposit Interest		11,146		13,024
TUC ULR Project		171,743		226,824
Sundry Receipts		3,827		1,838
		<u>2,419,225</u>		<u>2,398,644</u>
Staff Costs				
Salaries, Pensions, National Insurance	900,879		851,748	
Staff Recruitment	4,918		—	
Staff Training	10,982		11,552	
Staff Expenses	53,589		50,421	
Car Leasing Charges	—		—	
	<u>970,368</u>		<u>913,721</u>	
TUC ULR Project	171,743		226,824	
Accommodation Costs				
Rates, Light and Heat	23,357		20,196	
Repairs and Renewals of Building	33,100		31,509	
Insurance	5,540		5,359	
Professional Indemnity Insurance	2,625		2,625	
Sundry	2,270		833	
	<u>66,892</u>		<u>60,522</u>	
Operating Costs				
Printing, Stationery and Equipment	58,621		67,000	
Reference Books and Papers	1,023		1,204	
Postage	10,021		9,255	
Telephone	4,745		7,270	
	<u>74,410</u>		<u>84,729</u>	
Computer Maintenance and Support	43,153		59,247	
Cost of Publications	157,776	1	159,110	
(Profit)/Loss on disposal	—		—	
Depreciation	11,835		9,662	
	<u>287,174</u>		<u>312,748</u>	
Committee, Conference and Branch Costs				
Committee Expenses	140,846		152,611	
Cost of Conferences	95,980	2	140,314	
Branch Grant	124,340		135,972	
Branch Conference Funding	39,682		37,394	
Branch Training	46,169		33,315	
Health & Safety	5,154		9,106	
Welsh Language Translations	234		143	
Membership Recruitment	11,640		18,690	
Union Learning Fund	6,335		10,441	
Consultancy	917		—	
	<u>471,297</u>		<u>537,986</u>	
Subscriptions and Affiliations				
Fees – TUC	23,372		21,104	
Fees – Other	4,494		5,190	
Fees – GFTU	6,984		7,064	
	<u>34,850</u>		<u>33,358</u>	
Donations – Edridge	27,741		33,001	
Donations – Autonomous Groups	13,000		10,000	
Donations – General	613		2,596	
	<u>41,354</u>		<u>45,597</u>	
Industrial Action – Campaign	—		868	
Ballot	7,306		8,094	
Political Lobbying/Media	22,988		4,319	
Justice Union Parliamentary Group	—		11,111	
Conference Consortium	4,121		2,548	
	<u>581,916</u>		<u>643,881</u>	
Financial Costs				
Audit and Accountancy	8,000		11,500	
Bank Charges	1,671		2,102	
Legal and Professional Fees	2,781		6,241	
	<u>12,452</u>		<u>19,843</u>	
		<u>2,090,545</u>		<u>2,177,539</u>
National Office surplus for year		328,680		221,105
Add: Branch Offices surplus/(deficit)		5,846		(25,707)
Total surplus for year before tax		<u>334,526</u>		<u>195,398</u>

Branches

Detailed Income and Expenditure Account

FOR THE YEAR ENDED 31 DECEMBER 2010

	2010		2009	
	£	£	£	£
Grants from National Office		124,340		125,596
Hardship Grant		1,000		1,000
Conference Funding from National Office		39,682		47,770
Individual Contributions		5,175		9,511
Bank and Building Society Interest		175		653
Donations		1,279		890
Sundry Income		2,604		2,376
		<u>174,255</u>		<u>187,796</u>
Branch Expenses				
Expenses of other Officials	15,735		18,409	
Printing, Postage and Stationery	3,560		3,514	
Branch Meetings	18,068		23,692	
Bank Charges	118		144	
Training	7,467		5,231	
Donations	7,734		10,805	
Net Cost of Annual and Branch Conference	108,144		143,652	
Hardship Fund	—		—	
Other Branch Expenses	7,583		8,056	
		<u>168,409</u>		<u>213,503</u>
Surplus of Income over Expenditure for the Year before Taxation		<u>5,846</u>		<u>(25,707)</u>
Charged to General Fund		167,409		212,503
Transfer from Hardship Fund		1,000		1,000
		<u>168,409</u>		<u>213,503</u>

Publications Account

FOR THE YEAR ENDED 31 DECEMBER 2010

Association's Publications	Schedule No. 1			
	2010		2009	
	£	£	£	£
Cost of publications				
Printing — Newsletter		61,243		64,326
— Journal		62,680		61,460
— ICCJ Monographs		1,043		—
— Changing Lives		—		—
— Cafcass Journal		3,241		4,197
Postage — Newsletter and Journal		54,621		51,185
		<u>182,828</u>		<u>181,168</u>
<i>Less:</i>				
Sales — Journal and Newsletter	57		—	
— ICCJ Monographs	19		59	
Changing Lives	41		299	
Inserts — Journal and Newsletter	2,190		2,465	
		<u>2,307</u>		<u>2,823</u>
		180,521		178,345
Income from other publications				
Royalties — Napo journals	22,745		19,235	
Sundry Publications	—		—	
		<u>22,745</u>		<u>19,235</u>
Net cost of publications transferred to Income and Expenditure Account		<u>157,776</u>		<u>159,110</u>

Conference Account

FOR THE YEAR ENDED 31 DECEMBER 2010

Conference Account	Schedule No. 2			
	£ 2010	£	£ 2009	£
Cost of Annual Conference	71,442		78,995	
Less: Registration Fees	<u>(15,822)</u>		<u>(17,930)</u>	
Net cost of Annual Conference		55,620		61,065
Trainees Conference Expenditure	37,708		43,749	
Less: Registration Fees	<u>(8,375)</u>		<u>(6,860)</u>	
Net cost of Trainees Conference		29,333		36,889
Family Court Conference Expenditure	5,451		7,102	
Less: Registration Fees	<u>—</u>		<u>—</u>	
Net cost of Family Court Conference		5,451		7,102
Professional Conference Expenditure	—		—	
Less: Registration Fees	<u>—</u>		<u>—</u>	
Net cost of Professional Conference		—		—
Women in Napo Conference	—		8,476	
Less: Registration Fees	<u>—</u>		<u>(372)</u>	
Net cost of Women in Napo Conference		—		8,104
Race for Justice Conference over accrual	(8,444)		105,911	
Less: ULF contributions	—		(25,495)	
Less: Registration Fees	<u>—</u>		<u>(77,390)</u>	
Net cost of Race for Justice Conference		(8,444)		3,026
Cost of Managers Conference		2,171		2,414
Cost of PSO Conference		2,629		12,731
Cost of Health & Safety Training		9,220		530
Women in Napo		—		—
YOT Seminar		—		—
Hostels Seminar (net)		—		3,127
Cost of other Conferences		—		5,326
Total cost of Conferences		<u>95,980</u>		<u>140,314</u>

ACCOUNTS & ANNUAL REPORT

for the year ended 31 December 2010

Administrative Details

Registered Charity No: 803493

Registered Office: 4 Chivalry Road, Battersea, London SW11 1HT

Administration Office: The Limes, Lynn Road, Gayton, Norfolk PE32 1QJ

Bankers: Unity Trust Bank plc, Nine Brindley Place, Birmingham B1 2HB

Investment Managers: HSBC Trust Company (UK) Ltd, PO Box 880, Southampton SO15 1WP

Report of the Trustees

The Trustees present their annual report with the accounts of the Fund for the year ending 31 December 2010. The accounts have been prepared in accordance with the accounting policies set out in Note 1 to the accounts and comply with the Fund's Trust Deed, the Charities Act 1993 (as amended by the Charities Act 2006), as well as the "Statement of Recommended Practice: Accounting and Reporting by Charities", Charities Commission 2005.

TRUSTEES

The Trustees who held office throughout the year were as follows:

Anne King	(Avon & Somerset)	Appointed as Trustee September 2006, and elected as Chair October 2008
David Cox	(Gloucestershire)	Appointed June 2007 (Appointed Treasurer September 2007)
Alessandra Evans	(Thames Valley)	Appointed November 2008
Nick Paul, MBE	(London)	Appointed November 2008
Liz Bywater	(Kent)	Appointed September 2009

STRUCTURE, GOVERNANCE AND MANAGEMENT

The Edridge Fund operates in accordance with the Trust Deed dated 1 May 1990 and the Deed of 11 July 2003. The members of Napo appoint Trustees at the regular NEC meetings. A minimum of five Trustees are elected to serve for a five-year period. No Trustee may serve more than two consecutive terms. Trustees are expected to retire at no later than 70 years of age. Should elections not take place, Trustees are empowered to elect a Trustee, normally from those nominated.

New Trustees are provided with all relevant information in relation to their task; they are in contact with the Chair and other Trustees for support and advice. At each management meeting new Trustees have a chance to explore issues that concern them. The Trustees meet five times a year and grant decisions are made by majority vote. The level of income is reviewed and financial decisions made accordingly. The Fund is administered from the office at Gayton in Kings Lynn by the Fund Secretary, Richard Martin and our Administration Assistant, Sarah Byatt.

As employers, the Trustees are aware of their legal responsibilities towards their employees, by way of Health and Safety regulations, pension contributions, salary review and redundancy. Such matters are reviewed regularly at Trustees meetings. The Trustees try to ensure that we operate as fair employers. We try to ensure we follow all appropriate employment legislation. Rates of pay and general conditions are the same as those in Napo.

OBJECTIVES, PRINCIPAL ACTIVITIES AND PUBLIC BENEFIT

The objects of the Fund as set out in the Trust Deed dated 1 May 1990 and the Deed of 11 July 2003 are as follows: monies subscribed, donated or raised for the fund shall be applied in accordance with the Deed to assist eligible persons when in need, hardship or distress, whether or not they have been members of Napo; this covers a wide range of Probation Service and Cafcass staff, but essentially applies to anybody who could be a member of Napo. In addition this covers retired staff, and in some circumstances dependents.

The Charities Act 2006 places a responsibility on Charities to ensure that they are for the benefit of the public, or a section of the public. The Trustees confirm that they have had regard to the Charities Commission general guidance on public benefit, and reviewed the aims and activities of the Fund in the light of that guidance. The Trustees are of the opinion that the Fund satisfies these new requirements. Whilst the Fund is for the benefit of a section of the public, it is the view of the Trustees that eligibility to apply for assistance is not restrictive.

The primary work of the Fund is to provide the financial assistance, for which the Fund exists. The Trustees consider applications for assistance as soon as they are received, with Trustees exchanging views by e mail so that decisions can be reached quickly, and decided on a majority vote. The aim is to complete the process within three weeks, but is usually much shorter, and in emergencies can be within hours. Decisions made by e mail are then ratified at Trustees meetings. In some cases applicants are given advice, either directly from the Trustees, or with the assistance of Local Edridge Representatives. This advice is usually to help applicants obtain further help elsewhere, and never involves giving financial advice as the Fund is not an accredited Advice Agency.

The secondary work of the Fund is to ensure that we continue to have the resources to maintain our financial assistance. The major contribution to the Fund is the donation we receive from Napo, followed by donations and gifts from individuals and branches either on a regular basis, or other occasional donations, and local fund raising events. A small income is received from the "50/50 Club", and from sales of Christmas Cards. There are also sponsored

The Edridge Fund of Napo

events. An Investment Portfolio is maintained in order to provide a free reserve for the Fund, and this is managed professionally. The Fund's Secretary is also registered as a Licencee for Raffles and Lotteries, with the approval of the Trustees, to enable such fund raising events in local areas.

The Fund also works to promote wider knowledge of the Fund, firstly to increase the awareness of the assistance available to those in need, and secondly to publicise the work of the Fund in order to increase donations. To this end we regularly contribute pieces to *Napo News*, and there is also a website which is intended to assist both potential applicants for assistance, and also existing and potential donors. Edridge Fund also attends Conferences of sub groups within Napo to promote the work of the Fund.

ACHIEVEMENTS AND PERFORMANCE

The main achievement of the Fund is that in an environment of economic recession, with falling income, and no substantial lessening of demand, the Fund has been able to satisfy the demand for assistance, and in the opinion of the Trustees, make proper use of its resources. We have also reduced our operating costs, though these still remain comparatively high in relation to the size of the Fund.

The amount we have paid out in Grants has reduced from last year by £5,812, despite the fact that our incoming resources have reduced by £8,516, including a reduction of £5,259 in the annual Napo Grant. Again for the third year running we have paid out significantly more than the sum we receive from Napo, and in fact the amount paid to Napo members was almost the same as the Napo Grant. This reflects the increasing dependency of the Fund on other fund raising, a significant part of which comes from Napo members and Branches.

The applicants supported, as defined by employment grade, have been:

Administration/Clerical	9	Retired PO	7
Managerial/Supervisory	Nil	Unemployed PO	2
PO	46		
PSO	42		
TPO	5		
Hostel Workers and others	4		

Total successful applications 115

Total Applications during the year 137

Applications were refused in 6 applications, and 16 were withdrawn, or not proceeded with. The applications refused were on the grounds of either ineligibility or because need was not established. This year the number of straight refusals reduced, though there was an increase in the number of applications that were withdrawn, or where further information we had requested was not provided. In many cases advice and support was offered, often by our local Representatives.

We set out below an analysis between applications from Napo members and others. Applicants are asked about membership of Unions on the standard Application Form, but this is not always answered, and neither is it a requirement that we have that information. This information is provided in view of the large donation we receive from Napo. The analysis is as follows – comparative figures for 2009 are quoted in brackets:

Designation of Applicant	Applications	Refused or Withdrawn	Total Amount Paid	Percentage of Total Paid
Napo Member	93 (96)	6 (10)	£27,500 (£29,420)	76.4% (70.4%)
No Union Membership	27 (47)	5 (11)	£6,984 (£11,276)	19.4% (27.0%)
Not Known	3 (5)	NIL (NIL)	£800 (£1,100)	2.3% (2.6%)
Unison and other Unions	14 (9)	11 (9)	£700 (NIL)	1.9% (N/A)
Overall Totals	137 (157)	22 (30)	£35,984 (£41,796)	

In the case of Unison members the Trustees have always followed the practice set out in previous reports. This year, we did in fact make grants to three Unison members, at least one of which had also been assisted by the Unison Welfare Fund already. Each case was dealt with on its own merits and hence the decisions we made.

In last year's report we spoke of our initiatives to improve our relationship with Cafcass and Probation areas, in order to engage with Senior Management, and to reach out to non Napo members. In a number of areas we have received positive support for fund raising events, though in some areas the response has been poor. We have tried to get Probation Areas and Cafcass to put direct links to the Edridge Website on Intranets, and again some areas have co operated, but on the whole we have been disappointed with the overall response.

The Edridge Fund of Napo

The relaunch last year of the 50/50 Club has continued to be successful, and a high proportion of participants are renewing their annual membership. Whilst this produces only a small income, it does have value in maintaining an awareness of the Fund amongst Probation and Cafcass staff. Similarly, our profit from Christmas cards has improved, and again, whilst the income is small it has a similar publicity value. We have also improved our accounting for Christmas card receipts, and improved our collection of sale proceeds.

Towards the end of the year our new website became effective, and we were able to show samples from it at the 2010 Napo AGM. We are aware that the site needs further development, and more regular updating, but the mechanisms for doing this are easier than before. The Company we are using has low costs and great experience in working with “third sector” organisations.

FINANCIAL REVIEW

The financial position of the Fund is as set out in the accounts, and indicates that we have slightly decreased our operating deficit, and reduced the amount of cash carried forward to next year compared with the 2009 accounts. Our operating deficit would have been greater, but for the useful increase in the value of our Investments. The Investment Portfolio is professionally managed and the Trustees review the account regularly and have an annual review with our Financial Advisor. The mandate to our Investment Manager is to maintain a medium level of risk and investments to be made on an ethical basis. The policy with the Investments is to leave the income within the portfolio, and to use it as a reserve to cover cashflow shortages, and supplement our income as required. It has not been necessary to draw funds from the Investment account this year, but we are certain this will change in 2011.

This year has seen other Charities continue to experience significant falls in donations. The Fund’s income from donations, gifts and fund raising has reduced overall by £3,257 (not including the reduction in the Napo Grant), but this is a comparatively low decrease, compared with other Charities. However, there is a change in the sources of our income, in that we now receive a higher proportion of our income through sponsorship and fund raising, and our regular donations have increased.

FUTURE PLANS

Our plans for the next year are:

- The Trustees will seek to further improve the new website, with better content and more updating. The Trustees will also seek advice from our web designers to improve publicity of the website, and other related publicity.
- The Trustees will be undertaking training in the course of 2011 to consider issues of governance that we need to revise and improve. The Trustees will then consider ways of implementing any changes, including the recruiting of members with relevant experience and skills to help with this.
- The major plan for 2011 and beyond, is to consider the consequences of the retirement of our Secretary at the end of 2012. This will entail not just a change of personnel, but also a change of office. In this context the Trustees will be considering greater use of electronic storage and communication, and potential changes to the way things are done. A great deal of initial work has been started on this issue, in the course of 2011.
- The Trustees will be seeking to recruit not only new Trustees, but other people to help the Fund in its work, particularly with the plans we have set out above. The Trustees will continue to seek interest from younger members to assist the work of the Fund.
- The Trustees will seek to achieve higher levels of regular donations.

DECLARATION

The Trustees declare that they have approved the Trustees Report above.

Signed: Richard Martin – Secretary on behalf of the Trustees

Date: 12 August 2011

The Edridge Fund of Napo

CHAIR'S REPORT

On behalf of my fellow Trustees, I present to you the annual accounts for the year ended 31 December 2010. The accounts are presented in the form prescribed by the Charity Commission, and indicate that the total assets of the Fund have increased, though growth was less than in the previous year. However, this is as a result of the increased value of our Investment Portfolio, which is subject to the vagaries of the market. If you remove the effect of that increase, then we spent £12,294 more than we received from donations, gifts and other income in 2010. This does compare favourably with the previous year, when we spent £23,970 more than we received, though in each year this excess spending was intentional, based on the secure position of our reserves, and in response to the needs of applicants.

We therefore believe that in an environment of difficult economic circumstances we have managed our resources well, though some of this is at the cost of paying out less in grants this year. We have also reduced operating costs. Also, as indicated in the report, our income has held up well, even though reduced, in these difficult times; indications are that donations in 2011 seem to be lower than previous years.

We have to thank those who support us, from the efforts of individual members and branches in raising money and making donations to the Fund, through to the efforts of our Area representatives who work hard to support the Fund. We also once again thank Gina Alderson for examining the accounts and giving good advice to our Treasurer David Cox. As Chair I also have to express my thanks to my fellow Trustees, the staff of the Fund, and a number of people at Napo Head Office, who support and help us in so many ways, in particular Kath Falcon and Theresa Boorman.

Turning to the work of the Fund the pattern of applications has continued much as before, and in the main section of this report we have set down some analysis. This year we have attempted more analysis of the reasons for applications. The main reason is straight financial hardship (61%) followed by health reasons (13%) and relationship breakdown (13%). The economic recession is also reflected in 7% of applications being from staff whose partner has lost employment. A further 4% came from staff on maternity leave, and 2% because of bereavement.

Members will see from our Report that we are planning to make further changes to our website, and improve our publicity, and at the time of writing I can confirm that we are considering a useful report from our web designers, much of which we will be seeking to implement in the near future.

The Trustees have now undertaken some training in governance and we have already started to implement plans to revise some of our policies and procedures to bring them up to date with current guidelines from the Charity Commission, particularly with regard to health and safety, ethnic monitoring, decision making and the roles of staff and Trustees of the Fund.

This leads me to the most important issue that I have to report to members, which is how the Fund will operate from the end of 2012, when our Secretary Richard Martin retires. There is not a single aspect of the work of the Fund, which will not be affected by this. Essentially the task is to consider who does what and where. Not only will we have to replace our Secretary, but we will also have to find a new administrative centre, and consider many changes we may need to make in the way we work. This is no easy task, and we are grateful to our Treasurer David Cox, who has compiled a detailed analysis of the issues we need to consider, and the options available.

In the course of 2011 we have also begun to recruit volunteers with experience and skills to help us in the various areas of our work that we need to review. However, we are still seeking to recruit younger members to help with the work of the Fund.

Finally we have to thank the members of Napo, and Napo Head Office, whose support is so vital to the work of the Fund; the need for help has not diminished and as applicants so often tell us, the fact that the support given to them comes from their work colleagues makes it additionally valued and appreciated.

Anne King – Chair

August 2011

The Edridge Fund of
Napò

Independent Examiner's Report on the Accounts

Report to the Trustees of The Edridge Fund of Napò

On accounts for the year ended 31/12/2010 Charity No. 803493

RESPECTIVE RESPONSIBILITIES OF TRUSTEES AND EXAMINER

The Charity's Trustees consider that an audit is not required for this year (under section 43(2) of the Charities Act 1993 (the Act), as amended by s.28 of the Charities Act 2006) and that an independent examination is needed.

It is my responsibility to:

- examine the accounts (under section 43 of the Act, as amended);
- to follow the procedures laid down in the General Directions given by the Charity Commission (under section 43(7)(b) of the Act, as amended); and
- to state whether particular matters have come to my attention.

BASIS OF INDEPENDENT EXAMINER'S STATEMENT

My examination was carried out in accordance with General Directions given by the Charity Commission. An examination includes a review of the accounting records kept by the charity and a comparison of the accounts presented with those records. It also includes consideration of any unusual items or disclosures in the accounts, and seeking explanations from the Trustees concerning any such matters. The procedures undertaken do not provide all the evidence that would be required in an audit, and consequently I do not express an audit opinion on the accounts.

INDEPENDENT EXAMINER'S STATEMENT

In the course of my examination, no matter has come to my attention:

- (1) which gives me reasonable cause to believe that in, any material respect, the Trustees have not met the requirements to ensure that:
 - proper accounting records are kept (in accordance with section 41 of the Act); and
 - accounts are prepared which agree with the accounting records and comply with the accounting requirements of the Act; or
- (2) to which, in my opinion, attention should be drawn in order to enable a proper understanding of the accounts to be reached.

Signed: *Gina Alderson* **Date:** 2 August 2011

Address: Felden Lodge, Hemel Hempstead, Hertfordshire HP3 0BL.

Relevant professional membership: Member of The Institute of Legacy Management.

Statement of Financial Activities

(incorporating an Income and Expenditure Account)

FOR THE YEAR ENDED 31 DECEMBER 2010

	<i>Notes</i>	<i>2010</i> £	<i>2009</i> £
Incoming Resources from Generated Funds			
Voluntary Income			
Regular Donations and Gifts		11,026	9,668
Contribution from Napo		27,741	33,001
Activities for generating funds			
Fund Raising (including 50/50 Club subscriptions)	7	3,199	876
Investment and Interest Income			
Investment Income		3,948	4,164
Bank Interest (including Investment Account)		—	250
Incoming Resources from Charitable Activities			
Contributions from members, branches and others		5,968	11,007
Net Profit/Loss on Christmas Cards		1,408	1,040
Total Incoming Resources		<u>53,290</u>	<u>60,006</u>
Resources Expended			
Costs of Generating Funds			
Promotional activities		702	6,648
<i>Less sponsorship received for Anniversary Event (only for 2009)</i>		—	(2,500)
Investment Management Fees		1,743	1,774
Website Expenses		1,407	—
50/50 Club Prizes		628	86
Sub Total		<u>4,480</u>	<u>6,008</u>
Net Resources available for Charitable Application		<u>48,810</u>	<u>53,998</u>
Costs of Charitable Activities			
Grants paid	5	35,984	41,796
Management and delivery of the charity's purpose	2	12,728	14,072
		<u>48,712</u>	<u>55,868</u>
Governance Costs	4	1,147	2,048
Total Resources Expended		54,339	63,924
Net Operating Surplus/(Deficit) for the Year before Gross Transfers		<u>(1,049)</u>	<u>(3,918)</u>
Gross Transfers between Funds		—	—
Net Incoming Resources before Gains and (Losses)		(1,049)	(3,918)
Other Recognised Gains (Losses)			
Realised gains/(losses) on investments		(3,232)	(3,988)
Unrealised gains/(losses) on investments		14,477	24,040
Net Movements in Funds		10,196	16,134
Prior Year Adjustment	6 & 8a	—	361
Total Funds Brought Forward		<u>189,284</u>	<u>172,789</u>
Total Funds Carried Forward		<u>199,480</u>	<u>189,284</u>

The notes on pages 38 to 41 form part of these accounts.

Balance Sheet

AS AT 31 DECEMBER 2010

	Notes	2010		2009	
		£	£	£	£
Fixed Assets					
Tangible (Fixed) Assets	10		73		98
Investments	11		175,904		161,427
			<u>175,977</u>		<u>161,525</u>
Current Assets					
Debtors (includes re-statement of 2009 figure)	8	3,976		2,460	
Cash at Bank and in Hand	9	19,527		27,615	
		<u>23,503</u>		<u>30,075</u>	
Creditors:					
Amounts falling due within one year					
Accruals		—		(2,316)	
Net Current Assets			<u>23,503</u>		<u>27,759</u>
Total Assets Less Current Liabilities			<u>199,480</u>		<u>189,284</u>
Net Assets			<u>199,480</u>		<u>189,284</u>
Income Fund and Reserve					
General Reserves as at 31 December 2010			<u>199,480</u>		<u>189,284</u>
Total Funds available to the Fund			<u>199,480</u>		<u>189,284</u>

These financial statements were approved by the Trustees on 13 July 2011 and are signed, on their behalf by:

ANNE KING
Chair of the Trustees

DAVID COX
Treasurer/Trustee

The notes on pages 38 to 41 form part of these accounts.

Notes forming part of the Accounts

FOR THE YEAR ENDED 31 DECEMBER 2010

1. ACCOUNTING POLICIES

(a) Basis of Accounting

The accounts have been prepared under the historical cost convention, modified to reflect the revaluation of investment fixed assets at the balance sheet date, the Statement of Recommended Practice 'Accounting and Reporting by Charities', which was revised by the Charity Commissioners in 2005, the Trust's governing documents and the Financial Reporting Standard for Smaller Entities (effective April 2008).

(b) Cash Flow

The Trustees have taken advantage of the exemption provided by Financial Reporting Standard for Smaller Entities and hence have not prepared a Cash Flow Statement.

(c) Taxation

As a registered charity, the Trust is exempt from corporation tax on income and gains, which are applied for charitable purposes. No provision is therefore made for deferred tax.

(d) Income

Donations and gifts are all recognised on a receivable basis, including income tax recoverable for the year to 5 April following the year end.

(e) Tangible Fixed Assets

Depreciation is provided for at the following annual rate in order to write off each asset over its estimated useful life:

Office Equipment – 25% on reducing balance.

(f) Independent Examination/Audit

There has been no change to the Fund's policy with regard to Independent Examination of Accounts, as outlined in our Annual Report for year end 2007.

(g) Investments

Investments are stated at open market value at the balance sheet date, with realised and unrealised gains and losses being recognised in the appropriate funds. Investment income is brought into account on a receivable basis.

2. MANAGEMENT AND DELIVERY OF THE CHARITY'S PURPOSE

		2010	2009
	<i>Notes</i>	£	£
Staff Costs	3	8,153	8,264
Rent		2,880	2,880
Postage, Printing, Stationary and Equipment			
Maintenance		1,036	2,242
Insurance		593	592
Depreciation on Fixed Assets	10	25	33
Bank Charges		41	61
		<u>12,728</u>	<u>14,072</u>

3. TRANSACTIONS WITH RELATED PARTIES

REMUNERATION

Payments to Trustee for Services £
864

- (a) The payments listed are included in the figure for staff costs and amount to two hours per week.
 (b) The payments were made to the Treasurer, David Cox, for accounting services, which had previously been undertaken by the Administrator. This arrangement started on the retirement of the Administrator in July 2008.
 (c) Authority for this is provided in the Charities Act 2006, and the Trustees resolved to adopt this arrangement after consultation with the Charities Commission.
 (d) There is nothing in the Fund's Governing Document, which prohibits such payments.

The Edridge Fund of Napo

4. GOVERNANCE

	2010	2009
	£	£
Staff and Trustees Expenses	681	1,973
Independent Examiner's Fee	NIL	NIL
Napo Conference Expenses	466	75
	<u>1,147</u>	<u>2,048</u>

5. GRANTS PAID

	2010	2009
	£	£
Bereavement	100	900
Standard Grants	35,884	40,846
Christmas	NIL	50
	<u>35,984</u>	<u>41,796</u>

6. PRIOR YEAR ADJUSTMENT AND AMENDED COMPARATIVES

In the accounts for 2009 an estimated figure for our Gift Aid Tax refund was entered into the accounts as a debtor for 2010. However, when the refund was received from HMRC the figure was higher than our estimate. Accordingly a prior year adjustment has been made to amend this accounting treatment. Comparative figures for the General Fund Balance at 1 January 2010, and the figure for debtors at 31 December 2009, as well as the amount for Voluntary Income in the same period, have been amended accordingly in the Statement of Financial Activities.

7. FUND RAISING

	2010
	£
Fund Raising and Sponsored events	1,807
50/50 Club Subscriptions*	1,392
	<u>3,199</u>

* The net benefit to the Fund of the 50/50 Club is therefore £764.

8. DEBTORS

	Notes	2010
		£
Gift Aid Tax Refund for 2009	8a	1,861
Gift Aid Tax Refund for 2010 (estimated)		1,800
Christmas Cards (based on receipts in 2011 'till 31/3/11)		189
Website expenses for 2011 paid in advance		126
		<u>3,976</u>

a. The Gift Aid tax refund for 2009 was estimated at £1,500, but when received was £1,861 (see note 6). Because of administrative delays the payment was not received until 2011, so is carried forward as a Debtor into the accounts for 2011.

The Edridge Fund of
Napó

9. CASH AT BANK AND IN HAND

	2010
	£
The cash balances at banks are represented by:	
Bank Deposit Accounts	542
Bank Current Accounts	9,980
Cash Funds held by Investment Managers	9,005
Total Cash Balances	<u>19,527</u>

10. FIXED ASSETS

	2010
	£
Cost	
As at 31 December 2009	6,396
Depreciation	
As at 1 January 2010	6,210
Charge for the year	25
<i>Total charges to date</i>	<u>6,235</u>
Net Book Value	
At 31 December 2009	<u>98</u>
At 31 December 2010	<u>73</u>

11. INVESTMENTS

Value of Investments held at 31 December 2010 was as follows:

	2010		2009	
	<i>No. of Shares</i>	<i>£ value</i>	<i>No. of Shares</i>	<i>£ value</i>
Absolute Insight UK Equity Market Neutral	2,317	2,563	—	—
Astrazeneca Ord	82	2,396	82	2,387
AVIVA 25p Ords	170	668	170	676
AVIVA Investors Property Trust	846	932	—	—
Barclays 25p Ords	380	994	380	1,049
BG Group Ord	2,010	2,605	201	2,255
BHP Billiton US Dollar 0.50	114	2,908	114	2,274
Blackrock AM UK Absolute Alpha D ACC	3,424	4,342	—	—
BP US \$0.25	940	4,376	940	5,640
B sky B Ord 50p	155	1,141	155	871
BT Group Ord	552	998	552	745
Centrica Ords	289	958	289	812
Dexion Absolute	1,837	2,581	1,754	2,456
Diageo Ord	177	2,097	177	1,919
Glaxo Smith Klein .25p Ords	310	3,844	310	4,090
HSBC HOLDINGS Ord US \$50	718	4,675	718	5,089
HSBC Corp Bond Income	—	—	1,907	3,515
I Shares Index linked Gilts	278	3,277	278	3,089
Invesco Perp Corp Bond	1,703	1,811	5,989	5,585
Jupiter Unit Trust Ecology Fund	12,979	29,399	11,560	23,135
Lloyds Banking Group – Ord 10p	1,153	758	1,153	584
Marks & Spencer Ord	149	550	149	599
Marks & Spencer UT Ethical	27,510	26,190	28,352	23,725
M & G Inv Funds Corp Bond	5,437	1,845	17,501	5,751

The Edridge Fund of
Napó

	2010		2009	
	<i>No. of Shares</i>	<i>£ value</i>	<i>No. of Shares</i>	<i>£ value</i>
M & G Securities Property Portfolio	1,228	899	—	—
National Grid Ord	215	1,189	215	1,460
Prudential Ord 5p	181	1,209	181	1,158
Reckitt Benckiser Ord	47	1,657	47	1,577
Rio Tinto Ord 10	77	3,455	77	2,610
ROYAL BANK OF SCOTLAND 25p	447	175	447	131
Royal Dutch Eur B shares	149	3,151	149	2,699
Royal Dutch Shell A shares	200	4,277	200	3,764
RSA Insurance Group Ord	542	679	542	654
Sabmiller Com	76	1,715	76	1,388
Sainsbury J Ord	175	659	175	566
Sarasin Investment Global Fund	201	19,368	179	16,395
Scottish Widows In Property Trust	3,089	2,779	3,089	2,628
Standard Chartered Ord US Dollar 0.50	115	1,984	93	1,465
TESCO 5p Ords	516	2,193	516	2,208
Treasury 5% 2014	£10,671	12,048	£9,956	11,074
Treasury 5.25% 7/06/2012	—	—	£1,902	2,064
Treasury 3.75% 2019	£2,145	2,238	—	—
Treasury 8% 2021	£5,840	8,167	£5,840	7,912
Unilever Ords	88	1,727	88	1,755
VODAPHONE GROUP US Dollar	2,670	4,427	2,555	3,673
		<u>175,904</u>		<u>161,427</u>

CONSTITUTION

(Formulated by the 1956 AGM; last amended by the 2010 AGM)

1. Name

The name of the Association shall be Napo – the trade union and professional association for family court and probation staff.

2. Objects

As a professional association and independent trade union, the objects of the Association shall be:

- (a) To protect and promote the interests of members.
- (b) To combat racism, oppression and discrimination and to actively oppose all forms of harassment, prejudice and unfair discrimination whether on the grounds of sex, race, ethnic or national origin, religion, colour, class, caring responsibilities, marital status, sexuality, disability, age, or other status or personal characteristic.
- (c) To promote full equality of opportunity for all including through:
 - (i) collective bargaining, publicity material and campaigning, representation, union organisation and structures, education and training, organising and recruitment, the provision of all other services and benefits and all other activities;
 - (ii) the union's own employment practices.
- (d) To ensure collective action on matters affecting the interests of members; to improve their salaries, conditions of service and superannuation.
- (e) To formulate and execute policies which improve the work and development of the Probation Service and the Children and Family Court Advisory and Support Service (Cafcass) and which address issues of criminal justice and social welfare.
- (f) To co-operate with others in pursuit of the objects of the Association.
- (g) To collect, maintain and administer funds for all or any of the above purposes.

3. Political Fund

- (a) This Association shall establish and maintain a political fund to finance such activities in pursuit of the objectives of the Association which are deemed political under the Trade Union and Labour Relations (Consolidation) Act 1992.
- (b) The political fund shall be administered in accordance with such rules as shall be established by a General Meeting or the NEC and approved by the Certification Officer.

4. Membership

- (a) The following persons in England, Wales and Northern Ireland shall be eligible to be full members of the Association:
 - (i) *Persons paid on a salary scale drawn from those which the Association is involved in negotiating and employed by a Probation Trust, or Cafcass.*
 - (ii) *Those intending to seek employment as defined in clause 4(a)(i) and undertaking a course of training leading to an appropriate qualification for such an appointment.*
 - (iii) *Those who have been made redundant from employment as defined in clause 4(a)(i) and wish to return to such employment.*
 - (iv) *Those unemployed persons who have been employed as defined in clause 4(a)(i) who are seeking to return to such employment following resignation within the previous year or such longer period as the NEC may allow in individual cases.*

(v) *Those who wish to find employment as defined in clause 4(a)(i) and have obtained an appropriate qualification but who have never found such employment.*

(vi) *Persons from time to time designated by the NEC.*

(b) Professional Associate Members shall be:

- (i) *Former probation or family court staff who become teachers making a substantial contribution to the training of future probation or family court officers.*
- (ii) *Social workers in Scotland working with offenders.*
- (iii) *Social work staff in Wales employed by Cafcass Cymru.*
- (iv) *Probation and other relevant staff working on the Isle of Man or the Channel Islands.*
- (v) *Social work staff of approved probation hostels not employed by probation Trusts.*
- (vi) *Other staff employed by probation trusts or Cafcass who share the professional aims of the Association but who are not eligible for full membership under clause 4(a).*
- (vii) *Retired full members.*

(c) Associate members shall be:

- (i) *Retired full members.*
- (ii) *Other persons not eligible for membership under clause 4(a) who are in sympathy with the objects of the Association.*

(d) Corporate associate membership may be granted by the NEC to groups or societies on such conditions as it may determine from time to time.

(e) The NEC may at its discretion confer honorary life membership on a retired full member who is considered to have made an outstanding contribution to the work of the Association. Honorary life members shall enjoy all the benefits of associate membership but shall not pay subscriptions.

(f) Applications for membership shall be made on an approved form issued by the Association and such applications shall be endorsed on behalf of the appropriate branch as defined in clause 21(b). The NEC shall consider ratification at the first meeting immediately after the date of the application. If ratified membership shall be counted as of the date of the application.

(g) An applicant for membership refused endorsement under the foregoing clause may appeal to the NEC, which, having heard any representation from the branch concerned, shall be empowered to accept such an applicant into membership.

(h) On being accepted into membership of the Association, each member shall be provided with a copy of the constitution and any appendices thereto.

(i) Only full members shall be eligible for election as an Officer of the Association, an Officer of a Branch, a Branch NEC Representative or to any committee negotiating salaries or conditions of service.

(j) Where this constitution refers to the number of full members, this shall be the number of full members on the 31 December of the preceding year except that until that number is certified by the General Secretary, the number certified for the previous year shall continue to apply. The General Secretary shall certify the number of full members not later than the 31 March in each year.

5. Subscriptions

(a) Subscriptions of members shall be determined, or revised, by a General Meeting after consideration of any recommendation of the NEC or the Treasurer. Until subscription rates are revised the existing rates shall remain in effect.

(b) Subscriptions of full and professional associate members shall fall due on the last day of each calendar month and shall be paid in accordance with rules laid down by the NEC. In other cases the arrangement for payment shall be subject to the General Secretary's agreement. Membership will lapse if at any time a member is more than three months in arrears. Lapsed members will be reinstated when these arrears are paid.

(c) Subscriptions of associate members shall fall due on 1 January and shall be paid annually except by special arrangement with the General Secretary.

(d) The General Secretary shall have power to remit payment of the whole or part of any annual subscription in individual cases.

(e) Full members who are unemployed or on maternity leave shall be exempted from payment of subscriptions.

6. Conduct of Meetings

(a) Minutes shall be kept of all General Meetings, committee meetings, sub-committee meetings and meetings of branches and their committees.

(b) A formal monitoring process shall apply to all General Meetings, Committee Meetings, Sub-Committee Meetings and meetings of branches and their committees.

(c) General Meetings shall be conducted in accordance with the Standing Orders set out in Appendix A of this constitution.

(d) NEC meetings shall be conducted in accordance with standing orders determined by the NEC.

(e) With the permission of the Chair associate members may speak at any meeting of the Association.

(f) Professional Associate Members may speak and vote at any meeting of the Association, except on a motion relating to salaries or conditions of service.

7. Voting

(a) All full members, and professional associate members, subject to clause 6(f), shall be entitled to one vote each in every division of any General Meeting at which they are present.

(b) All full members, and professional associate members subject to clause 6(f), shall be entitled to one vote each in every division of any meeting of their branches at which they are present.

(c) Except as provided for in clause 7(d) all full members shall be entitled to one vote each in every ballot of the Association or of their branches.

(d) In all ballots under Section 27 on disputes any members who will be called on to act in the industrial action in question shall be entitled to one vote, but no other members shall be entitled to vote.

(e) Except as provided for in clauses 6(f), 16(e), 16(f), 28(m) and 28(p), all elected members of a committee of the Association shall be entitled to one vote each in every division of any meeting at which they are present.

(f) Except as provided for in clause 29(e) associate members shall not be entitled to vote.

(g) Ex-officio members of committees shall not be entitled to vote.

(h) Except as provided elsewhere in this constitution, decisions of meetings shall be by a majority vote.

(i) In the event of a tie in any division of a meeting or committee, the chair shall have a casting vote.

(j) In the event of a tie at the end of the agreed voting procedure in any election for an office, the decision shall be made by the casting of lots.

(k) The NEC shall make rules for the conduct of ballots specified in clauses 9(b), 9(d), 12(c), 16(c), 21(g), 21(k), 27(a), 27(b), 29(e) and 30(a). Such rules shall be binding on the Association and all branches.

8. President and Vice-Presidents

(a) A President and Vice-Presidents may be appointed annually.

(b) A candidate for President or Vice-President shall be proposed and seconded by full members of the Association with the written consent of the candidate and shall be appointed by a majority decision of an AGM.

(c) A President or Vice-President shall take no part in the Association's decision-making processes.

9. Officers

(a) The officers of the Association shall be the Chair, four Vice-Chairs, and the Treasurer, of the four Vice-Chairs, three will be employees of a Probation Trust and one will be an employee of Cafcass.

(b) The officers shall be elected by a secret ballot of full members, to be held at a convenient time prior to the AGM. They shall take office at the AGM following the election. They shall hold office until the AGM two years after they took office. They shall be eligible for re-election. The Chair and Vice-Chairs may serve a maximum of two terms (four years) successively in the same office. The Treasurer may serve a maximum of three terms (six years) successively in that office.

(c) Candidates for election as an officer shall be nominated in writing by branches with the consent of the nominee. Nominations shall be delivered to the General Secretary not less than three calendar months before the date of the AGM.

(d) Should an officer for any reason cease to hold the office to which she or he has been elected before the period of office expires, the NEC shall be empowered to fill the vacancy by:

(i) the appointment of an acting Chair, Vice-Chair or Treasurer,

or;

(ii) inviting nominations for the vacant post and conducting an election by secret ballot of all full members.

(e) An officer acting or elected in accordance with clause 9(d) shall serve until the completion of the term originally to be served by the officer they have replaced. The period of office shall be deemed to be a full term if it exceeds twelve months; any shorter period shall be disregarded for the purposes of clause 9(b).

(f) The Chair shall preside at General Meetings and NEC meetings at which she or he is present. The Chair shall have discretion to invite a Vice-Chair to preside.

(g) The officers shall have the power to act between meetings of the NEC in the interests of the Association. They shall report to the next meeting of the NEC on all such actions and decisions taken.

(h) The officers shall act as employers on behalf of the NEC. They shall report to the next NEC on all such actions and decisions taken.

(i) The officers shall act as trustees on behalf of the Association in accordance with Section 10. They shall report to the next NEC on all such actions and decisions taken.

10. Trustees

(a) The trustees of any property owned or leased by the Association shall be the officers of the Association.

(b) The trustees shall not be:

(i) liable for any involuntary loss suffered by them nor for any damage done by any other person to the property;

(ii) accountable for more money than comes to their hands; or

(iii) responsible for the repair and upkeep of the property, except to the extent of funds available or supplied to them for that purpose.

11. Officials and Administrative Staff

(a) The officials shall be the General Secretary, the Assistant General Secretaries, National Officials and such other posts as the NEC shall decide. All other employees shall be the administrative staff. All staff shall be employed by the NEC.

(b) The General Secretary shall manage the affairs of the Association and act as chief negotiator as directed by the NEC. The General Secretary shall be responsible for the officials and the administrative staff.

(c) Officials and administrative staff shall be responsible to the General Secretary.

- (d) Except in special circumstances the General Secretary shall be present at each General Meeting and each meeting of the NEC.
- (e) Except in special circumstances the other officials shall be present at each General Meeting. They may be required to attend particular meetings of the NEC for the purpose of providing factual information or technical or professional advice in respect of matters which the NEC needs to take into account in carrying out its functions.
- (f) The General Secretary shall have the right to speak on any business at all meetings and committees.
- (g) The officials shall not be entitled to vote.
- (h) The General Secretary shall arrange for a report on any actions taken on behalf of the Association to be presented to the next NEC.
- (i) It shall be the responsibility of the General Secretary to arrange that minutes are taken of each General Meeting and of meetings of the NEC.
- (j) Except as specified in clauses 11(b), (c) and (d), any reference to the General Secretary in this constitution includes an Assistant General Secretary acting on her or his behalf.

12. Appointment of Employees

- (a) The NEC shall be responsible for the appointment of all employees and shall have the power to delegate under clause 12(b) the authority to appoint employees. All appointments shall be in accordance with the Association's equal opportunities policy.
- (b) If it is necessary to appoint an official other than the General Secretary, the NEC shall convene a staffing sub-committee consisting of no less than four and no more than five members of the NEC, usually including the Chair and Treasurer. The General Secretary may be appointed to the staffing sub-committee ex-officio.
- (c) The General Secretary shall be elected by secret ballot of full members every five years. The election shall be held at a convenient time prior to the five year period elapsing. She or he shall be eligible for re-election.
- (d) Nominations to the election for the post of General Secretary shall be governed by procedures agreed from time to time by the NEC. Applicants for election will be considered by a staffing sub-committee of the NEC, consisting of no less than four and no more than five members of the NEC, usually including the Chair and Treasurer and a co-opted member of the recognised trade union for Napo staff (in line with 12(f) below). Only applicants deemed 'electable' by the staffing sub-committee shall then go forward for nomination in writing by branches/sections or the NEC, with the consent of the nominee.
- (e) Should the General Secretary for any reason cease to hold the office to which she or he has been elected before the period of office expires, the NEC shall be empowered to fill the vacancy by:
 - (i) The appointment of an acting General Secretary who may be an Assistant General Secretary. Such an appointment shall not be for longer than one year.
 - (ii) Inviting nominations for the vacant post and conducting an election by secret ballot of all full members.
- (f) A staffing sub-committee appointed under clause 12(b) shall co-opt without power to vote an employee who is a member of the recognised trade union if requested to do so by the representative of that trade union.
- (g) If it is necessary to appoint an administrative employee, there shall be a staffing panel comprising not less than one officer, the General Secretary and an employee who is a member of the recognised trade union.
- (h) A staffing sub-committee or panel shall report to the next meeting of the NEC on all actions and decisions taken.
- (i) There shall be a union recognition agreement between the Association and the employees. The NEC shall have the power to delegate to the officers the authority to act on its behalf in negotiations with the union. The officers shall report to the next meeting of the NEC on all such actions and decisions taken.

- (j) All employees shall be entitled to be members of and to take part in the affairs of the recognised trade union.
- (k) The terms and conditions of service for all employees shall be determined by agreement between the NEC and the recognised trade union.

13. General Meetings

- (a) A General Meeting shall be the supreme policy making body of the Association.
- (b) All members may attend General Meetings. Only full and professional associate members may take part in debate except by permission of the chair.
- (c) A General Meeting shall be quorate when 5% of full members and representation from at least 22 branches are registered not later than a date fixed by the NEC. Sessions of General Meetings shall be quorate when 5% of full members are present in the hall.
- (d) There shall be a Steering Committee for General Meetings comprising six members who shall serve for three years, two retiring each year. Vacancies shall be filled annually from branch nominees elected by a secret ballot of full members. Retiring members of the committee shall be eligible for re-election. A maximum of three men may be elected to the committee. The NEC shall fill any casual vacancies by appointment for the remainder of that term. The General Secretary, the Chair and the immediate past Chair shall be members of the Steering Committee ex-officio. The immediate past Chair shall remain a member until the AGM following that at which she or he ceases to hold office.
- (e) The press shall be invited to all sessions of the General Meetings but may be excluded at the ruling of the chair of the meeting during discussion of confidential matters.

14. Annual General Meetings (AGM)

- (a) There shall be an AGM in each year.
- (b) Notice of the AGM, giving the proposed date and place of the meeting and the particulars of the nature of the business to be transacted, shall be circulated to all members entitled to attend not less than six calendar months before the proposed date of the meeting.
- (c) The Annual Report and the audited statement of accounts shall be presented for approval to the AGM.
- (d) An auditor or auditors shall be appointed by the AGM, shall serve until the next AGM and shall be eligible for re-appointment.
- (e) The AGM shall consider any motion of which notice has been given in writing to the General Secretary by the NEC or any of its committees, a branch, the PSO Forum, or two full or professional associate members, not less than eight weeks before the date of the AGM. The General Secretary shall circulate to the NEC, its committees, branches and full and professional associate members details of all such motions not less than six weeks before the date of the AGM.
- (f) Notice of proposed amendments to motions shall be given in writing to the General Secretary by the NEC, any of its committees, a branch, the PSO Forum, or two full or professional associate members not less than two weeks before the date of the AGM. Details of the proposed amendments shall be available at the AGM.
- (g) In exceptional circumstances if it is deemed necessary in the interests of the furtherance of the objects of the Association, the NEC, or the Officers acting between meetings of the NEC, may vary the deadlines in clauses (b), (e) and (f) above.
- (h) Subject to Standing Order 7 the AGM shall also consider any emergency motion of which notice has been given in writing to the General Secretary, or at the AGM to the chair of the Steering Committee acting on behalf of the General Secretary, by the NEC, any of its committees, a branch or two full or professional associate members.
- (i) The Steering Committee shall arrange the order of business and the detailed arrangements, including the timetable, for each session of the AGM.

(j) Visitors invited by the NEC may attend such parts of the AGM as shall be determined by the NEC, subject to the ruling of the chair of the meeting.

15. Special General Meetings (SGM)

(a) A Special General Meeting shall be held either:

- (i) as determined by the NEC; or
- (ii) within eight weeks of the receipt by the General Secretary of a call for such a meeting, stating the purpose and signed by not less than 10% of full members representing not less than 10 branches.

(b) Where more than one SGM has been called, they shall be held in the order in which the calls were received by the General Secretary. For the purpose of this clause a call by the NEC for an SGM shall be deemed to have been received on the date of the NEC meeting.

(c) Notice of an SGM, giving the date and place of the meeting and particulars of the business to be transacted, shall be sent to all members entitled to attend not less than two weeks before the date of the meeting.

(d) The Steering Committee shall have duties at an SGM similar to those at an AGM.

16. National Executive Committee

(a) The National Executive Committee shall have responsibility for the furtherance of the objects of the Association. It shall carry out the policy of the Association as determined by General Meetings. It shall also have power to act on behalf of the Association and to formulate interim policy between General Meetings. It shall transact and oversee the general business of the Association and have responsibility for its financial affairs. It shall report to the next AGM upon all actions and decisions taken during the year.

(b) The NEC shall consist of the Chair, Vice-Chairs, Treasurer, a representative of each branch of the Association and two black members elected in accordance with clause 16(c).

(c) The Association will elect annually by secret ballot two black representatives to the NEC. Where two people are elected at least one shall be a woman. Neither may hold the post for more than three years in succession. Candidates for election as a black representative to the NEC shall be nominated in writing by branches with the consent of the nominee. Nominations shall be delivered to the General Secretary not less than three calendar months before the date of the AGM.

(d) The immediate past Chair of the Association shall be an ex-officio member of the NEC until the AGM following that at which she or he ceased to hold office as Chair.

(e) Except as otherwise provided for in this constitution every member of the NEC shall have power to vote at its meetings as follows: the Chair, Vice-Chairs, Treasurer and black representatives elected in accordance with clause 16(c) shall each have one vote; each branch representative shall have one vote for each 50 full members or part thereof in the branch.

(f) The NEC shall, with the assent of a quarter of the representatives present, decide any question by a card vote. A card vote shall be determined on the basis of one vote for each full member of the branch.

(g) A quorum of the NEC shall consist of 23 voting members.

(h) Notice of any matters to be included in the agenda for any meeting of the NEC shall be received in writing by the General Secretary not less than 28 days before the date of the meeting.

(i) The General Secretary shall cause to be sent to each member of the NEC and each Branch Secretary a copy of the notice of any meeting of that committee together with the agenda of the business to come before it, not less than 21 days before such meeting is to be held.

(j) A copy of any rules made by the NEC under the provisions of this constitution shall be sent to all members.

(k) In exceptional circumstances the officers of the Association may call a special meeting of the NEC. A special meeting of the

NEC shall be held within 14 days if requested by one quarter of NEC representatives in writing to the General Secretary.

(l) All officials and administrative staff of the Association shall be employed by the NEC. It shall have the power to delegate any actions or decisions to the officers in accordance with clauses 9(g) and 9(h).

(m) Matters relating to the employment of individuals by the Association shall be treated as confidential to NEC members only, unless designated otherwise by the Chair.

(n) The NEC shall elect a Grievance Panel of six NEC branch representative members each year. In dealing with a grievance from one of the Association's employees, the panel shall act with the full authority of the NEC. It shall have the power to give instructions to the officers, staff and committees of the NEC. It shall report to the next NEC after it meets on any actions or decisions taken.

17. Committees of the NEC

(a) The NEC shall have the power to appoint committees and determine their terms of reference. Except as provided for in Section 19 on anti-racism or by specific resolution of a General Meeting the NEC shall determine the composition, size and method of election of each committee.

(b) No member of a committee shall be elected as a full member for more than five years in succession.

(c) The NEC may give any committee power to co-opt additional members of the Association with or without powers to vote, but may at the same time limit the number of additional members who may be so co-opted.

(d) The Chair of the Association shall be a member of all committees ex-officio. She or he shall have discretion to delegate a Vice-Chair to attend instead. Where a committee's terms of reference include the consideration of the financial affairs of the Association, the Treasurer shall be a member of that committee ex-officio.

(e) Every committee and the officers of the Association shall submit business reports to such meetings of the NEC as the NEC shall determine. The NEC may invite a representative of each of its committees to attend particular meetings of the NEC in order to present such reports and for the purpose of providing factual information or technical or professional advice in respect of matters which the NEC needs to take into account in carrying out its functions.

18. Equal Rights Committee

The NEC shall elect annually an Equal Rights Committee which shall have responsibility for implementation and monitoring of all equal rights policies.

19. Anti-Racism

(a) The NEC shall ensure that there is at all times a National Committee which monitors the implementation of the Anti-Racism Policy.

(b) Branches shall elect annually to the Branch Executive Committee an Anti-Racism Officer who shall be an officer of the branch and who shall seek to ensure that the Association's commitment to combat racism is pursued at branch level. She or he shall liaise with the Anti-Racism Monitoring Committee and report to it on the implementation of the Anti-Racism Policy Statement.

(c) Racist behaviour shall be deemed to be in breach of the objects of the Association; a member who displays such behaviour shall be liable to disciplinary action in accordance with the procedures in Section 28.

(d) Branch Officers shall inform the Anti-Racism Monitoring Committee of any complaints from members concerning racism specifying the nature of the complaint, the action being taken and the eventual outcome.

(e) The NEC shall ensure that black members are able to participate fully at all levels of activity within the Association.

20. Negotiating Committees

(a) Probation Negotiating Committee

- (i) The NEC shall have power to appoint a Negotiating Committee which shall elect the Napo members of the Trade Union Side of the National Negotiating Council of the Probation Service. No member of the Committee shall be elected as a full member for more than five years in succession. The NEC shall ensure that each grade of employee for which the Association negotiates is adequately represented.
- (ii) The Chair of the Association shall preside at meetings of the Negotiating Committee but shall have a casting vote only.
- (iii) Each elected member of the Negotiating Committee shall have one vote in divisions within the Committee, and decisions within the Committee shall be taken on the basis of a simple majority vote. Should the Committee thus take a decision which a majority of the representatives of any grade represented considers to be seriously prejudicial to the interests of that grade, an objection may be recorded to that decision. Where such an objection is recorded the decision shall be referred to the NEC. No action shall be taken on that decision until the NEC has decided the issue after considering the majority view of the Negotiating Committee and the view of the grade representatives who recorded an objection. The decision of the NEC shall be binding on the Negotiating Committee.
- (iv) The Negotiating Committee is a sub-committee of the NEC and shall act within the policy of the Association. In annual salary negotiations the claim to be submitted to the employers shall first be presented to the NEC for ratification. The Negotiating Committee shall report regularly and in detail to members of the NEC and to branches on the progress of negotiations. At any point during the negotiations a special meeting of the NEC shall be held within 14 days if requested by the Negotiating Committee or by one quarter of the NEC representatives in writing to the General Secretary.
- (v) Any provisional agreement made by representatives of the Association about salaries shall be referred to branches for ratification. The Negotiating Committee shall also have the discretion to refer any offer on national salary scales to branches for a decision.
- (vi) When a referral is made under clause 20(a)(v) each branch shall be instructed to hold a meeting or meetings within twenty-eight days to consider the question referred. The agreement or offer shall be ratified if a majority of full members present and voting at branch meetings supports it. The General Secretary shall inform Branch Secretaries in writing of the details of the voting of all the branches. Meetings of the branch for the purpose of pay ratification only, need not be quorate.

(b) Cafcass Negotiating Committee

- (i) The NEC shall have the power to appoint a Negotiating Committee which shall elect the Napo members of the Trade Union Side of the Cafcass National Partnership Committee. No member of the Committee shall be elected as a full member for more than five years in succession. The NEC shall ensure that each grade of employee for which the Association negotiates is adequately represented.
- (ii) The Vice-Chair (Cafcass) shall preside at meetings of the Cafcass Negotiating Committee but shall have a casting vote only.
- (iii) Each elected member of the Negotiating Committee shall have one vote in divisions within the Committee, and decisions within the Committee shall be taken on the basis of a simple majority vote. Should the Committee

thus take a decision which a majority of the representatives of any grade represented considers to be seriously prejudicial to the interests of that grade, an objection may be recorded to that decision. Where such an objection is recorded the decision shall be referred to the NEC. No action shall be taken on that decision until the NEC has decided the issue after considering the majority view of the Negotiating Committee and the view of the grade representatives who recorded an objection. The decision of the NEC shall be binding on the Negotiating Committee.

- (iv) The Negotiating Committee is a sub-committee of the NEC and shall act within the policy of the Association. In annual salary negotiations the claim to be submitted to the employers shall first be presented to the NEC for ratification. The Negotiating Committee shall report regularly and in detail to members of the NEC and to the Section on the progress of negotiations. At any point during the negotiations a special meeting of the NEC shall be held within 14 days if requested by the Negotiating Committee or by one quarter of the NEC representatives in writing to the General Secretary.
- (v) Any provisional agreement made by representatives of the Association about salaries shall be referred to the Section for ratification. The Negotiating Committee shall also have the discretion to refer any offer on national salary scales to the Section for a decision.
- (vi) When a referral is made under clause 20(b)(v) the Section shall be instructed to hold a meeting or meetings within twenty-eight days to consider the question referred. The agreement or offer shall be ratified if a majority of full members present and voting at branch meetings supports it. The General Secretary shall confirm with the Section the details of the voting. Meetings of the Section for the purpose of pay ratification only, need not be quorate.

21. Branches

- (a) Branches of the Association are constituted by warrant and listed in Appendix B to this constitution. The NEC shall have the power to create additional branches.
- (b) Except as provided in clause 21(c) branches shall consist of:
 - (i) All members as defined under 4(a)(i) employed by a Probation Trust or Cafcass whose area is included in the area of the branch;
 - (ii) Any member as defined under 4(a)(ii), who may choose which branch to join;
 - (iii) All other members who reside in the area of the branch. Where a member's normal place of residence falls outside all branch areas, that member shall be a member of the branch of her or his choice.
- (c) In exceptional circumstances the NEC may allow a member to belong to the branch of her or his choice.
- (d) The objects of the Association shall be the objects of each branch.
- (e) The constitution of each branch and any alteration thereto shall be subject to approval by the NEC which may delegate authority for approval to the Chair. The Chair shall report any decisions to the next meeting of the NEC. Any amendment to the national constitution which consequentially amends the branch constitution shall do so immediately.
- (f) Each branch shall bear the expenses of its own business. Branches are entitled to grants from funds of the Association proportionate to branch membership at levels to be determined by the NEC.
- (g) Each branch shall elect its own officers and committees. Branch officers (as determined by the branch constitution) can be elected by a secret ballot of full members of the branch, to be held at a convenient time prior to the branch AGM or by show of hands at

the branch AGM. They shall hold office until the branch AGM two years after they took office. They shall be eligible for re-election. Such branch officers may serve a maximum of two terms (four years) successively in the same office. The branch treasurer may serve a maximum of three terms (six years) successively in that office.

(h) Candidates for election as a branch officer shall be nominated in writing with the consent of the nominee. Nominations shall be delivered to the branch secretary by a date agreed by the branch executive before the date of the branch AGM.

(i) Should a branch officer for any reason cease to hold the office to which she or he has been elected before the period of office expires, the branch executive shall be empowered to fill the vacancy by:

- (i) inviting nominations for the vacant post and conducting an election by secret ballot of all full members,
or;
- (ii) the appointment of an acting branch officer to the vacant post.

(j) An officer acting or elected in accordance with clause 21(i) shall serve until the completion of the term originally to be served by the branch officer they have replaced. The period of office shall be deemed to be a full term if it exceeds twelve months; any shorter period shall be disregarded for the purposes of clause 21(g).

(k) Each branch shall elect annually by secret ballot two representatives to the NEC. Where two people are elected, at least one shall be a woman. Neither may hold the post for more than three years in succession. Only one representative per branch can attend, speak and vote at any meeting of the NEC. Observers may attend, with prior permission of the Chair, at the expense of the branch. If neither representative is able to attend any meeting of the NEC, the branch executive committee shall appoint one of its members as acting representative for that occasion.

(l) Each branch, with the exception of the Family Court Section, will hold an AGM not later than the last day of July in each calendar year. The Family Court Section will hold its AGM at the same time as the national AGM/Conference in each calendar year.

(m) At the AGM of the branch, the branch executive committee shall present a report and the branch treasurer shall present an audited statement of branch accounts to the members of the branch. A copy of the report shall be forwarded to the General Secretary within seven days of such meetings.

(n) Except as laid down under clause 21(p) no branch of the Association shall be dissolved except by the decision of a General Meeting of the Association held in accordance with the following procedure:

- (i) The NEC must discuss allegations that a branch of the Association has acted outside the objects of the Association in a manner which seriously prejudices the interests of the Association and must pass a resolution that such allegations require further investigation.
- (ii) Within 30 days of such a resolution the NEC shall meet to allow the officers and NEC representative of that branch an opportunity to answer the allegations made against the branch.
- (iii) The NEC shall then discuss and vote on a motion to suspend all activities of the branch.
- (iv) A General Meeting held within 90 days of the date of suspension shall discuss and decide upon dissolution of the branch by a vote of all full members present and entitled to vote.
- (v) Any decision made under any of these sub-clauses must be supported by a two-thirds majority of those voting at each meeting.

(o) Should a branch be dissolved under clause 21(k), all branch assets shall be returned to the NEC. The NEC shall ensure that members of the former branch shall be allocated membership of another branch or other branches. At a later date it may consider an application from full members of the former branch to create a new branch in that area under clause 21(a).

(p) A branch wishing to dissolve may do so with the consent of the NEC. In the case of such voluntary dissolution all branch assets shall be returned to the NEC. The NEC shall ensure that members of the former branch shall be allocated membership of another branch or other branches.

22. Workplace Meetings

(a) A Branch may decide to hold workplace meetings to facilitate discussion and decision-making on any issue save for the purpose of its Annual General Meeting.

(b) The Annual General Meeting of a Branch shall agree a list of its workplaces, provided that all members are allocated to a workplace. A Branch Executive Committee may define additional workplaces, subject to ratification by the following AGM of the branch.

(c) The Branch Secretary shall notify members of the date, time and location of a workplace meeting of the Branch and of the subject matter to be considered at such meeting. Notification should reach members not less than five days prior to the meeting.

(d) Workplace meetings shall be scheduled to take place within 10 working days of each other on the same subject matter. All workplaces of the Branch shall be included in the schedule.

(e) The Branch Chair shall chair each workplace meeting, save that he/she may delegate this responsibility to another member of the Branch Executive Committee in respect of any meeting.

(f) The Branch Secretary shall take all reasonable steps to ensure that a register is kept of those attending a workplace meeting and that a note is taken of any decision reached and vote taken at each meeting. He/she shall retain these records in the usual way.

(g) Members may attend and speak at any workplace meeting of their branch, but may vote only at the meeting of their own workplace.

(h) The results of any votes cast at workplace meetings on the same subject matter shall be aggregated to produce the decision of the members of the Branch. The Branch Secretary shall communicate the aggregate result to all members of the Branch as soon as possible following the last meeting.

(i) A Branch shall be quorate for the purpose of voting when the aggregate number of members attending workplace meetings is not less than the quorum (if any) established by the Branch constitution.

(j) In its application to workplace meetings under this clause, clause 7 ("Voting") shall apply as follows:

- para (b) – entitlement to vote – shall apply subject to para (g) of this clause
- para (h) – decisions to be by a majority vote – shall apply to the aggregate vote provided for in para (h) of this clause
- para (i) – Chair's casting vote – shall apply provided that the Branch Secretary shall notify members that the Chair has used his/her casting vote when communicating the aggregate result in accordance with para (h) of this clause.

23. Sections

(a) Sections of members may be established by the NEC. A section may be composed of all those members within a sphere of employment designated by the NEC.

(b) The constitution of any section and any alteration thereto will be subject to approval by the NEC. Any amendment to the national constitution which consequentially amends the section constitution shall do so immediately.

(c) References in this constitution to 'branch' will also apply to 'section'.

24. Expenses

Expenses reasonably incurred on official duties on behalf of the Association shall be met from its funds. The NEC shall issue guidelines for claiming expenses.

25. Representation of Members

- (a) Any member seeking Napo representation on any grievance or disciplinary matter should make the initial request to a locally elected branch representative.
- (b) Unless it would appear to the National Officers to be unjust in the circumstances, Head Office staff are only to consider representing members when the referral comes through the relevant local representative.
- (c) When considered appropriate, representation may be by solicitor appointed under Section 25.
- (d) In order to be granted representation by Head Office or by solicitors appointed or approved by the Association a member must have been in continuous full membership for at least three months immediately prior to any incident requiring representation. Exceptions could be made in the interests of justice or the Association.

26. Legal Assistance

- (a) The NEC shall maintain a Special Aid Fund. The fund shall be financed by transfer from the general funds of the Association subject to an annual maximum of 7.5% of the subscription income for the previous year.
- (b) The fund may be used for granting legal assistance to members in accordance with this section or for any other purpose that the NEC may from time to time determine.
- (c) Subject to the terms in clause 26(d) the General Secretary may advance or pay to or for any full or retired full members such sums of money as she or he thinks fit to provide the beneficiary with legal assistance in any matters or proceedings arising:
 - (i) Out of or in the course of the member's employment, or
 - (ii) Out of any personal injury occurring in the course of the member's travel to or from such employment, or
 - (iii) While the member is engaged on Association business.
- (d) The terms are that:
 - (i) The General Secretary must be satisfied that the prosecution or defence of any legal proceedings by the beneficiary is reasonable;
 - (ii) The beneficiary must be willing to accept and act upon the advice of the General Secretary at all stages of any case or proceedings;
 - (iii) Unless it would be unjust in the circumstances, the member must have been in continuous full membership for at least three months prior to any incident giving rise to the application for legal assistance;
 - (iv) The member must have no arrears of subscription at the time of application and must continue to pay subscriptions during the legal case unless she or he ceases to be eligible for full membership or payment has been remitted by the General Secretary under clause 5(d).
- (e) The beneficiary shall be the member or a financial dependant of a member who dies while her or his legal case is proceeding or whose death is caused by an incident in connection with which legal assistance could have been granted.
- (f) Any full or retired full member denied legal assistance may appeal to a panel of three full members elected by the NEC to hear such appeals.

27. Benevolent Funds

- (a) The NEC shall maintain the Edridge Benevolent Fund of Napo. The fund shall be managed and administered by independent trustees in accordance with the Trust Deed executed on 20 June 1977 as it may from time to time be amended. Provided that the trustees, with the agreement of the NEC, may decide to dissolve the trust provided they are satisfied that its purposes will be met fully by any new trust fund which may be set up under clause 27(d) herein.
- (b) The power of appointment of new trustees shall be vested in the NEC of the Association for the time being so long as the

Association shall exist and thereafter shall vest in the surviving trustee or trustees of the fund.

(c) In exercising its power under the preceding clause the NEC shall specify such terms of appointment as it may consider to be appropriate having due regard for the interests of the beneficiaries of the fund.

(d) The NEC shall have the power to set up and maintain other benevolent funds to assist those in need who are present or former probation staff or their dependants or those eligible for membership of the Association or their dependants.

28. Disputes Procedure

- (a) NATIONAL
 - (i) A General Meeting or the NEC may resolve that the Association is in dispute with the employers nationally and shall decide what action is appropriate. The General Secretary shall send to every branch and every full member written details of the dispute and conduct a secret ballot in accordance with rules made under clause 7(k).
 - (ii) The Association shall not be committed to national industrial action unless this is supported by a majority of those members voting who are entitled to vote in accordance with clause 7(d).
- (b) LOCAL
 - (i) In any dispute which arises between a branch and a local employer in connection with any employment practice or condition of service and which the branch has failed to settle by representation or negotiation, the branch chair shall convene a meeting of the branch to consider the matter within 15 working days.
 - (ii) If representation or negotiation has failed and the branch decides that industrial action should be considered, the branch chair shall report the whole facts to the General Secretary who shall endeavour to secure a settlement of the dispute. If the General Secretary fails to settle the dispute, she or he shall report the whole facts to the officers who shall if necessary submit the matter to the next meeting of the NEC.
 - (iii) The NEC, or the officers, having satisfied themselves that the action proposed is not contrary to Association policy or prejudicial to the interests of the Association, shall instruct the branch chair to conduct a secret ballot in accordance with the rules made under clause 7(k) of this constitution. The Association shall not be committed to supporting such action unless this is supported by a majority of those branch members voting who are entitled to vote in accordance with clause 7(d).
- (c) Members of the Association will be expected to take part in industrial action taken by the Association in accordance with the Disputes Procedure.

29. Disciplinary Action

- (a) A member shall be liable to disciplinary action for conduct which seriously prejudices the interests of the Association or is contrary to its objects.
- (b) Disciplinary action under 29(a) should only be taken where attempts at resolution have failed or are judged inappropriate by the Branch Officers of the complainant's Branch or the National Officers subject to 29(g).
- (c) All stages of the disciplinary process shall be conducted in accordance with the principles of natural justice and shall be governed by rules approved by the NEC. Complaints should be dealt with at the lowest possible level within these procedures.
- (d) At every stage a member who is the subject of disciplinary proceedings shall have the right to be accompanied or represented at no cost to the Association and to be informed of any action taken. No member who is the subject of disciplinary action shall assume formal responsibilities within these procedures.

(e) Should the member who is the subject of the complaint refuse to co-operate with the procedure it shall continue without their co-operation. Correspondence and documents shall be copied to the member concerned at all stages of the procedure.

(f) Disciplinary action against a member may be initiated by the Officers of that member's Branch or in the event of a conflict of interest the National Officers on the receipt of a complaint that the member has behaved in a way that contravenes clause 29(a). If the Branch Officers or the National Officers resolve to initiate disciplinary action they shall inform the General Secretary who shall invoke the disciplinary procedure.

(g) If a complainant is not satisfied with the response to her or his complaint she or he may appeal to the NEC who shall investigate and decide whether or not the matter should be dealt with under the disciplinary rules. A panel of five Branch NEC representatives who have not been involved in the case shall be selected by the General Secretary for this purpose. In its composition the panel shall pay attention to race and gender. The decision of this panel is final.

(h) If, in the interests of the Association, it is deemed to be essential, the Branch Officers or the National Officers may suspend the member from participation in specified activities of the Association until the disciplinary matter is resolved.

(i) the full disciplinary procedure shall consist of:

(i) *an investigation;*

(ii) *a hearing;*

(iii) *an appeal by the member concerned.*

(j) An investigation shall be conducted by a panel of members from a neighbouring Branch, selected by that Branch's Chair, who are not otherwise involved in the disciplinary action. The panel shall, in its composition, pay attention to race and gender. The Investigation Panel shall decide whether or not there is a case to answer and report its findings to the member's Branch Chair and to the General Secretary.

(k) A disciplinary hearing shall be before a panel convened by the General Secretary comprising five branch representative members of the NEC. It shall not include a member of any branch otherwise involved in the disciplinary action and shall, in its composition, pay attention to race and gender.

(l) If the disciplinary panel is satisfied that the member concerned is guilty of conduct as defined in clause 29(a) it shall take one of the following actions:

(i) *impose a written warning as to future conduct;*

(ii) *disqualify from office in the Association for up to three years;*

(iii) *recommend to the NEC that the member be expelled from the Association.*

The General Secretary shall be informed of the decision.

(m) A recommendation by a Disciplinary Panel that a member should be expelled shall be considered by a meeting of the NEC. The member involved shall have the right to ten working days notice of the date and place of the meeting and shall give the General Secretary five working days notice in writing of her or his intention to attend. No NEC member who has been involved in the case other than under clause 29(d) shall participate in the consideration. An expulsion must be approved by a two-thirds majority of the NEC members hearing the case. Otherwise the NEC shall impose a lesser penalty in accordance with clause 29(l) or shall dismiss the case. All decisions of the NEC shall be on the basis of one vote per member. Any mandate given by a branch to an NEC member shall be null and void.

(n) Any penalty imposed under clauses 29(l) or 29(m) shall take effect immediately. Any suspension imposed under clause 29(h) shall be lifted when the case has been dismissed or a penalty has been imposed by the Disciplinary Panel or by the NEC.

(o) A member who has been deemed by the Disciplinary Panel to have been guilty of conduct as defined in clause 29(a) and has been dealt with in accordance with clauses 29(l)(i) or 29(l)(ii), shall have the right of appeal against one or both of those decisions to the NEC. The member must give notice of that appeal in writing to the General Secretary within ten working days of the adjudication by the

Disciplinary Panel. The appeal shall be heard by a panel selected by the General Secretary consisting of five Branch NEC Representatives who have not been involved in the case. In its composition the panel shall pay attention to race and gender. The Appeals Panel shall have the power to either endorse the decisions of the Disciplinary Panel or to vary the decisions by dismissing the case or by lessening the penalty imposed by the Disciplinary Panel under clause 29(l)(i) or 29(l)(ii).

(p) A member who has been expelled by the NEC in accordance with clause 29(l) has the right to appeal against the expulsion to the next following Annual General Meeting of the Association. Notice of such appeal shall be given by the member to the General Secretary not less than ten working days before the commencement of the Annual General Meeting. The decision of the Annual General Meeting whether to endorse the decision of the NEC or to reinstate the member shall be by a simple majority vote. The expulsion imposed by the NEC shall remain in force pending an appeal to the Annual General Meeting.

30. Amendments

(a) This constitution may only be amended by an AGM in 1995 and every third year thereafter unless the amendment is proposed by the NEC.

(b) Notice of any proposed amendment to this constitution shall be given to the General Secretary by the NEC or by a branch of the Association not less than eight weeks before the date of the AGM at which it is to be considered. The General Secretary shall circulate to all branches and full members of the Association notice of any proposed amendment not less than six weeks before the meeting.

(c) Notice of any proposed amendment to a constitutional amendment so circulated shall be given to the General Secretary by the NEC or a branch of the Association not less than two weeks before the meeting. Details of the proposed amendments to the proposed constitutional amendment shall be available at the AGM.

(d) Subject to clause 30(e), this constitution shall be amended if any proposed amendment is supported by a majority of the votes cast.

(e) Any proposed amendment passed by an AGM which has the effect of setting up a political fund by the adoption of appropriate objects shall take effect only upon being confirmed by a simple majority in a secret ballot of all individual members of the Association as set out in clauses 4(a), 4(b) and 4(c).

31. Dissolution

(a) The Association may be dissolved in the following manner:

(i) By a motion passed at an AGM or SGM held in accordance with the provisions of Sections 13 to 15 that a secret ballot be taken for the purpose of clause 31(a)(ii). Provided that no such motion shall be considered, when proposed other than by the NEC, except on a signed request of ten percent of the full members of the Association;

AND

(ii) By a resolution passed by at least two-thirds of the votes cast in a secret ballot of full members to the effect that the Association be dissolved.

(b) The NEC shall be responsible for the arrangements governing the conduct of such ballot as aforesaid and the precise wording of the resolution and shall ensure that such ballot is held within three calendar months of the date of the AGM or SGM referred to in clause 31(a)(i).

(c) A decision by ballot to dissolve the Association shall take effect after the discharge of the Association's just liabilities on such a date as the NEC shall determine but not being later than 12 months after the ballot. Any extension beyond this period shall only be by resolution of the NEC and each extension shall be limited to a period not exceeding four months.

(d) In the event of the Association being dissolved as aforesaid the funds and assets of the Association other than the assets of the Edridge Benevolent Fund or other fund, set up under Section 27, shall after all just liabilities have been provided for:

EITHER

- (i) be realised and divided among all full and retired full members in proportion to their respective lengths of membership;

OR

- (ii) be given or transferred to some other institution or institutions having objects similar to the objects of the Association, such institutions to be determined by the NEC, or to the Edridge Benevolent Fund or other fund set up under Section 27. These institutions shall be stated on the ballot paper and the funds and assets shall be shared between them in proportion to the wishes of the members expressed on the ballot papers.

- (e) The choice between clauses 31(d)(i) and 31(d)(ii) shall be determined by a simple majority voting in the ballot.

APPENDIX A

Standing Orders for the Conduct of General Meetings

1. Order of Business

There are four sessions in the day, the morning and the afternoon both being divided by a break. The first item of business in each session shall be the announcement of the timetable by the Steering Committee. This decision of the Steering Committee shall be final unless a challenge is made by at least four full members and supported by a two-thirds majority.

2. Chair – Maintenance of Order

(a) Before speaking members must be recognised by the Chair, who shall decide the order of the speakers.

(b) If the Chair calls a member to order, or for any other reason intervenes in the proceedings, no-one shall speak until the Chair permits.

(c) If a member refuses to obey the Chair when called to order, the Chair may cause her or him to be expelled from the meeting. That member shall not be allowed to take any further part in the meeting until the meeting has been given a satisfactory apology.

3. Chair's Ruling

(a) The ruling of the Chair on any question under Standing Orders or on points of order shall be final unless a challenge is made by at least four full members and supported by a two-thirds majority.

(b) If a ruling by the Chair is successfully challenged but the Chair refuses to accept this challenge, the Steering Committee shall nominate someone else to Chair the remainder of that session.

4. Motions and Amendments

(a) Unless a majority of full members present and voting agree otherwise, a motion or amendment must be proposed and seconded in person by the two members who placed it on the agenda or by two full members of the branch or committee which did so.

(b) The motion on any particular subject is referred to as the 'original' motion; all succeeding motions on that subject are referred to as 'amendments'. If a motion is amended the resulting motion is known as the 'substantive' motion.

(c) Before beginning the proposal speech the mover of the original motion may indicate that she or he accepts one or more amendments. If a majority of the meeting agrees, the motion shall be amended without debate.

(d) Any remaining amendments will be debated in turn after the original motion has been proposed and seconded. When an amendment has been proposed, no further amendment may be discussed until the current amendment has been dealt with.

(e) If an amendment is carried, the original motion is amended accordingly and any further proposed amendments apply to that new substantive motion.

(f) After all the proposed amendments have been dealt with, the resulting substantive motion is open to debate and becomes the resolution of the meeting if it is carried.

(g) The proposer of a motion which has been omitted from the agenda may appeal through the Steering Committee for its inclusion. The meeting shall decide without discussion.

5. Compositing Motions and Amendments

If the various proposers and seconders agree, motions or amendments may be composited according to rules determined by the Steering Committee. Where possible, the agreed wording should be given to the General Secretary (or the Chair of the Steering Committee acting on behalf of the General Secretary) before the day's business begins.

6. Withdrawal of a Motion or Amendment

(a) The proposer of a motion or amendment who wishes to withdraw it before it is put to the meeting must notify the Steering Committee as soon as possible after coming to that intention. The Steering Committee will advise her or him at what point in the meeting to inform the membership of her or his decision.

(b) No motion or amendment which has been properly proposed and seconded shall be withdrawn unless a simple majority of the meeting agrees.

7. Emergency Motions

(a) Emergency motions shall be debated only in exceptional circumstances and must be submitted in writing to the General Secretary or Chair of the Steering Committee acting on behalf of the General Secretary. They must relate to urgent issues:

- (i) which have arisen since the closing date for motions;
- (ii) which cannot be dealt with in any other way, and
- (iii) which are of such gravity as to justify rearrangement of business.

(b) (i) If the emergency nature of the motion is accepted by the Steering Committee and approved by the meeting, the motion shall be placed on the agenda.

(ii) If the emergency nature of the motion is not accepted by the Steering Committee, the proposer of the motion shall have the right to challenge the Steering Committee's ruling by explaining in not more than two minutes the emergency nature of the motion. The ruling shall then be put to the meeting for decision without debate.

(iii) It shall not be possible to amend emergency motions.

8. Time-keepers

Time-keepers shall be appointed by the Steering Committee.

9. Speeches

(a) No-one shall speak more than once on any motion except as follows:

- (i) a proposer has a right of reply in accordance with Standing Order 11;
- (ii) someone may raise a point of order or request information despite having spoken in the debate;
- (iii) anyone may speak once on any amendment despite having already spoken on the original motion or previous amendments.

(b) Someone may formally second a motion or amendment but reserve the right to speak until later in the debate.

(c) The maximum time allowed for speeches shall take account of interruptions for points of order or seeking information and shall be:

- (i) six minutes for the proposer of a motion;
- (ii) three minutes for the seconder and subsequent speakers;
- (iii) three minutes for any speaker on an amendment including the proposer;
- (iv) three minutes for any right of reply.

10. Points of Order and Requests for Information

(a) Members wishing to raise points of order or seek information must first obtain the permission of the Chair at an appropriate juncture.

(b) A member raising a **point of order** should quote the Standing Order, or the section of the constitution under which the point of order is raised. All other business shall cease until the point of order is dealt with.

(c) A member may, with the permission of the Chair, interrupt the debate in order to **seek information**, but will not be permitted to give information at this juncture.

11. Right of Reply

(a) The 'right of reply' entitles the speaker to reply to the debate but no new matter may be introduced.

(b) *If no amendment is passed*, the proposer of the original motion shall have the right to reply at the close of the debate on that motion.

(c) *If an amendment is moved*, the proposer of the original motion may speak during the debate on the amendment, but may also reply to that debate at the end. The proposer of the amendment shall not have a right of reply.

(d) *When an amendment is accepted by the proposer of the original motion*, she or he shall retain the right to reply to the debate on the substantive motion.

(e) *When an amendment is not accepted by the proposer of the original motion, but is carried*, the right of reply to the debate on the substantive motion passes to the proposer of the amendment (unless she or he waives that right in favour of the proposer of the original motion).

12. Reports

(a) A statement or report presented to the meeting shall be assumed to be on a motion that the meeting adopts the statement or report and Standing Orders 2 to 11 apply, except that a chair or deputy in presenting a main committee report for adoption shall be allowed a maximum of fifteen minutes to present that report.

(b) Where it is proposed that a report or other statement be adopted by the meeting a speaker may move a procedural amendment that the report or statement or certain defined paragraphs of the report or statement be referred back or referred back for specific alterations to be made. Such a procedural amendment may be debated as though it were an amendment to a motion and Standing Orders 2 to 9 shall apply.

(c) Following a resolution to refer back a report or statement, there shall be no further discussion or vote and the meeting shall move to next business. Resolutions to refer back a section of the report or statement shall have the effect of excluding that section.

13. Voting

(a) All decisions shall be made by a simple majority except where the Constitution or Standing Orders require a two-thirds majority.

(b) Voting shall be on a show of hands, but that shall be followed by a ballot at the Chair's discretion or on a request supported by at least fifty voting members.

(c) Abstentions shall be disregarded in all votes.

14. Closing the Debate

(a) A call for '**the closure**' or for '**next business**' may be proposed and seconded only by members who have not spoken at any time in the debate. No speeches are allowed on such calls.

(b) If a call for '**the closure**' is carried the meeting shall move immediately to the right of reply followed by a vote.

(c) If a call for '**next business**' is carried the meeting shall move immediately to the next item of business without any further speeches or a vote on the original motion or any amendments.

15. Adjournment

Any member who has not already spoken during the debate on the question before the meeting may move the adjournment of the question under discussion or of the meeting, but must confine her or his remarks to the reasons for and length of the adjournment and must not discuss any other matter. The mover of the motion on which the adjournment has been moved shall be allowed the right of reply on the question of the adjournment but such reply shall not prejudice her or his right of reply on her or his own motion.

16. Rescinding a Resolution

No resolution shall be rescinded or amended at the same meeting at which it has been passed.

17. Suspension of Standing Orders

In the event of any matter of urgency arising the Chair may accept a call for the suspension of Standing Orders. Any member may propose the suspension of one or more of these Standing Orders, stating concisely the reason for the suspension. If formally seconded, such a motion shall be put to the vote without debate or amendment. It shall be carried only if supported by a two-thirds majority.

APPENDIX B

Napo Branches/Section as at 1 August 2011

AVON & SOMERSET
CHESHIRE
CHILTERN COUNTIES
CUMBRIA
DORSET
DURHAM TEES VALLEY
EAST ANGLIA
ESSEX
GREATER LONDON
GREATER MANCHESTER
HAMPSHIRE & ISLE OF WIGHT
HUMBERSIDE
KENT
LANCASHIRE
LEICESTERSHIRE & RUTLAND
LINCOLNSHIRE
MERSEYSIDE
Napo CYMRU
NORTHAMPTONSHIRE
NORTHERN IRELAND
NORTHUMBRIA
NORTH YORKSHIRE
SOUTH WESTERN
SOUTH YORKSHIRE
STAFFORDSHIRE & WEST MIDLANDS
SURREY & SUSSEX
THAMES VALLEY
TRENT
WARWICKSHIRE
WEST MERCIA
WEST YORKSHIRE
WILTSHIRE & GLOUCESTERSHIRE
.....
FAMILY COURT SECTION

Probation Trusts

Avon & Somerset
Cheshire
Bedfordshire – Hertfordshire
Cumbria
Dorset
Durham Tees Valley
Cambridgeshire – Norfolk and Suffolk
Essex
London
Greater Manchester
Hampshire
Humberside
Kent
Lancashire
Leicestershire & Rutland
Lincolnshire
Merseyside
Wales
Northamptonshire
Northern Ireland
Northumbria
York and North Yorkshire
Devon & Cornwall
South Yorkshire
Staffordshire and West Midlands
Surrey & Sussex
Thames Valley
Derbyshire – Nottinghamshire
Warwickshire
West Mercia
West Yorkshire
Wiltshire – Gloucestershire
.....
Cafcass

DISCIPLINARY RULES

Definitions

1.1 Within these rules any reference to 'section' or 'clause' relates to the Constitution of Napo – the trade union and professional association for family court and probation staff.

1.2 Within these rules any reference to the National Chair, the General Secretary or a Branch Chair refers also to other National Officers, Assistant General Secretaries or Branch Officers deputising for them.

1.3 Within these rules any reference to 'the member' refers to the member who is subject to the disciplinary action.

1.4 Within these rules a member who originally makes a complaint against another member does so to her or his Branch Officers or the NEC. If the Branch Officers or the NEC initiate disciplinary action they become the complainant in the case.

1.5 Within these rules a reference to a 'working day' refers to a day where the Napo office is open for all or part of the day.

General

2.1 These rules have been approved by the National Executive Committee (NEC) for use in all disciplinary action under **Section 29** of the national constitution.

2.2 In order to address the issues of race, gender, sexual orientation and disability all panels referred to in these rules shall, in their composition, pay attention to the Association's Equal Opportunities Policies.

2.3 All arrangements under these rules shall, so far as is practicable, be made with due regard to the personal circumstances of those involved.

2.4 All parts of the disciplinary procedure shall be completed as quickly as possible consistent with the principles of natural justice. The full disciplinary procedure with the exception of the right to appeal shall be completed within six months of the original complaint being notified to Branch Officers or the National Officers, subject to 3.1 below. This time can only be extended in exceptional circumstances and with the agreement of the General Secretary.

2.5 At all stages during disciplinary action a member against whom a complaint has been made has the right to be represented by a person of her or his choice at no expense to the Association.

2.6 All panels referred to in these rules shall be responsible for electing a chair from amongst their number.

2.7 At all stages the member who is the subject of the disciplinary procedure shall be informed of decisions taken. In the preliminary stages this shall be by the Branch Chair or the General Secretary. In the remaining stages it shall be by the General Secretary.

2.8 Should the member refuse to co-operate with the procedure it shall continue without their co-operation.

2.9 Any question of interpretation under these rules which arises during an investigation, an attempt at conciliation, a hearing or an appeal shall be resolved by the Chair of the relevant stage in the proceedings in accordance with natural justice. Any question which arises outside any of those stages shall be similarly resolved by the Chair of the Association.

Preliminary Stages

3.1 Any members wishing to make a complaint that another member has contravened clause 29(a) should do so to the officers of his/her branch. In the event of a conflict of interest the member may make the complaint in writing to the National Officers.

3.2 The complaint should describe the conduct it relates to and state whether it is alleged that such conduct seriously prejudices the interests of the Association and/or is contrary to its objects.

3.3 Consideration will not be given to a complaint that relates to an incident more than six months old.

3.4 On receipt of such a complaint the Branch Officers or the National Officers shall decide whether or not to initiate the disciplinary process. Their decision should be recorded in the minutes of the meeting at which it was made.

3.5 In the event of an appeal to the NEC by the complainant against the response of the branch or the National Officers under 29(g) of the Constitution, a panel of five NEC representatives will be convened by the General Secretary to consider the matter.

3.6 If the decision is to initiate the disciplinary process the Branch Officers, National Officers or the Appeal Panel of the NEC shall inform the General Secretary within ten working days.

3.7 After deciding to initiate the disciplinary process the Branch Officers or the National Officers shall, if, and only if, they deem it to be essential in the interests of the Association, suspend the member against whom the complaint has been made from participation in specified activities of the Association until the matter is resolved.

3.8 A member so suspended shall continue to be eligible for all other rights their membership of the Association affords.

Investigation

4.1 On receipt of information that the disciplinary process has been initiated in accordance with Rules 3.4 and 3.5 the General Secretary shall within 10 working days inform the Chair of a neighbouring branch that an investigation into the complaint is required.

4.2 On receipt of information under Rule 4.1 the Chair of the neighbouring branch shall convene a panel of members of that branch to investigate the complaint.

4.3 Such a panel shall consist of at least three members who are not otherwise involved in the disciplinary action.

4.4 The Investigation Panel shall investigate the complaint as it deems fit but shall allow the member against whom the complaint is made to make oral and/or written submissions.

4.5 At the conclusion of the investigation the Investigation Panel shall decide whether or not there is a case to answer. If the decision is that there is a case to answer it shall decide on the final wording of the complaint against the member and shall communicate these decisions to the member, the member's Branch Chair and to the General Secretary.

4.6 The Investigation Panel shall complete its work within 30 working days of the receipt of information under Rule 4.1.

Disciplinary Hearing

5.1 If the Investigation Panel concludes that there is a case to answer the General Secretary shall convene a Disciplinary Panel comprising five branch representative members of the NEC. The panel shall not include a representative of any branch otherwise involved in the disciplinary process and shall, in its composition, pay attention to race and gender.

5.2 PRE-HEARING

- (a) The Panel shall not be informed of any detail of the allegation prior to the hearing.
- (b) The National Officers shall appoint a person to present the case against the member.
- (c) The member shall be provided with a copy of the investigating panel's report including the final wording of the complaint and the name of the person who will present the complaint at the hearing.
- (d) The member and the presenter shall exchange documents they wish to present to the hearing and the names of witnesses they intend calling at least three working days before the hearing. No other documents or witnesses will be permitted unless mutually agreed at the hearing.

5.3 THE HEARING

- (a) The Chair of the Panel shall open the hearing by reading the statement of complaint.
- (b) The person presenting the complaint against the member may make an opening statement. She or he shall then present the case against the member by calling witnesses and submitting documents.
- (c) Witnesses called may be questioned after they have given their evidence by the member and by the panel. The presenter may re-question the witness dealing only with matters raised by the member or by the panel.
- (d) The member shall then present their case in a manner similar to that which is contained in Rules 5.3(b) and (c) above.
- (e) When all the evidence has been given the presenter followed by the member shall be given the opportunity to sum up their respective cases.
- (f) The Panel shall then withdraw to deliberate in private recalling the parties only to clarify points arising from evidence already given. If recall is necessary both parties shall be recalled.
- (g) The Panel shall decide by a majority vote on the basis of the evidence produced whether or not the member has, beyond reasonable doubt, acted in a way which seriously prejudices the interests of the Association and/or is contrary to its objects. The hearing shall re-convene and the Chair shall announce the Panel's decision giving the voting figures.
- (h) If the complaint has not been upheld that is the end of the disciplinary process and any suspension imposed on the member shall be withdrawn.
- (i) If the complaint has been upheld the member shall be invited to address the Panel on the question of the appropriate penalty. The Panel shall then withdraw to consider the penalty. The Panel shall select one of the alternatives contained in clause 29(1) namely:
 - either-* impose a written warning as to future conduct,
 - or-* disqualify from office in the Association for up to three years,
 - or-* recommend to the NEC that the member be expelled from the Association. The hearing shall then re-convene and the Chair shall announce the Panel's decision. Any penalty imposed under clause **29(1)(i)** or (ii) shall take effect immediately and any suspension imposed on the member shall be withdrawn. If the Panel decides to recommend to the NEC that the member be expelled from the Association under clause **29(1)(iii)**, any suspension shall remain in force pending the decision of the NEC.
- (j) The Disciplinary Panel shall complete its work within 30 working days of the receipt of information under Rule 6.1.

5.4 POST-HEARING

- (a) The findings of the Panel shall be notified in writing within five working days of the hearing to the member, the Chair of the member's Branch and the General Secretary.
- (b) The General Secretary shall notify the member forthwith of her or his rights of appeal against a penalty imposed by the Disciplinary Panel and of the procedure to do so OR, if expulsion has been recommended, the process by which the NEC will consider the matter.

Right of Appeal to NEC

- 6.1 A member who has been deemed by the Disciplinary Panel to have been guilty of conduct as defined in clause 29(a) and has been dealt with in accordance with clause 29(1) may appeal against one or both of those decisions to the NEC.
- 6.2 The appeal will be heard by a panel selected by the General Secretary consisting of five branch NEC representatives who have not been involved in the case.
- 6.3 The appeal hearing will be a re-hearing of the case and new evidence will be admitted from either side.
- 6.4 The procedure of the appeal will be as outlined in Rules 5.2 and 5.3. The powers of the Appeals Panel will be to either dismiss the case or uphold the finding of guilt and either confirm or reduce the penalty imposed.
- 6.5 The findings of the Appeals Panel will be announced by its Chair immediately and then notified in writing within five working days to the member, the Chair of the member's branch and the General Secretary.
- 6.6 The findings of the Appeals Panel shall be final.

Procedure at the NEC when Expulsion is being Considered

- 7.1 The Chair of the Disciplinary Panel shall report to the NEC on the Panel's deliberations, findings and decision. At the conclusion of the report the member and members of the NEC shall be invited to ask questions of the Chair of the Disciplinary Panel.
- 7.2 The member may then address the NEC. At the conclusion of the address members of the NEC shall be invited to ask questions of the member.
- 7.3 The Chair of the Disciplinary Panel and the member shall then withdraw from the meeting.
- 7.4 The NEC shall then debate the question of the expulsion of the member.
- 7.5 The NEC shall have the power to expel the member, impose any of the penalties contained in clause 29(1)(i) or (ii), or dismiss the case. Voting on the issue shall be by a hand vote. A decision to expel must be supported by at least two-thirds of the NEC members hearing the case.
- 7.6 In making a decision under Rule 7.5 any mandate given by a branch to a member of the NEC shall be deemed null and void.
- 7.7 When the NEC has reached a decision the member and the Chair of the Disciplinary Panel shall rejoin the meeting and the Chair of the NEC shall announce the result. Any resulting penalty shall take effect immediately. Any suspension imposed under Rule 3.7 shall be lifted as soon as the case is dismissed or any penalties take effect.

Post – NEC

8.1 The General Secretary shall send written notification of the decision of the NEC to the member, the Officers of the member's branch and the Chair of the Disciplinary Panel within five working days of the decision.

8.2 If the NEC has expelled the member from the Association the General Secretary shall notify her or him in writing within five working days of her or his right under the constitution to appeal against the decision of the NEC to the next Annual General Meeting and the process by which she or he can do so. Any penalty imposed by the NEC shall not be suspended pending an appeal to the AGM.

Right of Appeal to AGM

9.1 A member who has been expelled from the Association by the NEC under Rule 7.5 has the right of appeal to the next Annual General Meeting of the Association.

9.2 At the AGM a representative selected by the NEC shall report to the AGM on the NEC's deliberations, findings and decision. At the conclusion of the report the member may ask questions of the representative of the NEC.

9.3 The member may then address the AGM.

9.4 The representative of the NEC and the member shall then withdraw from the meeting.

9.5 The question of whether or not the AGM allows the member's appeal against the decision of the NEC to expel her or him shall then be put. A vote shall be taken by ballot. A majority of votes cast in favour of allowing the appeal will remove any penalties imposed on the member. No other questions may be put.

9.6 The representative of the NEC and the member shall return to the meeting for the announcement of the result of the appeal.

9.7 Following the AGM the General Secretary shall send written notification of the decision of the AGM to the member and the Chair of her or his Branch.

RULES FOR THE OPERATION OF THE SPECIAL AID FUND FOR LEGAL ASSISTANCE TO NAPO MEMBERS

These Rules for the operation of Napo's Special Aid Fund are made by the NEC under the provisions of clause 16(a) of Napo's Constitution, and clarify the administrative arrangements for the Fund under clause 26(c), (d) and (f) of the Constitution. The Rules are based on Napo's experience of handling members' cases where some form of legal assistance may be appropriate, and of Legal Assistance Appeals Panel hearings when direct legal assistance is initially denied. The Rules are intended to make that decision-making process as transparent as possible, to protect individual members' interests and to clarify Napo's position in relation to what individual members may reasonably expect of the union's resources.

1. The provision of advice and assistance shall be at all times within the discretion of the NEC and in accordance with any regulations to be determined and issued by the NEC from time to time.

2. Members seeking legal assistance from Napo should deal directly with Napo on all points, unless specifically asked to do otherwise by Napo. Members should not commit themselves to any course of action or expenditure in the expectation they will be financially or otherwise supported, without first obtaining Napo's express authority. Any legal expenses incurred prior to receiving approval shall remain the responsibility of the individual concerned.

3. In all cases where legal assistance is sought, the following procedure applies:

- (i) The member should initially make their request for assistance to their Branch at the earliest possible opportunity. Exceptionally, if the matter is of a particularly urgent nature or involves criminal proceedings or the threat of such proceedings, the member may approach the General Secretary directly. Legal assistance in criminal proceedings will normally only be given where the charges arise from the member's trade union activity.
- (ii) Upon receiving a request for legal assistance, the Branch should endeavour to obtain particulars from the member and refer the matter to the General Secretary. This referral shall be made as soon as practicable by the Branch, and in any event no later than 14 days from receipt of the request.

4. Upon receipt of an application or at any time thereafter, the General Secretary shall determine, having regard to the criteria set out below, whether and in what form advice or assistance shall be given or continue to be given. The criteria are:

- the nature of the case and its overall merits;
- whether or not the member's interests can be more appropriately safeguarded in another way, for example by a straightforward industrial relations solution;
- the complexity of the law and facts involved on the advice of Napo's solicitors;
- the value of any claim;
- the estimated legal costs of providing advice and/or assistance and best disposal of available financial resources;
- any collective bargaining/professional/trade union/equal opportunities significance of the claim;
- any relevant aspects of Napo's aims, objectives and policies;

- the personal consequences of an adverse result on the applicant member, eg financial hardship, loss of employment etc;
- the principles of natural justice.

Examples of where legal assistance may be available to members are:

- accidents at work, or to and from work, and work-related personal injury cases;
- redundancy, unfair dismissal, maternity, sickness, pensions and other matters relating to contracts of employment and statutory employment rights;
- equal opportunities and discrimination issues;
- enforcement of rights as trade unionists.

5.1 In every case where assistance is granted the General Secretary shall have the right to determine in what form and to what extent legal assistance shall be given. Legal assistance will normally only be provided through Napo's solicitors to ensure proper accountability for the member's interests and the disposal of Napo's resources. Assistance may be limited or made subject to conditions being satisfied by the member.

5.2 Any limitations or conditions will be stipulated at the time the offer of assistance is made. Assistance will be given on a stage by stage basis, and cases will be reviewed regularly using the criteria previously identified under Rule 4.

6. Members receiving legal assistance will be expected to cooperate with Napo or its agents, and act in accordance with their advice at all stages. There will be an expectation that members receiving assistance will make thorough disclosure of all relevant facts and cooperate fully with those assigned to assist them. Failure to comply with these provisions may result in the withdrawal of legal assistance and the General Secretary may subsequently seek the NEC's authority to recover all or part of any expenses incurred as constituting a debt owed by the member to Napo.

7. Napo will be bound to have regard to any potential conflict of interest – either between a member and Napo, or between two or more members. No assistance will be given in cases of a conflict between a member and the union. In conflicts between members each member is entitled to have their application considered. In some cases it may be appropriate for independent assistance to be given to either or both of the members concerned.

8.1 In cases where either a member's initial application is refused or legal assistance is subsequently withdrawn, the member concerned has the right to appeal. Notice must be lodged with the General Secretary within 15 working days of the date of the General Secretary's decision, and the following procedure will then apply.

8.2 Napo's Officers will appoint an Officer to be responsible for convening the Legal Assistance Appeals Panel, to oversee the procedure and act as the Panel's liaison point, and to act as adviser when the Panel meets. The Panel hearing will be convened no later than 25 working days from receipt of the member's notice of appeal.

8.3 The Panel will consist of three full members elected by the NEC, and due attention will be given to its race and gender composition.

8.4 On receipt of the notice of appeal, the convening Officer will contact the General Secretary and applicant member within three working days, asking each to provide written submissions giving reasons on the following grounds why the application should or should not be supported:

- its background and particular circumstances;
- a consideration of the criteria outlined in Rule 4.

- 8.5 The written submissions must be received by the convening Officer within seven working days of the date of the request.
- 8.6 Once written submissions have been received, Panel members may seek further information or clarification from either or both parties via the convening Officer. Any additional information or clarification will be made available to all Panel members.
- 8.7 The Panel meeting will consider all the available information obtained under paragraphs 8.4 and 8.5, and its findings will be final. The applicant member, the General Secretary and the Chair will be notified in writing of the Panel's decision within five working days. The next NEC will also be notified of the Panel's decision by a written summary from the convening Officer.

RULES FOR THE CONDUCT OF BALLOTS

1. General Rules

- 1.1 Under clause 7(k) of the Constitution, the NEC has established the following Rules for the Conduct of Ballots. Any ballot conducted under clauses 3(a), 9(b), 9(d), 12(c), 21(g), 21(k), 28(a) and 28(b) of the Constitution shall be organised accordingly, unless the Rules are varied by special resolution of an AGM, SGM or the NEC.
- 1.2 Ballots for the establishment of maintenance of a Political Fund under clause 3(a) shall be postal.
- 1.3 Ballots for the election of national Officers under clauses 9(b) and 9(d) shall be postal.
- 1.4 Ballots for the election of General Secretary under clauses 12(c) shall be postal.
- 1.5 Ballots for the election of branch NEC Co-Representatives and under clause 21(h) shall be either workplace or postal, as decided by formal resolution of the Branch.
- 1.6 Ballots for industrial action under clauses 28(a) and 28(b) shall be either workplace or postal or a mixture of both as decided by the NEC or by the Officers acting under clause 9(g). In consideration, the following will apply as preferred choice:
 - (a) a ballot for national industrial action will usually be postal;
 - (b) a ballot for local industrial action will usually be workplace;
 - (c) a mixture of these methods, as may be in the best interests of Napo, may be used for either a national or a local ballot.
- 1.7 Ballots for the election of branch officers under clause 21(g) may be postal where the branch operates under clause 22 Workplace Meetings.
- 1.8 The NEC, the Officers, or the Branch Executive as appropriate, shall make or shall cause to be made, such arrangements as are necessary to ensure the following:
 - (a) every member properly entitled to vote shall be allowed to do so without interference from or constraint imposed by Napo, or any of its members, officers, officials or employees;
 - (b) every member properly entitled to vote shall, as far as is reasonably practicable, be allowed to do so without incurring any direct cost to themselves;

- (c) every member properly entitled to vote shall, as far as is reasonably practicable, be given a voting paper and a convenient opportunity to vote;
 - (d) that as far as is reasonably practicable, ballots will be conducted in such a way as to ensure that those voting do so in secret.
- 1.9 The NEC or the Officers shall make, or shall cause to be made, adequate arrangements for the appointment of an Independent Scrutineer, and for the Independent Scrutineer to make a written report on the conduct of the ballot. This report shall be made available to members on request after the ballot has taken place.
 - 1.10 Napo will supply any member with a copy of these Rules free of charge, on request.

2.0 Rules for the Conduct of Workplace Ballots

- 2.1 The NEC, the Officers or the Branch Executive shall make arrangements for adequate notice of the ballot to be given to all those members properly entitled to vote, including the times and places at which they are able to vote and such identification as will be required to establish entitlement to vote.
- 2.2 The NEC, the Officers or the Branch Executive shall make arrangements for independent scrutiny of the ballot for every location where votes are cast.
- 2.3 The NEC, the Officers or the Branch Executive shall make, or shall cause to be made, arrangements for the issue of voting papers. This will not be entrusted to one Napo member alone unless that person is acting as an independent scrutineer, nor to anyone directly affected by the dispute or potential dispute to which the ballot relates, nor will it be a local Napo branch officer who regularly represents those entitled to vote.
- 2.4 Voting should take place in a room or area where there is privacy to mark a voting paper and cast a vote. No-one should be allowed in that area except those issuing ballot papers, any independent scrutineer and those entitled to vote. A single, secure ballot box should be provided.
- 2.5 Voting shall be by the marking of a voting paper by the person properly entitled to vote. Completed voting papers should be placed in the ballot box by the voter personally.
- 2.6 At the close of ballot, the NEC, the Officers or the Branch Executive shall make arrangements for sealed ballot boxes to be returned to the independent scrutineer.
- 2.7 The NEC, the Officers or the Branch Executive shall make for any member properly entitled to vote who identifies themselves:
 - (a) postal voting arrangements for those members either unable to collect a voting paper at the time or location of issue, or to cast a vote at the designated workplace location;
 - (b) suitable alternative or additional arrangements for those members unable to participate by reason of impaired vision or other physical cause.

3.0 Rules for the Conduct of Postal Ballots

- 3.1 Wherever reasonably practicable, the NEC, the Officers or the Branch Executive shall establish, or cause to be established an appropriate checking system so that:
 - (a) no member properly entitled to vote is accidentally disenfranchised;
 - (b) no uncompleted paper comes into the hands of anyone not properly entitled to vote.

- 3.2 Advice will be given well in advance to those entitled to vote on when and how balloting will take place.
- 3.3 For postal ballots, the period between the distribution of voting papers and the date by which completed voting papers should be returned will allow at least:
- (a) 7 days if voting papers are to be distributed and returned by first class post;
 - (b) 14 days if second class post is used for either distribution or return of voting papers.

BRANCH HARDSHIP FUND

The NEC established the Fund in 1995. It was reviewed and amended by the NEC in September 2001. The arrangements for the Fund are as follows:

1. The Fund will comprise monies donated by Branches and from central funds under the provisions set out below.
2. The Chair, Treasurer and General Secretary will administer the Fund. Account will be taken of the state of cash flow through Branch accounts when claims are made and notably the impact of Branch grants claimed and due to be claimed. Branches may be asked to submit a copy of their accounts in support of their claim.
3. Branches are requested to donate to the Fund by 1 May, half of any surplus held in the Branch account(s) on 31 December the previous year, in excess of the previous year's eligible Grant, e.g. Branch A's allocated Grant was £1,000. At 31 December that year the Branch had funds of £1,400. The Branch donates £200 to the Fund on 1 May the following year (i.e. half the difference).
4. Up to 50% of unclaimed Branch Grants (Annual not AGM) from the preceding year will be placed in the Fund following a decision by the NEC to reimburse it. The exact amount will be agreed by the NEC, subject to the level of donations made by the Branches (Point 3) and reflecting the need to maintain an optimum balance in the Fund.
5. Any monies remaining in the Fund will be carried forward to the Fund in the following year. If, at the time when the budget is set, the size of the Fund is deemed to be sufficient to meet potential calls upon it during the year, then a decision may be taken by the NEC not to trigger transfers under Points 3 and 4.
6. The maximum amount that can be claimed will be one-third of the annual grant, or £500, whichever is the greater.
7. Branches intending to submit a claim should do so by 1 December stating the amount requested, how the grant is to be used and the Branch Account/s current balance/s.
8. The ability to meet claims on the Fund, in whole or in part, will be subject to monies available in the Fund.

Erratum: DISCIPLINARY RULES

Page 54: **General**

General

2.1 These rules have been approved by the National Executive Committee (NEC) for use in all disciplinary action under **Section 29** of the national constitution.

Page 55: **Disciplinary Hearing**

5.3 THE HEARING (i)

(i) If the complaint has been upheld the member shall be invited to address the Panel on the question of the appropriate penalty. The Panel shall then withdraw to consider the penalty. The Panel shall select one of the alternatives contained in clause 29(l) namely:

- either-* impose a written warning as to future conduct,
- or-* disqualify from office in the Association for up to three years,
- or-* recommend to the NEC that the member be expelled from the Association. The hearing shall then re-convene and the Chair shall announce the Panel's decision. Any penalty imposed under clause **29(l)(i)** or (ii) shall take effect immediately and any suspension imposed on the member shall be withdrawn. If the Panel decides to recommend to the NEC that the member be expelled from the Association under clause **29(l)(iii)**, any suspension shall remain in force pending the decision of the NEC.

OFFICERS AND STAFF OF THE ASSOCIATION

ELECTED OFFICERS 2010/2011

Chair:	Tim Wilson
Vice Chair (Cafcass):	Paul Bishop
Vice Chairs (Probation):	Lisa Robinson Dino Peros Mike Quinn
Treasurer:	Keith Stokeld

STAFF

General Secretary:	Jonathan Ledger
Assistant General Secretaries:	Cordell Pillay Harry Fletcher Ian Lawrence
National Official Trade Union Organisation:	Ranjit Singh
National Official Health and Safety:	Mike McClelland
ULR Manager (England):	Briony Marder
ULR Manager (England):	Marilyn Owens
ULR Manager (Wales):	Aziz Bouleghlimat
ULR Project Worker:	Jacqui Paryag
Office Manager:	Keith Waldron
Administrators:	Alison Bonner Anne Burbidge Annoesjka Valent Chris McGarry Cynthia Griffith Jacqui Paryag Jeannie Ah-Fong Kath Falcon Margaret Pearce Shireena Suleman Taytula Burke Theresa Boorman

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RESISTANCE!

