

2011-12 Annual Report and Constitution



Annual Report and Constitution 2011/2012

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List of Abbreviations used in the Annual Report

ABPO	– Association of Black Probation Officers	MoJ	– Ministry of Justice
ACAS	– Advisory, Conciliation & Arbitration Service	NAAPS	– National Association of Asian Probation Staff
ADP	– Anti-Discriminatory Practice	NAGALRO	– National Association of Guardians ad Litem & Reporting Officers
AGM	– Annual General Meeting	NDSN	– National Disabled Staff Network
AGS	– Assistant General Secretary	NEC	– National Executive Committee
ARO	– Anti-Racism Officer	NNC	– National Negotiating Council
ASBO	– Anti-Social Behaviour Order	NOMS	– National Offender Management Service
AT	– Assistive Technology	NPC	– National Partnership Committee
BME	– Black and Minority Ethnic	NPS	– National Probation Service
Cafcass	– Children and Family Court Advisory and Support Service	NVQ	– National Vocational Qualification
CB	– Cross bencher	OASys-R	– Offender Assessment System – Revised
CEO	– Chief Executive Officer	OFF	– Officer
CJS	– Criminal Justice System	OFSTED	– Office for Standards in Education, Children’s Services and Skills
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	PCA	– Probation Chiefs Association
ECUA	– Essential Car Users’ Allowance	PCS	– Public and Commercial Services union
EHRC	– Equality and Human Rights Commission	PO	– Probation Officer
EIA	– Equality Impact Assessment	POA	– Prison Officers Association
ERO	– Equal Rights Officer	PQAB	– Probation Qualifications Assurance Board
ET	– Employment Tribunal	PQF	– Probation Qualifications Framework
FCA	– Family Court Adviser	PSLG	– Public Service Liaison Group
FCS	– Family Court Section	PSO	– Probation Service Officer
FDR	– Fast Delivery Report	PTLLS	– Preparing to teach in the Lifelong Learning Sector
FSW	– Family Support Worker	RIDDOR	– Reporting of Injuries, Diseases and Dangerous Occurrences Regulations, 1995
FTE	– Full Time Equivalent	SA	– Staff Association
GFTU	– General Federation of Trade Unions	SALFA	– Sustainable Access to Learning For All
GMB/SCOOP	– The union GMB/Society of Chief Officers of Probation	SARs	– Specified Activity Requirements
GSCC	– General Social Care Council	SBC	– Specification, Benchmarking, Costings
H&S	– Health & Safety	SCCOG	– Standing Committee for Chief Officer Grades
HCPC	– Health and Care Professions Council	SEC	– Section Executive Committee
HEI	– Higher Education Institutions	SFO	– Serious Further Offence
HMCS	– Her Majesty’s Court Service	SM	– Service Manager
HMI	– Her Majesty’s Inspectorate	SPO	– Senior Probation Officer
HMP	– Her Majesty’s Prison	SSAFA	– Soldiers, Sailors and Air Force Association
HSE	– Health and Safety Executive	TPO	– Trainee Probation Officer
HSSG	– Health & Safety Steering Group	TUC	– Trades Union Congress
ICCJ	– Issues in Community and Criminal Justice	TUCG	– Trade Union Coordinating Group
ICT	– Information and Communication Technology	TUPE	– Transfer of Undertakings (Protection of Employment)
ISOH	– Institution of Occupational Safety and Health	TUO	– Trade Union Organisation
IT	– Information Technology	UHSS	– Union Health & Safety Specialists
JNC	– Joint Negotiating Committee	ULR	– Union Learning Rep
JUPG	– Justice Unions’ Parliamentary Group	ULF	– Union Learning Fund
LAGIP	– Lesbians, Gay Men, Bisexuals & Transgendered people in Probation and the Family Courts	UPW	– Unpaid work
LGBT	– Lesbian, Gay, Bi-Sexual & Transgender	VQ	– Vocational Qualifications
LGPS	– Local Government Pension Scheme		
LPC	– Learning Partnership Committee		
MAPPA	– Multi-Agency Public Protection Arrangements		
MP	– Member of Parliament		
MoC	– Management of Change		

Annual Report

August 2011 to August 2012

Introduction

When the Officers and staff of Napo gathered on the steps of Croydon Town Hall in March 2012 to recreate the photo taken a century earlier to mark the inaugural Napo meeting, it was an emotional occasion. To stand on the exact same spot where the early pioneers of Napo and probation had stood was a proud reminder of all that we had achieved as a union and professional association over the past 100 years. This has been reinforced at the special professional conferences we have held for members in the Probation Service and Cafcass and at the centenary reception at the House of Lords in May.

We have rightly celebrated our centenary year but the work of the union has continued unabated as we have fought manifold attacks on the work of members in probation and the family courts. But we have also participated in action as part of the wider public sector. At last year's AGM we passed a motion recording a dispute with the Government over its attack on pensions. That resolution enabled Napo to join with other public sector unions in the biggest coordinated industrial action for over 80 years. On the 30th November 2011 Napo members went on strike alongside teachers, nurses, rubbish collectors, librarians, civil servants and millions of other workers defending their pension entitlement. As a consequence, subsequent negotiations resulted in a range of concessions by the Government in relation to the Local Government Pension Scheme and the positive resolution of our dispute.

Notwithstanding our ongoing resistance to budget cuts and the loss of jobs, the major threat to the Probation Service, and to Napo itself, continues to be this Government's obsession with privatisation. It was exemplified, of course, in the Probation Review that consisted of two consultation papers that demonstrated, in both their concepts and proposals, that the authors had little understanding of the true nature and demands of probation work. However, there was no disguising the risk posed to the Service by the suggestion that up to 60% of its budget could be suitable for competitive tendering.

The recent decision to outsource 'Community Payback' in London to Serco was a grim warning of what the future may hold. The discovery that Serco's contract is predicated on a 37% cut in the budget over 4 years chillingly illustrates the fundamental motivation underpinning privatisation. As we have witnessed with the controversy surrounding contracts awarded to the workforce organisation A4e and the fiasco of G4S' inability to provide sufficient security staff at the Olympics, private sector failure is no barrier to competitive opportunities. The recent reshuffle, which has resulted in a move to the right in the make up of the MoJ ministerial team, bodes ill for public service provision in the CJS. Napo's fight against privatisation is a key campaign for all members.

A year ago we were contemplating the impact of the Family Justice Review on the future of family work and the possible implications for Cafcass. The FJR duly reported but its major recommendation that a new Service covering the Family Courts (which would absorb Cafcass) be created appears to have been sidelined most likely on cost grounds. This has left something of a vacuum in Cafcass as its budget is slashed and workloads continue to place staff under strain. The persistent problem of an oppressive performance management culture remains but there are signs that some of its chief operators are being removed from the organisation. Whether this is as a result of the repeated and insistent representations of Napo or a corporate management cull prompted by financial pressure is open to debate. Either way, Cafcass has much work to do if it is to convince Napo members that it believes in and cares about its staff and is serious

about implementing the much-needed cultural changes recommended in the Munro Report.

For some years Napo has been concentrating local and national resources on recruitment and organisation. We have seen the value of this investment as we have sustained our density in membership despite the impact of the cuts on staffing in both the Probation Service and Cafcass. However, there is no escaping the reality that our numbers have gone down and, consequently, the income of the union has reduced. The NEC has recently approved new financial procedures for the union and sensible application of our resources will enable us to function effectively.

In spite of the unavoidable pressure a small union like Napo experiences in a period of imposed austerity, we have been able to develop and broaden the services and guidance we offer. Members in the Probation Service and Cafcass have received newly published best practice guidelines and AGM will see the launch of handbooks covering representation, union structure and organisation, health and safety and member services. This work is testimony to the dedication and commitment of members representing Napo both locally and nationally. The high level of lay member involvement has been a distinctive characteristic of the union throughout its history and crucial to its effectiveness and success.

Napo is ably represented by its Officers and staff. This year we have welcomed Sarah Friday as the National Official covering professional and training issues and she has speedily grasped vital and demanding areas of work. Sadly, at this AGM we will be saying farewell to two long serving Officers. Dino Peros has been a Vice Chair fired by dynamism, energy and political nous. Our departing Chair, Tim Wilson, has been a diligent and assured presence, his care and determination reflecting a deep-seated devotion to Napo and its members. I know that members will join me in thanking them for their hard work and wishing them well for the future.

In 2011 we joined with other unions taking action on pensions and also marching on the March for the Alternative. In our centenary year there is a further opportunity to stand with our sisters and brothers in the movement by attending the TUC demonstration 'A Future that Works' in London on the 20th October. Attending marches like this is an empowering reminder that we are not alone but are part of a wider movement encompassing millions of people, people collectively enduring attacks and threats from an uncaring and selfish Government intent on destroying public services and the communities they serve.

We can all be proud that we are part of a union that for 100 years has promoted and protected the work of criminal and family justice. We have much to celebrate and many dear friends and comrades to remember. But our focus must be on the road ahead, taking forward all we have achieved and cherished, past and present, long into the future.

Jonathan Ledger, General Secretary

National Executive Committee

<i>Officers:</i>	Tim Wilson (Chair) Caroline Bewley & Eve Chester (job share), Tony Mercer, Dino Peros, 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>	Richard Ogwang-Aguma (Greater London Branch) Maureen Vernon (Leicestershire and Rutland)
<i>Officials:</i>	Jonathan Ledger (General Secretary) Harry Fletcher (Assistant General Secretary) Ian Lawrence (Assistant General Secretary) Sarah Friday (National Official) from March 2012 Mike McClelland (National Official) Ranjit Singh (National Official)
<i>Administrator:</i>	Alison Bonner

1. **Meetings.** The NEC has met five times since the last annual report was written: in September and November of 2011 and February, April and July of 2012. The NEC oversees the work of all Napo's 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 2011-2012 were: Tim Wilson (Northumbria) – Chair, Tony Mercer (Cafcass), Dino Peros (South Western), Caroline Bewley & Eve Chester (job share, Lancashire), 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 Richard Ogwang-Aguma (Greater London) and Maureen Vernon (Staffordshire and West Midlands).

4. **Employers issues.** In March 2012 Sarah Friday was appointed as Napo's third National Official with responsibility for professional and training issues. Sarah has previous union experience with the RMT and Unison. The NEC has been kept informed of the efforts being made to find new accommodation for the national Napo office, work which is currently ongoing.

5. **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 2011 are included in the annual report.

6. Further to the work commenced in 2010/11 Napo's financial procedures have been revised further in light of discussions with staff and comments received from branches. The September 2012 meeting of the NEC is due to consider the final version of the procedures and, if agreed, they will become operational.

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

- Durham Tees Valley – use of volunteers in unpaid work.
- East Anglia – in dispute with Cambridgeshire over compulsory redundancy notices.
- Family Court Section – remained in dispute over Workloads.

- Greater London – was in dispute over PSO redundancies.
- Hampshire and Isle of Wight – in dispute over Staff Mobility policy, Management of Change Protocol and Capability policy.
- South Yorkshire – in dispute on workload, redeployment procedure and sickness absence policy.
- Staffordshire and West Midlands – in dispute over Attendance Management Policy.
- Thames Valley – resolved dispute over sickness absence.
- Trent – back into dispute over workloads.

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

- Discrimination – disability leave, disability related absence and sickness
- Reinforcing Probation Training
- The use of volunteers in Probation
- Re-tiering

9. **Operational Plan and Strategic Objectives.** The November meeting of the NEC agreed Napo's operational Plan 2011-12 and it was sent to branches in BR70/2011. 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.

10. **National Disputes.** Following adoption of an emergency resolution at the 2011 AGM Napo recorded disputes with the Secretaries of State with responsibility for staff working for probation in England, Wales and Northern Ireland and in Cafcass. This related to Government threats to the Local Government Pension Scheme. Following a ballot of all members which resulted in overwhelming support for action, a strike of Napo members, alongside millions of union members across the public sector, took place on the 30 November 2011.

11. Subsequent negotiation of the LGPS Scheme resulted in significant improvements and the revised proposals were put to members in a national ballot in July. The proposals were accepted by over 80% of those who voted and the dispute was resolved.

12. Following a recommendation by the Probation Negotiating Committee, the April meeting of the NEC agreed to withdraw the national workloads dispute with the Probation Service. The Committee will continue to monitor workloads and related issues with branches.

13. **Probation Review.** In March the Government published its long awaited consultation on the future of probation. Two consultation papers were issued covering 'effective probation services' and 'community sentences'. They raised a number of serious concerns including the threat of wholesale privatisation and attacks on probation practice. Napo responded in detail to both papers and they were circulated to branches in BR 26/12.

14. **Campaigns.** Arising from the Probation Review Napo launched a campaign to 'Stop Clause 23' focussed on the Crime and Courts Bill which has the potential to enable privatisation of the whole Service. The decision in July to award responsibility for unpaid work in London to Serco highlighted concerns about Government policy.

15. The TUC General Council agreed in the early summer to organise a second mass demonstration of union members following the success of the March for the Alternative last year. Napo is currently organising with branches to gain a huge turnout for the 'A Future that Works' march on the 20 October.

16. **Napo Centenary.** In recognition of Napo's centenary a range of special events have taken place nationally including special probation and family court conferences in York and a birthday reception at the House of Lords in May. Many branches have also held special celebrations for the centenary which national officers and officials have attended where possible.

17. **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 and/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.

18. **Trade Union Coordinating Group.** The TUCG represents the views and concerns of 10 trade unions including Napo. It has started a website this year and organises a range of seminars and events including two fringe meetings at TUC Congress.

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

20. **Ministerial/Officials meetings.** Napo holds occasional meetings with the Cafcass Board and the Prisons and Probation Minister. Following the recent re-shuffle we are awaiting a commitment from the new Minister to continue these meetings. Meetings with the Probation Director at NOMS take place bi-monthly. Irregular meetings are held with the Chief Executive of Cafcass. Napo also holds meetings with representatives of the PA and PCA. There has been one meeting with the Children's Minister who holds responsibility for Cafcass.

21. **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.

22. **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.

23. **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.

24. **Trade Union Congress (TUC).** Congress 2011 took place at Congress House in London. The General Council had decided to only hold a biennial full conference with a 2 day smaller delegate Congress and no visitors allowed in between. Napo submitted concerns about equality and diversity representation for smaller unions. After a review the General Council has decided to go back to annual conferences with visitors allowed whilst changing the timing of Congress to take place from Sunday evening to Wednesday.

25. Napo's motions entitled 'Privatising Justice' and 'Family Justice Review' were passed. A full report of the Congress was provided in *Napo News*.

26. 2012 Congress is taking place in Brighton and Napo is submitting motions entitled 'Resisting the threat to Probation' and 'LASPO – a call for reform'.

27. **TUC Women's Conference.** Napo's delegation included Lisa Robinson, Caroline Bewley (Vice Chairs), Tania Bassett (West Mercia), Paulette Ranger (Greater London), Patsy Leeman (Napo Cymru) and Angela Thompson (Staffordshire and West Midlands). Napo's motion was entitled 'Legal aid cuts and the disproportionate impact on women's rights'.

28. **TUC Black Workers Conference.** Napo's delegation included Ranjit Singh, National Official, Angela Carty (Thames Valley), Paulette Ranger (Greater London), and Arlene Simms (Staffordshire and West Midlands). Napo's motion was entitled 'Poverty and the riots'.

29. **TUC Disability Conference.** Napo's delegation included David Quarmby (West Yorkshire), Ceris Handley (Avon and Somerset), Angela Thompson (Staffordshire and West Midlands) and Tony Gillam (Greater London). Napo's motion as composed with UCU and RMT unions was entitled 'Discrimination – disability leave, disability related absence and sickness'.

30. **TUC Lesbian Gay Bisexual and Trans Conference (LGBT).** Napo's delegation included Lauren Salerno (Napo Cymru), Shirley Anderson (Northumbria), Kim Davies (Thames Valley) and Mark Nixon (Greater London). Napo's motion was entitled 'Supporting Trans people in unions'.

Cafcass Negotiating Committee

<i>Members:</i>	Jay Barlow (Cafcass South area) Christine Dyson (Cafcass South area) Catrina Flynn (Cafcass South area) resigned March 2012 Karen Gorbitt (Cafcass South area) Nicola Kenney (Cafcass Central area) Peter West (Cafcass South area) resigned April 2012 Steve Hornby (Cafcass North area) Anna Markowycz (Cafcass North area) resigned August 2012
<i>Officer:</i>	Tony Mercer (National Vice Chair) Committee Chair
<i>Official:</i>	Ian Lawrence (Assistant General Secretary)
<i>Administrator:</i>	Cynthia Griffith

31. This Committee briefs the Napo negotiating team for meetings held under the Cafcass National Partnership Agreement. At the time of writing it has met four times this year and has a further two meetings scheduled before the Napo AGM. This report covers the main issues in negotiations.

32. Thanks are extended to all members of the Committee and Napo Officers and Officials for all the work they have done for our FCS members over the last year, especially as some Committee members do not receive any facility time for attending Cafcass Negotiating or National Partnership Committee meetings. Particular thanks is extended to Christine Dyson, the FSW rep, who has been a Committee stalwart despite the immense difficulties that FSWs have faced this year, and the fact that she has been on a student placement for much of the time.

33. **Family Justice Review.** The final report of the Family Justice Review published in November 2011 turned out to be an anti-climax because, in its delayed response to it, the Government made it clear that no new Family Justice Service would be set up before 2015, although it is possible that Cafcass may transfer from the DfE to the MoJ in 2014. As a consequence the Committee has not had to activate the Committee's motion which was passed at AGM 2011 which was concerned with contingency planning for the transfer of Napo FCS members to a new Family Justice Service.

34. **Budget Cuts and FSW Redundancies.** Cafcass has had a £1 million reduction in its budget for 2012–2013, which if 'stand-still' costs are added means that Cafcass has decided to make some £3 million savings. Cuts have been made in head office staff, senior managers and admin support staff. The most unforgivable of these cuts, has been the reduction of Family Support Workers (the Cafcass equivalent of PSOs) from 78 nationally to around 20, with 50 staff having been made redundant. Most of the remaining 20 FSWs are currently engaged in social work qualification training and will be expected to apply for newly Qualified Social Worker posts when they finish their studies.

35. FSWs have shown themselves to be very valued practitioners and by virtually abolishing the grade, Cafcass has reneged on its undertaking not to make 'front-line staff' redundant. This does not bode well for next year when further cuts are expected. Napo has publicly exposed Cafcass's treatment of the FSWs at every opportunity: directly with the Children's Minister, Tim Loughton; through the Family Court Union's Parliamentary Group; with Anthony Douglas, Cafcass CEO, at the Napo Centenary Family Court Conference, and in *Napo News*.

36. Napo represented individual members in the redundancy process when requested. Unfortunately, short of taking industrial action, which was not a realistic option in this case, there was nothing else that Napo FCS could do to stop these redundancies. There is now the danger that Cafcass may seek to exploit the remaining FSWs, and the Committee is seeking to combat this by revising and reinstating, as a matter of urgency, the FSW role boundary paper which it negotiated with Cafcass last year.

37. **Workload Weighting Scheme.** The Workloads Sub-Committee has significantly revised the way that points are earned in the Workload Weighting scheme in a continuous effort to make the scheme more accurately reflect the amount of work practitioners are doing. The revised scheme was introduced on 1 July 2012 with accompanying separate advice from both Cafcass and Napo.

38. The Workload Weighting Scheme cannot in itself resolve the problem of overworking in Cafcass, because this is caused by Cafcass's public undertaking to allocate all work immediately, alongside the downsizing of a flexible, auxiliary work-force that can bring relief where it is needed. The Workload Weighting Scheme has, however, been very useful in exposing patterns of overworking throughout Cafcass (see below).

39. Cafcass produces monthly snap-shots of the collective weighting scores of every practice team, from this Napo has been able calculate that over half of the 98 practice teams have persistently had more than 25% of their practitioners in High Amber/Red (the indicators of overworking); in some teams it has been over 90%. Recently there have been signs that Cafcass has reallocated resources to some of the more grossly over-worked teams following representations by Napo.

40. **Workload Policy.** After four years of trying, the Trade Union and Management Sides are about to sign off a new Workload Policy which is based on the Workload Weighting Scheme and previous protocols for the allocation of cases. The Committee would particularly like to thank Mike McClelland, National Official, for his invaluable input to the negotiations. A new, agreed Workload Agreement, however, does not end the workloads dispute, which Napo registered on 27 January 2011. Moreover, before it has even been signed, the proposed Workload Policy is in danger of being undermined by the recently published Cafcass Operating Framework (a document which has never been agreed by the Cafcass trade unions) with its bizarre definitions of "proportionate working" and its unilateral attack on the traditional standards of professional supervision.

41. **Working Hours.** The Workload Sub-Committee commissioned a Time Recording Exercise which took place 17-30 October 2011. This showed that FCAs were working on average an extra day (7 hours 24 minutes) every week over their contractual hours. This finding has been the catalyst for Napo's latest "Time to Say No to Overworking" campaign and has never been refuted by management. It also influenced the submission of a claim for overtime payments as part of the 2012 Pay Claim.

42. **Pay and Overtime Claim 2012.** Napo and UNISON have submitted a joint claim for pay and overtime as follows:

- consolidated increase of 2% or £250, whichever is greater, on all pay bands between 1 and 7 (Service Manager Level);
- continued honouring of incremental progression to target pay band;
- increase in London Allowance;
- payment of time and half for every hour worked over 148 (pro-rata) in 4 week period.

43. The first meeting to discuss the pay claim with Cafcass was held on 27 June 2012. An increase of £250 per annum was agreed for the 283 employees who earn less than £21,000 and incremental progression is to be honored. Everything else within the claim has been rejected, and the overtime element was not even thought worthy of being costed by the employer. This perhaps illustrates the regular complacency that the Committee has to contend with. The Committee is currently considering whether to recommend to Napo that the FCS should register a trade dispute over Cafcass's refusal to properly consider the claim for overtime payments, and also if this should be the catalyst for a ballot for Industrial Action.

44. **Facility Time and FCS Reorganisation.** Napo negotiated 2.5 FTE posts facility time for the FCS. This is considerably more than was previously offered but it still represents an overall cut in the facility time that Napo had previously enjoyed in Cafcass, particularly as Cafcass was insisting that H&S Reps facility time should also come out of this allocation. As a consequence the SEC has decided to reorganise the FCS as follows:

- the Regional Sections and Convenors are being phased out;
- a system of Office Contacts is being introduced;
- section communications have been centralised;
- the Section Co-Chairs and the National Vice Chair have introduced a "duty system" to manage individual representations and have designed a form which individual members are required to fill in so that the appropriate level of representation can be provided;

- active retired members are being approached to help with representations;
- constitutional amendments will be submitted to the 2012 Section AGM to maintain local democratic accountability in the FCS.
- the Committee will also be supporting the targeted membership recruitment drive within Napo FCS that is expected to be launched in the autumn.

45. **HR Policy Review.** Last year the Cafcass HR Department announced its intention to review all previously agreed HR policies in the alleged interests of shortening them and making them easier for management and staff to understand. To date Napo has entered into negotiations over H&S, Absence Policy and Employee Relations (which incorporates Grievance, Bullying, Capability and Discipline). A revised H&S Policy has been agreed but Napo has reached an impasse over aspects of both the Absence and Employee Relations Policies which appear detrimental to our members' interests.

46. **York Home Workers Dispute.** Napo registered a dispute in October 2011 over York management's intention to terminate the Home Worker contracts of eight FCAs. This dispute was settled in favour of our members, the majority of whom have kept their Home Worker contracts.

47. **London Management Restructure.** Napo and UNISON intervened in March over Cafcass's failure (again) to properly consult the registered trade unions about major structural changes which affect the employment and conditions of grades of staff for whom we have negotiating rights. In this case Cafcass deleted all eight Service Manager posts in London and replaced them with Senior Service Manager posts for which the incumbents had to apply. Connected to this process, the Committee's much valued Service Manager Representative, Catrina Flynn, took voluntary redundancy and had to relinquish her post on the Committee. The Committee would like to record its immense debt of gratitude to Catrina for all that she has done for the Section since it was formed in January 2003.

48. **Compulsory Professional Registration.** Cafcass had intimated that it might not continue to reimburse the social worker's professional registration fee when the HCPC replaces the GSCC and the fee rises from £30 per annum to £76 per annum. Registration is compulsory and social workers cannot legally practice without it. However, Cafcass has now given the trade unions assurances that it will continue to reimburse this registration fee.

49. **Office Closures and Business Mileage.** As a result of the office closure programme over the last three years, many practitioners have to travel large distances from their homes to their designated office bases. This will mean that when excess mileage runs out, which will start happening in December 2012, those practitioners, will hardly ever be able to claim business mileage because it will normally be less than the home to office deduction. Napo is entering into talks with Cafcass management as a matter of urgency to try to find a way around this.

50. **Facility Time for H&S Reps.** Napo was in the process of seeking legal advice over Cafcass's refusal to treat facility time for H&S Reps separately from facility time for trade union duties. However, there are now signs that a resolution will be possible.

Campaigning Committee

<i>Members:</i>	Stuart Arrowsmith (Napo Cymru) Sharon Brereton (Greater London) Mark Ewington (Chiltern Counties) Jane Foster (Lancashire) Selina Foy (Thames Valley) Ceris Handley (Avon and Somerset) Johnnie Hermiston (Leicestershire) Yvonne Pattison (North Yorkshire) Committee Chair
<i>Officer:</i>	Lisa Robinson/Dino Peros (Vice Chairs)
<i>Official:</i>	Harry Fletcher (Assistant General Secretary)
<i>Administrator:</i>	Kath Falcon

51. **Membership.** This year the Campaigning Committee has seen a change of personnel with all but two members being new to the Committee. Thanks are extended to all the Committee members for their work over the past 12 months. In addition to this there has been a change of link officer with Lisa Robinson moving to Training Committee and Dino Peros moving to Campaigning Committee. Given this it is fair to say that we are a fairly new Committee and there is a need for a period of stability to allow some continuity into the work we do.

52. **Role of the Committee.** The first meeting of the year devoted considerable time to discussing this and made a commitment to continue to support the important work of the link official and administrator. Periodically requests are sent out for information by way of case examples, surveys, etc. Historically there has been a variable response to these, but without raw data it is very difficult for this work to be meaningful. In an attempt to help facilitate a better and more consistent response each Committee member has been given a number of link branches in an attempt to encourage returns and build effective working relationships with the significant contacts.

53. **Campaigning.** The main campaigns focused on probation cuts and privatisation. The primary task was the production of briefing papers, using case material supplied by members, aimed at illustrating the essential nature of the public sector based probation and family court work. Information was gathered and briefing papers and press releases produced on office closures, domestic violence perpetrators, cuts to accredited programme interventions, abuse of process in the family courts, parole delays, and electronic tagging. Work is currently underway gathering information on the chaos caused by cuts to the courts system. The Committee is very grateful to all members who supplied information and to branch officers for their help in collecting these. This flow of information is crucial to the continuation of the campaign.

54. **Stalking and harassment.** In line with the resolution passed at last year's AGM, a highly successful campaign, run jointly with the charity Protection Against Stalking, resulted in a new lay law on stalking being introduced. Further information is provided in the press and parliamentary report.

55. **Former Armed Services personnel.** The campaign for veterans in the criminal justice system continued during the year, with the parliamentary group meeting twice. Meetings were also held, on behalf of veterans organisations, with the NatWest Bank and with the Coffee Shop Project, known as *The Mess*.

56. **Equalities Data.** The Committee discussed the national roll-out of the Single Equalities Scheme which places a duty on public sector organisations, including probation Trusts, to produce and publish up-to-date demographic and staffing details of all employees. The Committee felt there could be some rich information gathering done on this subject to ensure Trust equalities and evidence collation. The Committee issued a request to branches to access this information for their Trust area (via the Trust website) and send it to head office for collation. The response from branches was limited (with fewer than 10 branches returning the data). However, work will continue on this and on identifying which Trusts have not met their statutory duty.

57. **Local campaigning.** The Committee undertook a survey of branches to assess the level of local campaigning activity, involvement in national campaigns, and contact with the local media and constituency MPs. Although only 11 branches responded, the information provided was useful and the incoming Committee will continue to take this forward. The findings gave rise to a motion to this year's AGM calling on the union to produce concise guidance for branches and Napo reps on local campaigning work, negotiations and consultation. The Committee believes that such a guide would be an important support especially for less experienced reps and could encourage members to become active by increasing knowledge. It is hoped that this will be taken up by the TUO Committee if passed.

58. **Probation Service and Sentencing Reviews.** At its final meeting the Committee considered a strategy to fight back against the planned privatisation measures contained in the two consultation papers on *Effective Community Sentences and Effective Probation Services*. The Committee noted that the Crime and Courts Bill, currently going through parliament, contains a 'placeholder clause' – Clause 23 – which is essentially an enabling clause to allow the Government to introduce amendments to set in place tendering and competition in Probation. The Committee noted that Napo should determine a strategy of opposition to this clause and particularly to lobby supportive Peers when the amendments are tabled in the Lords in the autumn. The first stage of this campaign will be to gather success stories, illustrating the effective work of probation which would be undermined by fragmentation and privatisation. A survey form has been sent to branches with a view to gathering information over the summer for use in central briefings and by branches when contacting the media and MPs locally, as part of the *Stop Clause 23* campaign when it reaches the crucial stage in its parliamentary process in the autumn.

PRESS AND PARLIAMENTARY REPORT

59. For the fifth year running, the main focus of the work in both parliament and the press has been fighting further threats to fragment and privatise probation, chaos in Cafcass, and focussed campaigns on specific issues such as stalking law reform, the plight of veterans in the criminal justice system, violence against women, miscarriages of justice and support for many other causes.

60. **All Party Groups.** The three all party trade union groups on justice, family courts and drugs and alcohol, met regularly with each other and with ministers during the year. Scores of parliamentary questions were drafted and tabled; over 40 briefings were produced for parliamentarians and several early day motions were put down. Three seminars on justice issues were run for the Labour Opposition Justice and Home Affairs Teams.

61. **Parliamentary Questions.** During the past 12 months 538 parliamentary questions were drafted by Napo and put down by a range of MPs from all parties from the three parliamentary groups, but primarily from the Justice Unions' Group. The subjects included: former armed service personnel; cuts and funding for Probation and Cafcass; staffing matters; risk assessments; comparative costs of prison and probation; stalking and harassment; South Yorkshire prisons; sex workers and the Olympics; domestic violence; miscarriages of justice and biometric reporting.

62. **Early Day Motions.** Napo was involved in the drafting of 22 Early Day Motions, tabled by supportive MPs from the parliamentary group, on justice and family court issues. Collectively these attracted over 650 signatures.

63. **Meetings with parliamentarians.** A total of 49 parliamentarians were seen on at least one occasion over the year. They included 10 Conservatives and eight Liberal Democrats; the rest were either Labour, Cross Benchers or from the smaller parties. Matters discussed included probation funding, Cafcass structures, former armed service personnel, domestic violence and harassment.

64. **Party Conferences.** Napo spoke at fringe meetings at all three main parliamentary conferences on the subject of who should benefit from the criminal justice system.

65. **Stalking Law Reform.** During 2011 and 2012, along with Laura Richards from Protection Against Stalking, Harry Fletcher drafted a Stalking Law Bill. The campaign involved setting up a unique parliamentary inquiry into stalking law reform, which met on five occasions and took evidence predominately from victims; tabling over 100 parliamentary questions; producing 25 briefings; securing the support of politicians such as Yvette Cooper, Lynne Featherstone and David Cameron; and saw the law introduced on 1 May 2012. Consequently the campaign received the Dods National Charity of the Year Award 2012; this was presented by Speaker, John Bercow, in June.

66. **Briefings.** In addition to the stalking briefings, over 20 other briefings were produced over the 12 month period for both the press and parliamentarians. They included:

- Criminal Justice in Meltdown (July 2011).
- The 96 Hour Bail Bill (July 2011).
- Sentencing, Legal Aid and Punishment of Offenders Bills (September 2011).
- Resistance to Cuts and Privatisation (October 2011).
- Stalking and Harassment – a study of perpetrators (December 2011).
- Stalking Law Reform – a briefing for Baroness Royall (December 2011).
- Parole Delays (December 2011).
- Legal Aid, Sentencing and Punishment of Offenders Bill – briefing for the Lords (January 2012).
- Sex Workers and the Olympics (January 2012).
- Abuse of Process in the Family Courts (January 2012).
- State of the Court System (February 2012).
- Protection of Freedoms Bill [Third Reading] Amendments (March 2012).
- South Yorkshire Probation and Prison Privatisation (April 2012).
- Getting it Right for Victims and Witnesses (April 2012).
- Protection of Freedoms Bill Commons Amendments (April 2012).
- Alcohol Sobriety Scheme Pilot (May 2012).
- Armed Forces, Domestic Violence and Alcohol (May 2012).
- Biometric Reporting (May 2012).
- Electronic Monitoring (June 2012).
- Probation and Community Sentence Review – Fragmentation and the Market (June 2012).

67. **Meetings with other organisations.** Meetings occurred during the year with the Police Federation, Prison Governors Association, the Magistrates Association, PCS, the Black Police Officers Association, TUCG, the Prison Reform Trust, the Howard League, English Collective of Prostitutes, Metropolitan Police, Surrey Police, Hampshire Police, Leicestershire Police, Cheshire Police, Strathclyde Police, the Parole Board, the Centre for Crime and Justice Studies, the Probation Chiefs Association, Birnberg Solicitors, the Association of Chief Officers of Police, Veterans Organisations, Women against Rape, Bedford University, Birkbeck University, the Suzy Lamplugh Trust, Protection Against Stalking, Women's Aid, Women's Refuge, Coordinated Action against Domestic Abuse, Westminster Foundation, College of Social Work, POA, Westminster Drugs Project, Ministry of Justice, the Home Office, National Police Improvement Agency, Private Eye, the Independent Police Complaints Authority, the Henry Jackson Association, Tiger Aspect Production Company, the CPS, the Innocence Project, Stalking Campaign Scotland, Gillian Slovo (writer), Victim Support, Policy Exchange, NatWest Bank, Women's Institute, the Commission for Victims and Witnesses.

68. **Press and media contact.** Over the period 31 journalists were seen on at least one occasion (often more) and were briefed on specific stories and 31 press releases were issued, most of which received substantial publicity. The topics were:

- Justice in Meltdown (6 July 2011).
- The future shape of the Probation Service (13 July 2011).
- The Justice Committee Report (26 July 2011).
- Disorder – Consequences and Causes (14 August 2011).
- Compulsory Work for Rioters (16 August 2011).
- Full-time Community Pay Back (23 August 2011).
- Riots – the enormity of the police clear-up (25 August 2011).
- Sentencing Bill – crime and prison numbers set to soar (12 September 2011).
- Stalking Victims let down by CJS (25 September 2011).
- Napo Campaign of Resistance (6 October 2011).
- Venables Story (8 November).
- Shocking Treatment of Victims of Stalking (15 November 2011).
- Pensions Strike Action (November 2011).
- Abuse of Process in the Civil and Family Courts (4 December 2011).
- CJS fails to deal with stalkers (29 December 2011).
- Parole Delays (31 December 2011).
- Sentencing, Parole and Guilt (8 January 2012).
- Twitter Crime (15 January 2012).
- Claire Waxman Case (27 January).
- Campaigners welcome inquiry into stalking law reform (7 February 2012).
- Preddy Recall (11 February).
- Qatada Case (13 February 2012).
- South Yorkshire Prison and G4S (2 March 2012).
- Government to create stalking offence (8 March 2012).
- Stalking Law Reform inadequate say campaigners (12 March 2012).
- Damaging cuts lead to delays in DV programmes (17 March 2012).

- Community Sentence Consultation and Probation (25-27 March 2012).
- Sharon Matthews Release (4 April 2012).
- Talk to the Kiosk – biometric reporting (29 April 2012).
- Significant concerns with electronic tagging (14 June 2012).
- Pentonville Escape (28 June 2012).

69. In addition Napo was contacted by journalists throughout the year and asked to comment on specific stories. Also some stories were given exclusively to PA and possibly one or two other newspapers and then received substantial coverage. The total number of hits – defined as national press, national radio, national and regional TV and national websites – was 852 by 30 June 2012, which is an all time record for Napo.

70. Speaking engagements included the Police Federation 2012, Policing 2012, all the main political party conferences, Drugs Scope, a presentation to the Scottish Parliament on stalking and harassment, a presentation to the Association of Chief Police Officers and a presentation to the NatWest Bank on veterans' finances.

71. **Napo News.** 10 issues of *Napo News* were published during the period including a special commemorative issue in May 2012 which was produced for the Centenary Celebration in the House of Lords and to mark the date of Napo's inauguration on 22 May 1912. This souvenir issue charted the history of the union's newsletter across the decades from its very first journal published in April 1913. Over the year *Napo News* covered a wide range of campaigning, professional, trade union and equalities issues. Lead stories were mainly about opposition to government cuts across the justice sector, the fight for pensions' justice, support for the TUC's A Future that Works demonstration on 20 October 2012 and the campaign against privatisation proposals arising from the Ministry of Justice's Probation Review. Last year, *Napo News*, also ran a Women in Napo feature, printing a series of interviews with women activists about how they became involved with the union. As usual the newsletter also reported on all of the TUC equality conferences and there was a special article explaining the work of the four Staff Associations ABPO, LAGIP, NAAPS and NDSN.

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) Liz Dixon (Greater London) Eleanor Fellowes (Greater London – incoming) Olivia Henry (Avon and Somerset) Peter Marston (Cumbria) Book Editor Kerry McCarthy (London) Fergus McNeill (Universities of Glasgow and Strathclyde) Robin Tuddenham (Greater London)
<i>Officer:</i>	Keith Stokeld (Treasurer, ex-officio)

72. **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.

73. **Sage Partnership.** The main focus this year has been on the renegotiation of the contract. This process was concluded in the early part of 2012 and as a result the partnership with Sage was extended. The new contract is for a 10 year period which will facilitate long-term planning although a number of important safeguards have been built in to protect the union should the revenues decrease. As a result of the renegotiated package, members now have access to approximately 25 journals from the Sage criminology and criminal justice collection. These can be accessed on-line and offer a valuable resources to members.

74. 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 royalty earned by Probation Journal was **£24,608** (£29,608 – £5,000 advance against royalties). Sage has also provided sponsorship for the Napo Centenary Probation conference, and worked very closely with the journal and Napo to promote it.

75. **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 the location of board meetings is scheduled to reflect this. 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 responsibility for book reviews.

76. **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.

77. 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 MAPPA, the management of child sexual abusers, Asset, mindfulness training, identifying personality disorder, Youth racially motivated offending, compliance and revocation.

78. The 2011 Best paper prize was awarded to David Scott (ex Probation Chief – London Probation Trust) for his submission '*Whose protecting who*' which provided a damning indictment of the governance of probation under New Labour.

79. The planned 2012 special edition is timely in that it is entitled 'Opening up the market in criminal justice' and an excellent range of contributions have been received which we are confident will be of interest to practitioners.

80. 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 recognized 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.

81. The Journal continues to be committed to engaging with practitioners and the issues that concern them. The practitioner response section of the journal continues to be an important part of this strategy and appears to have been well received by practitioners.

82. **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.

83. **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 to good effect. 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>	Sarah Chapman (Warwickshire) Committee Chair Charron Culnane (Greater London) Deputy Chair Karen Gorbutt (Cafcass South area) Chloe O'Sullivan (Kent) Lauren Salerno (Napo Cymru) Deputy Chair Min Toms (South Western) Maureen Vernon (Staffordshire and West Midlands)
<i>Officers:</i>	Tim Wilson (Chair) Dino Peros (Vice Chair)
<i>Officials:</i>	Ranjit Singh (National Official)
<i>Administrator:</i>	Shireena Suleman
<i>Co-opted:</i>	Marilyn Owens (ULF Project Manager, England)

84. The Committee has not operated to full capacity at any of the meetings this year. This has been for a variety of reasons including sickness, holidays, personal reasons and workload pressures. Unfortunately only three members were present at each of the three meetings and this has had an impact on the scope of work completed this Napo year.

85. The Committee has overall responsibility for the implementation and monitoring of Napo's Equality Action Plans. As such, the Committee has (with limited resources) worked as effectively as possible at all levels to provide support at both national and local levels. The Committee's priorities for the year were: Updating Equality Impact Assessment Form, Updating monitoring form, progressing resolution 10 from AGM 2011, raising hate crime awareness, support for Staff Associations in reviewing protocol and discussing Napo's grant to the Staff Associations and the continuation of equality policy work.

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

87. **AGM Resolution 2011.** The Committee has progressed work on resolution 10 about Staff Associations. Ranjit Singh and Tim Wilson have held several positive meetings with the Staff Associations and joint working has been undertaken. Support has been given to the Staff Associations especially within the context of the recent review. Further updates about Staff Associations can be found in the following section. The Committee has used the expertise of the Staff Associations where possible.

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

89. **Staff Associations.** Napo has continued to work with the four Staff Associations throughout the year and the Committee has been briefed about continuing issues.

90. NOMS decided to undertake a further review of the Staff Associations and the initial report was made available to Napo and the Staff Associations in July; initially only 4 days were given for responses. At the time of writing this section it is not possible to share any further details. Despite an assurance that funding would remain the same for 2012 it has recently been announced that it has been reduced from £55,000 per association to £35,000 per association with no additional funding being allowed for reasonable adjustments – creating substantial disadvantage for disabled members across the associations.

91. The associations and Napo are committed to work together to ensure the best outcomes possible for the associations. The protocol between Napo and the Staff Associations has not been reviewed due to the disruption caused by the review.

92. The Committee was pleased to hear that agreement has been reached by the associations about moving towards the equal allocation of Napo's grant to the associations.

93. Marilyn Owens has secured some funding from the Union Learning Fund for the associations to use to deliver training

94. **Equality Impact Assessments (EIAs).** The Committee has not been consulted to any great extent to undertake any EIAs apart from on the equality policies. The officers and officials group are considering a process whereby relevant policies, criteria and practices could be referred to the Committee. The template requires updating in the coming Napo year.

95. **Training.** The LGB and T equality and diversity training took place on 29 and 30 March and we understand that this was a useful and productive course with positive feedback about an increased focus on transgendered equality.

96. The annual anti-racism course went ahead as planned on 17 and 18 of May and proved to be very successful.

97. The annual Public Speaking course for women took place on 7 and 8 of June and it is hoped that this course will continue to contribute to increased involvement of women.

98. Responding to a request from last year's monitoring group, monitors' training was brought forward to 29 June so that sufficient time is available to address any issues identified at the training prior to AGM taking place.

99. Disability Equality Training is planned for September.

100. Positive feedback has been received about all of the training courses, especially about the quality of General Federation of Trade Unions tutors. All courses were held at Aston Business School in Birmingham and positive comments have been made about the venue including its accessibility.

101. **Equality Policies and Strategies.** The Lesbian, Gay and Bisexual policy and the Gender reassignment policy and their respective Equality Impact Assessments have been presented to the NEC and have been approved.

102. Work continues on the Disability, Religion and Belief, Age and Race Equality policies. A lack of electronic versions of some of the policies contributes to slower progress.

103. **Promoting equality within Napo and tackling discrimination.** Unsurprisingly, the cuts agenda continues to disproportionately affect those with protected characteristics. Worryingly there have been reports that minority groups have been over represented in groups of staff selected for redundancy or who have been made redundant.

104. London branch is working with its Trust on a project about the experiences of black staff. To mark the 30th anniversary of Black History month, black members are being interviewed to record their experiences within the organisation. This will be collated and published.

105. The Committee is concerned that reports have been received of an increase in hate crime experienced by Trans people. In one area a Trust failed to include Trans hate crime in its hate crime register; this was addressed by a Committee member. Concerns were also raised that people can make assumptions about gender based on an individual's voice that can be hurtful to Trans people.

106. A bid has been made by Marilyn Owens to the Union Learning Fund for finance to deliver some training on the Equality Act for representatives. The training would be delivered jointly by past Committee members and Marilyn. A draft programme is being prepared.

107. Branches, the Family Court Section and disabled members are still reporting unfair administration of absence management policies with some Trusts choosing to further reduce trigger point levels. In some cases reasonable adjustments recommended by the specialist are not being made – especially in relation to policies. The Committee recognised that welfare reform was likely to have a detrimental impact on both disabled members and disabled clients. London branch is hoping to work with its Trust in delivering disability hate crime training. It was noted that a hostile political environment is being experienced by disabled people and that this might increase the prevalence of disability hate crime.

108. The Committee has requested that a parliamentary question be tabled ascertaining the proportion of Disabled Staff who have left the service as a result of redundancies in the last 12 months and whether similar statistics exist for other protected characteristics.

109. The Committee has reviewed and updated Napo's monitoring forms to reflect changes following the Equality Act and it is planned that training monitoring forms would also be reviewed in due course.

110. Napo was represented by Ranjit Singh and Dino Peros in a meeting with NOMS consulting about the equality impact assessment relating to the probation review and community sentences consultation documents and it is hoped that their intervention will contribute to positive change.

111. **Women in Napo.** The Committee has liaised with the Women's Steering Committee and would like to congratulate it on a successful inaugural year. The Women's strategy steering group met three times this year. The first meeting was in London, the second by video link between Southampton and Cardiff and the third between Northumbria and Bristol, with feedback between the groups afterwards.

112. The Women's Steering Committee adopted a three year Strategic Plan. In Year one of the Strategic Plan there were nine objectives. The committee uses these objectives as the basis of the agendas for the steering group.

113. A report has been commissioned by the Strategy Group conducted by Professor Gill Kirton, Queen Mary's College University of London. The final report will be submitted to the NEC in September 2012.

114. The next Women in Napo conference (2013) will be hosted by Wales and the first planning meeting has been arranged.

115. **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. Ranjit Singh attended all the equality conferences and reported back that Napo members enjoyed the experience of attending. Reports were included in copies of *Napo News* following the conferences.

116. **Monitoring.** The Committee has provided monitors for all the NEC meetings this year and it was felt by the Committee that progress on having more inclusive business is being made at both NEC and AGM. We hope that the monitoring process may have contributed to this.

117. Following the monitoring training it has been identified that the monitoring guidelines would benefit from being updated and this will be discussed in the forthcoming Committee year.

Family Court Committee

<i>Members:</i>	Diane Ford (Cafcass South area) Veronica Gayle (Cafcass Central area) Tim Kilsby (Cafcass South area) Jo Mcgregor (Cafcass Central area) Andy Stanton (Cafcass Central area/Retired) Committee Chair Peter West (Cafcass South area)
<i>Officer:</i>	Tony Mercer (Vice Chair Cafcass)
<i>Official:</i>	Sarah Friday (National Official)
<i>Administrator:</i>	Jacqui Paryag

118. The Committee is responsible for professional issues and campaigning in the Family Justice System on behalf of the Napo Family Court Section. It formally meets three times during the year. However, it was agreed at the meeting in November 2011, that the Committee would remain in permanent session throughout the year and conduct its affairs by email. By this means a significant amount has been achieved this year.

119. **Conference.** During the year the Committee organised the annual Family Court Conference held in York on 3 May. The Conference was sponsored by Simpson Millar Solicitors. The theme of the conference was, "The Family Justice Review, a New Start – Getting it Right?" and the conference considered the challenges presented by the Government's response to the Norgrove Report on Family Justice within the context of the continuing heavy and unsustainable workload demands in a climate of drastic resource cuts.

120. On the experience of this conference, particularly on the need to give key speakers sufficient notice, the Committee have decided not to wait until next year's Committee is convened before arranging next year's conference. The 2013 Family Court Conference will be held mid May in York and the theme will be "Professional Judgement, Independence and Integrity".

121. **Parliamentary Reviews.** During the year the Committee has made responses to a number of published reports and consultations both as the Committee which considers Family Justice issues and with partnership organisations, particularly the Interdisciplinary Alliance for Children. It has responded to the Norgrove Report on the Family Justice Review, and commented on the Government's response to the report. The Committee has responded to the Home Office Consultation on the Definition of Domestic Violence, and has commented in some detail on the Cafcass Operational Framework. As this report is being drafted, the Committee is preparing responses to the Government's consultations on Revised Safeguarding Statutory Guidance and Shared Parenting in Private Law Applications.

122. **Professional Guidance.** As required by a resolution at last year's AGM of the Family Court Section, the Committee has also compiled Professional Guidance to Family Court Practice, offering members information on appropriate social work standards in general, and giving detailed guidance on certain specific issues. During this exercise it became apparent that management instructions on a number of issues were not only inconsistent across Cafcass, but at times were contrary to the Rules of the Court. The guidance we have offered members is based on the clearly stated duties of Family Court Advisors in the legislation, as interpreted in various judgements set out in the General Social Care Council's standards, with whom all Family Court Advisors have been required to register. The Committee has decided to institute 'professional guidance to members' as a standard item on its agenda, and will from time to time issue supplementary papers. The Committee already has plans to issue guidance on managing litigants in person.

123. **Campaigning.** Committee briefs Napo's representatives on the Family Court Unions Parliamentary Group (FCUPG) and welcomes the fact that the FCUPG has recently opened a positive dialogue with RESOLUTION, the professional association of Family Lawyers. The Committee has also followed discussions between Napo, other social work trade unions and the newly established Social Work College. The Committee is of the view that we are well placed as a professional association to reflect those professional issues that would be addressed by the College of Social Work, and see little advantage in encouraging our members to join a Social Work College. Nevertheless, Napo does collaborate with other professional associations on bodies such as the Interdisciplinary Alliance for Children, and would be willing to form a relationship with the Social Work College on this basis.

124. **Journal.** Finally, the Committee also has responsibility for publishing the Family Court Journal. This responsibility is delegated to an Editorial Board, to which the current editor, Brian Kirby, is accountable. Brian has successfully established the Family Court Journal as a regular publication, presenting expert articles written by eminent people in the field of Family Justice. Brian has started the process of establishing the Family Court Journal as a respected academic publication in the way that the Probation Journal is and should be applauded for this.

Family Court Journal Editorial Board

<i>Members:</i>	Jim Kelly (retired Family Court Adviser) Brian Kirby (Cafcass Central area) Editor Andy Stanton (Cafcass Central area/Retired) Peter West (Cafcass South area)
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125. By the time this is read, the Family Court Journal will have reached its adolescence with its twelfth issue. This issue also marks the Napo centenary with a retrospective look at family work and the experiences of practitioners.

126. Adolescence marks the beginning of the transition to a new stage of self-awareness, cognition and maturity and so it is with the Journal. When family work was separated from the Probation Service and there was need for a sister publication to the Probation Journal, it had a hesitant birth and emerged blinking into the light. Now it is growing, healthy and self-confident. Perhaps in recognition of this, university libraries are beginning to subscribe to it and the editorial board is now exploring ways to develop its status and extend its readership and influence. It is important to disseminate sound messages and experience from research and practice during this pregnant pause between the officially recognised need to reorganise family court work, the keen awareness that Cafcass has fallen short of what it was meant to be and the creation of a new Family Justice Service.

127. Possibly as a by-product of adolescence, the board has felt the need to reiterate its position on the material it will accept for publication, in response to feedback from the readership. This is that the Journal should not have any kind of bias, but should be freely presenting and discussing professional matters relating to sound practice, research and law, albeit within certain standards of quality, basic courtesy and the law on libel. It most certainly does not believe in censorship and individual articles may not represent Napo policy nor necessarily reflect the views of editorial board members. Differences in perspectives, approaches and objectives are welcomed and encourage healthy argument, debate and creative thought about family work.

128. In relation to the above, the Journal has faced a dilemma that has been shared with readers. Approaches are made by a few who want to submit drafts for publication but fear possible retribution from their employer (Cafcass) and have asked to remain anonymous. No contributors should feel prevented from owning their considered professional views on family work by the actual or implied threat of bullying or disciplinary action from their employer. Our dilemma on this desire for anonymity is that it runs counter to openness, challenge and 'peer review'. We do not see anonymous pieces in other professional journals and we want to credit articles with the names of their authors. Nevertheless, some contributions are very much in the interests of readers to publish and we want to foster debate, not inhibit it. In this strange situation where there is such an enormous lack of trust and respect between an employer and employees, who are often deeply committed to family work, the board feels it must sometimes withhold an author's identity, although it does this with discomfort. We would be pleased to receive any views on this issue.

129. There remains a need to bolster the editorial board with new members so it is more representative of the readership. As always we also welcome material from new contributors, including articles on aspects of practice, individual or academic research, letters and book reviews. Contributions can lead to interesting additions to the writer's CV and help towards the training/study requirements of the regulatory bodies.

Health and Safety Committee

Members: Alison Chapman (Greater London)
Paul Fairbrass (Greater London)
Nicki Kenney (Cafcass Central area) Committee Co-Chair
Rod Mitchell (Trent) Committee Co-Chair
David Raho (Greater London)
Trevor Webster (West Mercia)

Officer: Eve Chester (Vice Chair)

Official: Mike McClelland (National Official)

Administrator: Margaret Pearce

130. National Health and Safety Negotiations:

(i) Family Court Members:

The Health & Safety Steering Group (HSSG) consists of reps from Napo, Unison and Cafcass management, meeting four times per year. Following one inordinate meeting, we finally have a Cafcass Head of Service rep. Issues relating to absence through stress and anxiety remain high on the agenda. Sickness absence is static at around 9 days per year. A large number of staff who were off with long term sickness have now left employment. Stress, anxiety and depression are by far the main causes of absence. The Cafcass H&S adviser conducts stress assessments which are not readily shared with the members of HSSG. Team and individual "well-being sessions" are held although we have little feedback from members as to their value. The new HR management software "itrent" may in time give greater detail about absence. Little information is shared with the Cafcass Board. The new Chair has recently expressed a commitment to meet with the trade unions and we are optimistic that H&S issues can be raised at the highest level.

We are opposing moves to water down and erode the responsibilities of this committee which is a "Brown Book" Health and Safety committee.

Repeated requests to discuss difficulties with IT systems were met with claims that the trade unions should join an IT business development group. Initial indicators are that the intention is to share information rather than to properly consult about changes.

The changed conditions for staff with the further closure of local offices and moves to larger isolated offices often at a distance from where they need to work have brought into sharp focus many difficulties. Excess travel, time wasted, mileage and conditions in local "touch-down" offices have to be addressed as there will undoubtedly be a toll on the health of staff.

There is a renewed impetus to ensure all workplaces are routinely inspected jointly with union H&S reps. There is an offer to provide facility time to FCS H&S reps.

The Cafcass Health and Safety policy has been re-organised and was reissued in July.

(ii) Probation National Health and Safety Forum:

The Forum has met once since last year's Napo AGM and is due to meet again in September. As Napo anticipated, the infrequency of the meetings makes for slow progress on any issue. The Forum's terms of reference remain under discussion, whilst facility time for Napo and UNISON reps has now been withdrawn completely. The future of the Forum as an arena for negotiation of national Health and Safety issues is therefore in some doubt. The Committee remains of the view that such negotiation ought to be incorporated into the NNC structure. For example, one of the Forum's key projects ought to be the updating of the National Health and Safety Policy Manual. However, it is difficult to identify how or by whom this piece of work will be coordinated, due to the absence of effective health and safety management at a national level.

Meanwhile, at the meeting in March 2012 NOMS announced that central collection of accident and incident data would cease and it would be incumbent on Probation Trusts to publish this data themselves. Such data would be expected to inform policy formulation and collating it from each Probation Trust will be fraught with difficulty.

The Forum is normally attended by representatives of NOMS, the Probation Association, Health and Safety practitioners from the Trusts, NAPO and UNISON. Standing agenda items have been Health & Safety management in the Probation Service, Estates issues

and EU legislation. The last item actually comprises the input from Suzanne Denness of the Health and Safety Executive who now attends the Forum. The HSE's ability to exercise its functions has been severely hampered by Government funding cuts, but the HSE's input to the Forum is a welcome development.

131. **2011 AGM Resolution 12.** The Committee was required to produce guidance for branch negotiators on office moves and closures. This task has been completed. The guidance paper will be issued to Safety Reps and included in a revised version of Napo's Health and Safety Handbook.

132. **2011 AGM Stress Questionnaire.** 170 replies were received and we are grateful to those colleagues who took time to complete a lengthy questionnaire and also add personal comments. This was a longer questionnaire than the surveys conducted at previous AGMs, and collation of the results proved to be a more substantive task than anticipated. Nonetheless, it is clear stress remains a major issue for colleagues in Cafcass and Probation, and has a direct relation to the quality of management they experience from their employers.

133. **Communication with Health and Safety Reps.** David Raho has taken the lead on revamping the Safety Reps Bulletin. A paper copy is sent to all Safety Reps usually with the Hazards magazine or when an urgent issue arises. The electronic edition is on the Napo website and is also emailed to Reps. The Health and Safety section of the website contains a wealth of information and guidance documents, as well as links to other organisations, notably the TUC and the HSE.

134. Feedback from Safety Reps in Cafcass and in Probation Trusts indicates the facility time to which they're entitled by legislation is being eroded by the employers. This is causing considerable alarm and a motion on this subject has been submitted to this year's AGM.

135. As previously noted, Napo's Handbook for Safety Reps is being revised. In addition to the guidance on office moves and closures, the new edition will include Napo's version of the Provisional Improvement Notice, lone working guidance, and a revised list of resources and web links.

136. **Training.** A training day for new Safety Reps was held in London on 7 December 2011. Regrettably, poor take-up led to the cancellation of a second training day in Birmingham on the Display Screen Equipment regulations.

137. **Campaigning:**

- Hazards Conference. The Committee was represented by Rod Mitchell at the 2011 event. It was disappointing to find no branch/section safety reps were able to attend. The Committee hopes for a better turnout in 2012. Two Committee members will be attending but they trust many branch/section Safety Reps will join them. In addition to the campaigning and networking aspects, the Hazards Conference is a good training opportunity.
- Workers Memorial Day – 28 April 2012. This year the TUC took the lead in using the day to organise a series of events as part of a campaign against the Government's attack on health and safety regulation. These were advertised on Napo's website and there were links to campaign materials available to download. Napo did not organize an event of its own, but encouraged members to attend events in their local area.

- Union Health and Safety Specialists (UHSS). This group is convened by the TUC and meets on a quarterly basis. Mike McClelland represents Napo at these meetings.
- Lofstedt Review of Health and Safety legislation. This largely favoured maintaining the status quo, aside from proposing some alterations to RIDDOR and other regulations. This was not the answer the Government wanted and it has continued to bluster about mythical "burdens on business". The TUC held a seminar on the Lofstedt Review in December and Napo was represented at the event.
- UK National Workstress Network. This organisation holds its annual conference in November and the Committee will be supporting one place for a Committee member.

Probation Negotiating Committee

<i>Members:</i>	Barbara Alexander (Staffordshire and West Midlands) Mark Alman (Napo Cymru) Dave Bellingham (Leicestershire) resigned March 2012 Jane Foster (Lancashire) Matthew Laird (West Yorkshire) Jackie Leggett (Napo Cymru) Les G Smith (Staffordshire and West Midlands) Nick Smith (East Anglia) Pat Waterman (Greater London) 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

138. The Committee has met regularly throughout the year. Its meetings coincide with the formal, quarterly meeting of the NNC. The Committee was allocated one resolution from the 2011 AGM entitled: 'Being a professional: a licence to practice in Probation'. Progress in relation to this resolution is reported under the relevant report headings.

139. **Pay Settlement 2011/2012.** The pay claim made in January 2011 was the subject of prolonged negotiations. The talks were complicated by the employers' desire to fund any offer made via reductions in existing terms and conditions. It was only once the employers significantly reduced their demands that progress was made. This resulted in an offer being put to members in December 2011. The ratification process resulted in acceptance of the offer by 1,145 votes to 284. In summary the settlement was as follows:

- Pay progression – all staff in bands 3-6 progressed by one incremental point. Lower paid staff on bands 1 and 2 received 2 points with the bands being extended by 2 points in line with Government pay policy. This was backdated to the 1 April 2011.
- Removal of bottom point – in line with previous years the bottom point of bands 1-4 was removed thus shortening the band and raising the starting salary.
- Harmonised working hours – the standard weekly hours became 37 hours (148 per month), a reduction from 37½ (150) for probation officer grades. Due to historical differences in London further negotiations subsequently took place in the NNC (with local branch involvement) and reached agreement on the arrangements for hours for bands 1-6.

- Pay modernisation – a commitment was made to continue work on modernisation issues including equal pay and length of pay bands with a fixed date for potential implementation of any agreed changes on the 1 April 2013.
- Additional travel expenditure – the cover provided by ATE was reduced from four years to two on the 1 April 2012. However, existing and currently planned office changes which attract ATE are protected at four years.
- Mileage rates – the trade union side successfully resisted attempts to reduce nationally agreed mileage rates but the settlement permitted local negotiation of the rates in the context of job protection.

140. **Pay Claim 2012/13.** Early in 2012 the Ministry of Justice confirmed with the employers that the Probation Service is covered by the 2 year public sector pay freeze for the 2012/13 period. Following consultation between Napo and Unison the trade union side claim was submitted in April 2012. The claim seeks:

- Incremental progression of 3, 2 or 1 pay point applicable to all staff on pay bands 1 – 6 depending on the position of staff in their pay band.
- A consolidated increase of at least £250 on all pay points in pay bands 1 and 2.
- A non-consolidated payment, worth at least £250, for all staff at the top of pay bands 3, 4, 5 and 6.
- An increase to the London Allowance.
- The deletion of the lowest pay point in pay bands 1, 2, 3 and 4.
- A full review of the national Job Evaluation Scheme (this links to the Pay Modernisation agenda).
- The following adjustment to the position of the development points in pay bands 1 and 2:
 - Pay band 1: development point to move from pay point 20 to pay point 22.
 - Pay band 2: development point to move from pay point 43 to pay point 45.

141. Notwithstanding the continuing climate of austerity promoted by the Government, initial negotiations made reasonable progress as the employers confirmed that they did not intend to repeat last year's threat to existing pay and conditions. However, hopes of a reasonably early settlement have not come to fruition with deadlock on at least one key area of negotiation primarily due to the rigidity of the Government's interpretation of its pay policy.

142. The lack of progress with the negotiations has, in turn, hindered talks on outstanding areas of pay modernisation. However, meetings are being arranged for discussion of major issues such as pay band length and structure.

143. **Management of Change.** National intervention under the MoC protocol has been limited with the exception of London which is currently beginning consultation about significant reductions in Community Payback staff following the outsourcing of the contract to Serco.

144. Following a review of the protocol by the Joint Secretaries, agreement has been reached on an update which, at the time of writing, is about to be issued as a NNC circular. The protocol has been revised in line with relevant legislation and a flowchart provided to assist in identifying the key stages of a MoC process requiring referral to the Joint Secretaries.

145. **NNC/SCCOG Review.** As reported in the 2010/11 report a NNC Circular was issued to employers and branches in December 2011 clarifying the role and function of the Joint Secretaries. It also addressed the process for making referrals to the Joint Secretaries.

146. The Probation Consultation Forum, the other agreed outcome of the NNC/SCCOG Review, began meeting in late 2011. It provides an opportunity for union, employer, senior management and NOMS representatives to discuss issues that are not covered under the auspices of the NNC/SCCOG.

147. **Chief Officers.** Pay negotiations between GMB/Napo and the Probation Association through the Standing Committee for Chief Officer Grades (SCCOG) have largely mirrored those taking place under the auspices of the NNC. Once again they have taken place within an extremely difficult economic and operational climate. Further talks on pay modernisation are expected to take place but are yet to get underway at the time of writing.

148. **Pensions issues.** Following the massive strike on 30 November 2011 which attracted tremendous support from Napo members, the Government agreed to return to scheme specific negotiations.

149. In respect of the Local Government Pension Scheme, the outcomes from what were lengthy and highly complex negotiations proved to be more positive than expected. These have been the subject of detailed briefings for members.

150. Importantly, the talks resulted in a withdrawal of the Government's proposal to introduce a 3.2% increase in contributions from April this year which would have broadly equated to an average of £70 per month extra for scheme members.

151. The Committee endorsed the recommendation that the LGPS 2014 proposals represented the best that could be achieved by negotiation, and this view was subsequently agreed by the NEC.

152. A postal ballot of Napo members on the LGPS 2014 proposals took place between the 20 July and 21 August. Members voted in favour of the proposals by 1,242 votes to 260. This outcome was reflected in the ballots conducted by other LGPS unions.

153. The Committee can also report that Napo has affiliated to the '68 is too late' campaign which is being organised by PCS union and which opposes the Government's plan to introduce a compulsory minimum retirement age of 68.

154. **Workloads and Specifications, Benchmarking and Costings (SBC).** The SBC Project was formally wound up at the end of March having completed its work on all Probation activities. One of the later pieces of work, on managing the custodial sentence (pre and post release) is noteworthy since it feeds into the revised national tiering framework as part of the Offender Management Change Programme.

155. Meanwhile, many of the benchmarking and costing elements of the project are already in need of review in light of new National Standards. There is now nobody to do this work at national level. Branches are encouraged to engage with Trusts locally to set locally agreed timings using the SBC Workbooks available on EPIC (see NNC Circular 8/11) and Napo's own advice available on our website. Branches are similarly encouraged to engage with their employers locally to develop workload measurement tools where none currently exist.

156. PREview (another development of the SBC project) which measures what is *actually* spent on different Probation activities remains operational and again branches should familiarise themselves with its workings. Some branches have identified individuals to hold the brief on specifications, timings and costings and advise branch executives. This is a sensible way of dealing with what is admittedly a complex (and dry) but important area.

157. The long-running national dispute over workloads (from July 2008) was formally withdrawn by the NEC in April 2012 (see BR44/12). This followed a review of our negotiating position reflecting progress that has been made nationally. There was also recognition by the Committee that, if there is significant slippage, the decision could be re-visited.

158. **Probation Qualifications Framework (PQF).** Napo has been represented at every quarterly meeting of the Probation Qualification Assurance Board (PQAB) this year, initially by National Chair Tim Wilson and then by Sarah Friday, National Official (Professional and Training) when Sarah started work with Napo in March.

159. Napo continues to raise concerns around a lack of consistent, national provision for PQF learners' access to training, workload relief and supervision.

160. Napo is hearing more instances of queries being received by NOMS of private contractor requests to include their staff on PQF training and of a situation whereby a Qualification Awarding Body was looking for business in Probation training. In relation to this it was agreed that NOMS explore the establishment of an approved framework for Awarding Body providers.

161. The Board has discussed extending the definition of relevant degrees for the Graduate Diploma. It agreed that there is currently insufficient evidence to extend the range of relevant degrees but that the situation should continue to be monitored and brought to a quick conclusion. To achieve this the Board agreed to set up a gateway mechanism to undertake mapping of relevant degrees and to keep the situation under review.

162. Napo is very concerned that Trusts in the North West of England are intending to opt out of part 1 of the VQ5 by offering instead a Certificate in Higher Education (CHE) in Community Justice. Additionally the Trusts are not guaranteeing PSOs the opportunity to progress to completion of the Honours degree and will not give any study time to those on the CHE. Napo is currently raising this issue with the Chief who is leading on this issue and we will also raise this item at the next meeting of the PQAB as withdrawing from the Framework in this way has the potential to completely undermine the qualification. If this issue is not resolved to our satisfaction this will become an issue for the NNC.

163. **Licence to Practice.** In line with the resolution passed at the 2011 AGM this issue was raised at the NNC and discussed subsequently by the Joint Secretaries. It was established that there was interest in the concept in both the Probation Association and Probation Chiefs' Association and it was also understood that the Prisons and Probation Minister was supportive.

164. Napo has met with representatives of the employers and chiefs to discuss shared objectives in relation to developing a 'licence to practice'. Subsequently, Unison has been approached to join the working group. One possible option is the joint commissioning of a report to consider the scope and feasibility of a licence. However, the support of NOMS for this and the initiative as a whole is unclear and it is being approached to clarify its position.

165. **Improving Attendance at Work (Sickness Absence Policy).** There has been no progress to report in terms of securing a joint review of the existing model sickness absence management policy. This directive still stands however and remains an objective for the Committee.

166. 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.

167. The Committee has also tried to make headway with the directive arising from a resolution from 2011 AGM entitled 'Punitive Employee Relations' to ascertain the number of Probation staff who have been the subject of disciplinary action or who have been dismissed as a result of capability proceedings within the 12 months prior to AGM 2011 and as compared to the previous five year period.

168. A formal letter was sent to the Probation Association seeking the relevant information, but unfortunately (although somewhat predictably), the NOMS Data Warehouse project – which was supposed to record information as demanded by the 2011 motion – has been found to be unfit for purpose. Consideration is being given as to whether it would be necessary to seek this information from Probation Trusts by way of individual requests under the Freedom of Information Act.

169. **Information Technology.** Napo continues to have constructive engagement with NOMS through the quarterly joint ICT Forum meetings. Here, we receive regular updates on IT developments including the planned national Delius case recording system and OASys-R (on which the proposed massive 'down-tiering' of cases from 3 to 2 is predicated, as part of the government initiative to outsource 'lower risk cases' [sic]).

170. NOMS continues to work well with Napo to cover Assistive Technology (AT) accessibility issues; one of the ramifications of the recent difficulties over the extension of ViSOR, will be to monitor how NOMS and Probation Trusts work together to ensure that more staff will not be adversely impacted upon by increased use of ViSOR, which does not interface easily with AT.

171. The main focus over the past six months has been the Association of Chief Police Officers' (ACPO)/NOMS decision to force Trust into increased use of the ViSOR system. NOMS has seemingly given little consideration so far, to the practical implications to Trusts of the extension, and Napo were for some time not even consulted, so that the impact upon Assistive Technology users is not being uniformly assessed at Trust level.

172. There remain other concerns on the subject of wider Impact assessment arising from enhanced police vetting, which Napo is currently discussing at a high level with NOMS.

173. Over the past year, significant disruption has been caused to members' work in the form of IT failure, chiefly as the result of the national OMNI-T data migration. Napo has been active in relaying to NOMS (and thus to Steria) the full impact of the outages upon members' work. The OMNI-T process has been completed and lessons apparently learned, but it will be important for Napo to watch closely for any unwelcome consequences of data migration from legacy IT systems to national Delius in the early part of 2013.

174. **NOMS Employee Relations and Facilities for Napo representatives.** At the time of writing the Committee is concerned about the implications of the Government's review of facility time across the Civil Service and the possible impact of any imposed changes to a default position of 'unpaid time off'.

175. The Committee noted that talks were also taking place on this issue between the TUC and Cabinet Office, and will keep Napo branches informed of progress whenever possible.

176. **Serious Further Offences (SFOs).** An outstanding 2010 AGM resolution, Napo has been consulted on the development of NOMS' guidelines to Trusts on the investigation and management of SFOs. We have been able to contribute a humanising influence upon the guidance issued from NOMS on how case managers/supervisors should be considered, in the event of an SFO.

177. During the course of the year, Napo has become aware, through our national reps' work, that some Probation Trusts' treatment of members whose cases commit an SFO has fallen below expected standards of the employer's duty of care. We have conducted a trawl of such instances in one branch and have passed the information to NOMS. It has undertaken to use examples in regional briefings to Trusts.

178. As there is no supporting legislation in place we have not been able to achieve automatic recognition of the right to a trade union representative being present at the SFO investigation stage, but such a feature could appropriately be advanced by local Napo reps as desirable practice, and we know that some Trusts have permitted it.

Professional Committee

<i>Members:</i>	Tom Rendon (Greater London) Chair Kathryn Alsop (Devon & Cornwall) Caroline Cosgrove (South Yorkshire) Ben Entwistle (Cheshire) Jean Jarrett (Greater London) Wendy Johnson (Lancashire) Lauren Salerno (Napo Cymru) Sarah Wake (South Yorkshire)
<i>Officer:</i>	Lisa Robinson (Vice Chair)
<i>Official:</i>	Sarah Friday (National Official)
<i>Administrator:</i>	Shireena Suleman

179. The Committee has met four times since the last AGM. One of them was an additional meeting to undertake specific work on the Resolution "Confidence and Professionalism in Probation Practice". The meetings have all been well attended by Committee members and we have been assisted by Napo centrally. The Committee was allocated four resolutions from the AGM in 2011 and this year we have finished off some work from 2010.

180. **AGM Resolutions from 2011:**

- **Confidence and Professionalism in Probation Practice:** The draft of the Professional Practice Book was approved by NEC at its April meeting and was printed in time for presenting to attendees at the Professional Practice Conference in York. Members who did not attend that conference will receive a copy with the September *Napo News* postal.

- **Specified Activities: A Public Race to a Private Bottom:** This resolution required the Committee to draft a position paper on the increased use of Specified Activity Requirements (SARs). The Committee presented a position to the NEC to maintain the integrity of the existing group programmes but support SARs which are evidence based and can serve to expand service provision for clients who may not be suitable for groups. The NEC approved that position in April.
- **No Confidence in Indicative Tiering:** This resolution relates to the existing tiering framework which is subject to a review by NOMS. The spirit of the resolution is to express no confidence in indicative tiering and the Committee members have shared this view national officers and officials. Tim Wilson, National Chair, and Sarah Friday, National Official are on the stakeholders group for the Offender Management Change Programme and the Committee took the view that this forum is the most effective place to challenge the new tiering structure. In addition, the question of re-Tiering is being watched closely in the context of its links to government plans for outsourcing 'lower risk (of harm) cases' and as such will be a focus for our campaigning strategy. Therefore, the Committee has completed its work in raising the issue with the Officers and Officials and they will raise it with NOMS and report back to NEC.
- **Organisation of the Parole Board:** This resolution highlighted the difficulties in the organisation of probation practitioner's involvement with the Parole Board. There was felt to be a lack of communication and forethought for practitioner's time and resources. Harry Fletcher, Assistant General Secretary, has met with the Parole Board and agreed ways in which the board and probation practitioners could work more co-operatively in future.

181. **Resolutions from 2010:**

- **Prison Recalls:** This guidance was completed and approved by NEC in April.
- **Addressing the Overuse of OASys:** This resolution sought to challenge and reduce the number of surplus OASys assessments being completed for target purposes. The Revised Practice Framework has reduced those targets and the aims of the resolution have been achieved by other means.
- **Serious Further Offences:** The Committee has raised the issue of oppressive SFO interviews with NOMS and provided written recommendations to MoJ officials working on the Offender Engagement Programme. The Committee did send out a request for information to members regarding this resolution but the responses were too few to draw upon them as evidence. The Committee agreed that we had taken this resolution as far as we could.

182. **Resolution from the NEC – Working with Violent Extremism.** Work on this resolution continues. The Committee has sent out a questionnaire to members about their support needs to work in this area of practice and 50 responses have been returned. The guidance is due to be completed for the NEC in September 2012.

183. The Committee has welcomed guests to our meetings over the past year including NOMS staff to engage in dialogue about the Offender Engagement Programme and Sonia Crozier, Deputy Chief Executive of London Probation Trust, to present the findings of the Professional Judgement Pilot. We will be holding a fringe meeting at the Centenary AGM and have invited Professor Jill Annison to talk about the changing identity of the practitioner. The title will be, "From Court Missionary, Welfare Officer, Social Worker to Law Enforcer: What Next?". The Committee will also be putting motions forward to AGM.

Steering Committee

Members: Carolyn Mack (Trent)
Howard Davies (Greater Manchester/Retired)
'till December 2011
Derek Padgett (Greater London)
Jeanne Peall (Kent) Committee Chair
Jo Thompson (Trent/Retired)
Maureen Vernon (Staffordshire and West Midlands) from January 2012
Graham Walsh (Cafcass North area/Retired)

Officer: Tim Wilson (Chair)

Official: Jonathan Ledger (General Secretary)

Administrator: Annoesjka Valent

184. 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 into action and reviewing what happened.

185. A total of 30 motions were submitted for debate at AGM in Eastbourne as well as one constitutional amendment. Three amendments to motions were received, involving a number of suggested changes to two motions. The vast majority of the proposed amendments were accepted by the proposers and incorporated prior to debate. Four potential composite motions were identified prior to AGM, involving a total of 8 motions and all were agreed, becoming composites A to D. Of the remaining motions available for debate, including the composites, only one was not reached, a significant improvement on the last two years. 21 motions were passed, five were lost and one fell due to a lack of a proposer. There was one ballot, resulting in the motion being lost. The constitutional amendment was also lost.

186. 253 minutes were spent on debating motions and the constitutional amendments, as against 187 minutes at Scarborough. A further 253 minutes were spent on general business which includes the Annual Report, accountability session and formal business. This figure also includes the debate during the final session on Thursday afternoon, which lasted 61 minutes. 128 minutes were lost to inactivity at the start of morning and afternoon sessions, significantly up on the 86 minutes lost in 2010. 19 minutes were lost to "no business" during "quorate" time and a further 24 minutes due to Crispin Blunt, the Probation Minister, being delayed.

187. Three emergency motions were submitted to the Committee prior to and during the course of AGM. Of these, one was considered by the Committee to meet the criteria for an emergency and this was agreed by AGM. The debate on the emergency motion took a total of 9 minutes.

188. The support provided by Napo's administrative staff both before and during AGM is essential in enabling the Committee to carry out its functions and is much appreciated. Thanks are also extended to the Chief Steward, the Deputy Chief Steward and the Stewards, whose hard work in a variety of tasks throughout AGM is also an essential part of making AGM run smoothly for members.

189. 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 members on the timing table. The figures produced from the information collected on the timing table used in the lower table relate to speakers in all the sessions. In terms of speakers, as at the last three AGMs, the bias towards men speaking changes if platform contributions are removed. Contributions from the floor comprised 74 women and 67 men – the first time, as far as we are aware, that women have contributed more than men. Women made up 61% of the total registrations. Black, other and mixed race members made up 16% of total registrations but 3% of contributions.

Race/Gender	Analysis of Registrations	
	Number	Percentage
Black	60	11%
White	442	84%
Mixed & Other	25	5%
Total	527	100%
Female	320	61%
Male	207	39%
Total	527	100%
Black female	42	7%
White female	266	51%
Mixed & Other female	12	3%
Total	320	61%
Black male	18	3%
White male	176	33%
Mixed & Other male	13	3%
Total	207	39%

Race/Gender	Analysis of Speakers	
	Contributions	Percentage
Black	8	3%
White	222	97%
Total	230	100%
Female	91	40%
Male	139	60%
Total	230	100%
Black female	5	2%
White female	86	38%
Total	91	40%
Black male	3	1%
White male	136	59%
Total	139	60%

Trade Union Organisation Committee

<i>Members:</i>	Tania Basset (West Mercia) Bill Cookson (Lancashire) Andrew Ducker (South Yorkshire) Mike Dunne (Napo Cymru) Katherine Harrington (Northumbria) Judith Gardener (Greater London) Committee Chair Roger Peel (Lancashire) Maureen Vernon (Staffordshire and West Midlands)
<i>Officer:</i>	Caroline Bewley (Vice Chair)
<i>Official:</i>	Ranjit Singh (National Official)
<i>Administrator:</i>	Cynthia Griffith, Margaret Pearce

190. The Trade Union Organisation Committee met on three occasions, twice in London and once in Birmingham. All the meetings have been well attended and productive. All members have contributed to the work of the Committee outside the formal meetings.

191. **AGM resolution 2011: Reform of Branch Funding.** The Committee has spent the majority of its time, both at its formal meetings, and outside its scheduled meetings, taking forward the work required by this resolution. Although the original AGM resolution asked for a report back to the April 2012 NEC, the Committee asked the permission of the NEC to extend the deadline in order to conduct a thorough review as was required by the AGM resolution; this permission was granted.

192. The Committee, following its deliberations produced a paper which was tabled for note at the July meeting of the NEC. The Committee concluded from its research that branches manage their accounts very differently. As such, members are not receiving a consistent service across the country. The Committee also identified that there is a huge variation in what branches offer to members in order to facilitate their attendance at AGM.

193. The TUO report on Branch Funding (TUO 20-2012) provided the NEC with 4 options as a way forward. If it is decided at the NEC to develop one of the 4 options, the Committee has again asked permission from the NEC to extend this work into the next Napo year.

194. **Events.** As we have moved to biennial conferences the Approved Premises conference and the PSO conference will be held in 2013.

195. **PSO Forum.** The PSO forum was scheduled to meet three times this year. However, one of the meetings had to be cancelled due to the low number of registrations. The forum meetings that have taken place have been well attended.

196. **Women's Strategy.** The Committee has continued to support the work of the Women in Napo (WiN) strategy group. The strategy is led by Lisa Robinson (Napo Vice Chair). It is a three-year plan and a lot of progress has been made to date. The strategy itself is overseen by a Women's Strategy Group and they have met quarterly in the first year.

197. Napo engaged the services of Professor Gill Kirton from Queen Mary College, University of London. She has worked alongside the WiN strategy group to guide the strategy, and has researched how women in Napo can access opportunities in Napo, with a view to mainstreaming the channels of greater activism and aspiration to leadership. The final report will be presented to the NEC in September.

198. The preliminary analysis by Professor Kirton reflects a relatively solid record in Napo on gender equality in key decision-making structures. However, there have been difficulties in sustaining or achieving women's proportional representation, particularly in elected, lay structures (without imposed quotas, or other forms of positive action such as reserved seats).

199. **Organising.** This has been another challenging year for Napo and the overall figures for membership have decreased over the last 12 months. However, Napo has over the last few years bucked the trend of many unions and has continued to increase or maintain its union density within the Probation Service and Cafcass. Union density matters because it reflects the proportion of employees who are trade union members and, more importantly, shows what scope we have for further recruitment and engaging new activists. Over the last twelve months we have maintained our overall union density within the Probation Service. The latest density figures also indicate we have increased our union density within the Probation Service Officer grade but it is clear from the figures that there is still room for recruitment.

200. A further analysis of the density figures was undertaken which broke down the density figures by Probation Trust. These figures show that the majority of branches are making tremendous efforts to recruit members. The figures also highlighted a number of branches that can be targeted for an organising campaign.

201. The pensions dispute on 30 November had a huge impact on recruitment. Branches were supported and encouraged to use the dispute as an organising opportunity and they managed to recruit 400 members in the last two months of 2011.

202. In this our centenary year, the Committee re-launched Napo's 'Target 10K' initiative to reach a target of 10,000 members by 2013; 'Target 10K' was to focus attention on organising and recruitment. Although in the current climate this is an ambitious target, it is an opportunity to support the recruitment of new members.

203. A 'Recruit a Friend' initiative has been promoted to members and incentives have been provided for members to join. In addition to recruiting members the Committee has looked at ways to streamline the application process. Potential members can now request an application form online, and plans are in place to explore the development of a fully online application process.

204. The annual Recruitment Week will take place in September and resources have been purchased centrally to support branches in local recruitment drives. Recruitment Week this year has been linked with the TUC demonstration taking place on 20 October, 'A future that works'. Branches have been encouraged to get a huge turnout for the demonstration, at least equal to the turnout achieved for the 'March for the Alternative' in March 2011.

205. **Napo: The Next Generation (TNG).** The Committee has explored ways to encourage new and younger members to get involved as activists. We have continued to work with the Workers Beer Company to raise money for the Edridge Fund and provide members with the opportunity to attend music festivals. In addition, under the auspices of Napo TNG, a group of members visited Cuba to develop solidarity links with Cuban trade unionists and to explore how the criminal justice system operates in their country.

206. **Facility time.** The Committee is conscious of the fact that facility time is essential for branch activists to carry out their work and for branches to operate effectively. To support branches the Committee developed a Napo Facility Time 'Resource Pack'. Each branch has been sent copies of the resource pack to support them in their negotiations with their employers.

207. **Reps Handbook.** This publication will prove to be an essential resource for all activists in Napo. It will be launched at this year's AGM and all branches will receive copies of the handbook.

208. **Trade Union Education.** This year in conjunction with City of Southampton College we have delivered 5 courses as part of Napo's Education Programme. The feedback from members on courses delivered by City of Southampton College continues to be extremely positive.

209. **Family Court Section.** The Family Court Section has undertaken a major restructuring this year and has changed how it is organised. The Committee has been kept informed of these developments and has offered assistance to the Section. The Committee has noted with concern decline in membership within the Family Court Section. The Committee is working with members of the Family Court Section to run a targeted organising campaign. The organising action plan will aim to further promote and recruit members to Napo who are working in Cafcass and improve our density levels in the service.

210. **National Reps.** The National Representatives Panel is managed by Assistant General Secretary, Ian Lawrence, with vital day to day administrative and casework support being undertaken by Cynthia Griffith. The panel provides vital assistance to Napo members who find themselves at a critical point in their career, usually 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.

211. Members of the Officers Group attend National Representatives panel meetings and have agreed that there is currently no need to increase the existing size of the Panel. Once again, the focus on cases undertaken by the panel members has centred on those involving allegations of gross misconduct against Napo members (mainly within Probation Trusts) and those relating to performance issues (within Cafcass). Feedback from the National Reps has also provided valuable information for National Officers and Officials in their contact with employers' representatives around personnel issues and policies. The number of suspensions of Napo Family Court Section members within Cafcass has shown a marked reduction this year. Nevertheless, some National Reps have reported on the poor quality of proceedings and the inexperience of some of the organisation's middle managers in handling conduct and disciplinary processes. These particular cases have been taken up centrally with the employer and in some instances remedial action has resulted.

212. National Representatives have also attended a keynote TUC conference dealing with discrimination issues in employment law and a customised training day on case management issues for Employment Tribunal claims, which was organised in association with Thompsons Lawyers.

Training Committee

<i>Members:</i>	Darren Daniels (Napo Cymru) Peter Haskell (Greater London) Patricia Johnson (Greater London) Committee Chair Michele Leighton (Greater London) Richard Ogwang-Aguma (Greater London) Yvonne Pattison (North Yorkshire) Roger Peel (Lancashire) Tamzine Yates (Nottinghamshire)
<i>Officer:</i>	Dino Peros (Vice Chair) Lisa Robinson (Vice Chair) Tim Wilson (Chair)
<i>Official:</i>	Sarah Friday (National Official)
<i>Administrator:</i>	Shireena Suleman
<i>Co-opted:</i>	Marilyn Owens (UL Project Manager, England) Briony Marder (UL Project Manager, England) Aziz Bouleghimat (UL Project Manager, Wales)

213. The Training Committee met on three occasions this year. Some members were involved in the Committee's work outside the formal meetings, mainly in connection with the PQF (Probation Qualifying Framework) and the Union Learning Fund Project. Also a small group of Committee members met to work on a guidance document for branches for the protection of qualifying PQF learners on the completion of training and a re-write of Napo PQF Question and Answers.

214. The Committee is organising a fringe meeting at the AGM and Catherine Fuller, from NOMS Learning and Development, has agreed to speak on PQF and its future.

215. The ULF Project Team has liaised closely with the Committee and continues to make a valuable contribution.

216. The Committee welcomed Sarah Friday as the new National Official in March 2012.

217. **Committee priorities.** The Committee's priorities were as follows:

- PQF – addressing practice and application issues arising, as well as liaising with the Probation Negotiating Committee where appropriate and with PQAB (Probation Qualification Assurance Board).
- ULF – monitoring and supporting the implementation of the projects in England and Wales.

218. **AGM 2011 Resolutions.** Two resolutions were passed relating to training: Reinforcing Probation Training and Potential Exploitation of PSO Learners. The work undertaken in relation to the two resolutions is reported in the following section of the Committee's Report.

219. **Probation Qualifications Framework (PQF)**

- (a) PQF Assurance Board
The Board has responsibility for monitoring the implementation of the Framework and its further development. This year Napo has been represented on the Board by the National Chair, Tim Wilson, and National Official, Sarah Friday.

Napo welcomes the intention of the Board to introduce a Case Administrator vocational qualification which has now been developed, successfully piloted and will be available from January 2013.

The data on the take up of the PQF is encouraging. Projections for future enrolments indicate that the numbers overall on the academic elements of the PQF may reach a peak this year with a potential maximum of over 700 PSOs enrolled at any one time; 2 out of 3 PSOs have one or more of the probation qualifications or are working towards one and 6 out of 10 PSOs are qualified to or working towards VQ3 level. The Board has produced a diversity monitoring report this year which shows no significant difference between learners under PQF and under the DipPS qualification except for:

- those declaring a disability – significantly higher under PQF than DipPS;
- age – the age profile for PSOs on the degree appears to be significantly older to that on DipPS.

Napo welcomes the Board's decision to extend the definition of relevant degrees for the Graduate Diploma. A formal gateway mechanism has been established to under-take mapping of proposed relevant degrees for those with close reference to the Community Justice Honours Degree.

Napo has made strong representation that the Social Work degree should be included in the list of relevant degrees. However this is meeting some opposition. The HEIs feel this degree does not sufficiently cover criminology and as they have approved criteria for the Graduate Diploma, and any change in requirements could potentially require major curriculum approval, their support is required. An additional factor in the opposition is that there is not a reciprocal fast track arrangement for Probation Officers onto the Social Work degree.

While there has been some welcome progress this year, there has also been the emergence of significant threats to the future viability of the PQF:

- low learner numbers at one of the HEI's;
- potential fragmentation of the Service;
- Trusts in the North West attempting to opt out of the Framework at part 1 of the degree, by not giving any study time or guaranteed progression beyond part 1.

Napo will continue to make strong representations about these issues. As Napo predicted when PQF was implemented, because NOMS refuses to take central control over the Framework maintaining national standards is problematic.

(b) Resolution from AGM 2011 – Reinforcing Probation Training

This Committee conducted another survey of branches with the intention of gaining a comprehensive picture of the national situation with regards to variations of the application of the PQF within Trusts. With feedback received, the Committee is of the view that the previous themes appear to be ongoing and can be categorised as:

- Job opportunities or lack of vacancies after completing the PQF;
- General exploitation of PQF Learners by employers;
- No protection in terms of case loads/study/learning time;
- Role boundaries issues;
- Significant variation between Trusts in terms of the opportunities offered to staff to pursue training;
- Lack of long term workforce planning.

Because there was limited feedback from branches to the survey National Link Officers and Officials approached their link branches so we could build a more

comprehensive picture – but no additional issues were reported.

The Committee debated a useful suggestion with regard to taking this issue forward which could take a route through the next pay claim by negotiating a standardised learning agreement with NOMS to ensure that there is a consistent learning process through the Trusts. This is reflected in our motion to the AGM: 'Probation Training'.

(c) Resolution – Potential Exploitation of PSO Learners

The Committee can report that it has produced a draft practice for branches in order to provide some protection for qualifying PQF learners on their completion of training. We are working towards the launch of this guidance at AGM.

The Committee is also in the process of updating the current PQF, Questions and Answers document which was initially published in June 2010. The new version should be available for the September NEC.

The National Chair has now completed the work on TR08/09 which provides essential guidance on Napo's position on Role Boundaries which was presented to the April NEC and is now available on the Napo website.

220. **Union Learning Fund.** The Committee has welcomed the attendance of ULF Project staff at its meetings. There have also been detailed reports to the NEC, Training and Equal Rights Committees and Officers and Officials meetings. 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.

221. **ULF England.** Earlier this year Napo successfully secured Union Learning Funding for April 2012 to March 2014. Key TUC requirements for the funding are:

- Facilitating access to CPD (Continued Professional Development) for all employees of the NPS and Cafcass, regardless of professional grade and all other individual characteristics set out in relevant Equality Legislation.
- To assist in delivering Napo's Learning & Skills Strategy.
- To ensure that the ULF Project initiatives and work are mainstreamed within the union for the benefit of all employees.

222. The work of the Napo ULF team has included:

- Accessing a 2 Day Accredited Dyslexia Awareness Training Programme developed and delivered jointly by the GFTU and Workers Education Association (WEA) and promoting this to branches and Trusts.
- Promoting learning and development at the Napo Centenary Professional Conference – where there was significant interest from NPS employers in union learning provision.
- Planning for two ULF promotion events for employers and ULRs (initially scheduled for June) now re-arranged for November 2012.
- Updating the Napo Learning and Development microsite.
- ULR recruitment and training.
- Encouraging Trusts to sign Local Learning Agreements and to give paid facility time for ULRs.
- Sending promotional materials to all branches, Cafcass and Trusts, advertising the benefits of working with ULRs and CPD.

223. Figures for the last ULF Project Round (2011/12) are – 956 learners through the union route, 10 New ULRs, 444 CPD learners, 2,548 Learner support referrals and 22 ‘Skills for Life’ learners.

224. ULF Equality and Diversity Monitoring indicates a greater take-up by learners from lower pay bands, individuals with disabilities and those from a variety of ethnic groups within the union.

225. **ULF Wales.** The project is running successfully, there is a fully functioning LPC (Learning Partnership Committee), a signed and operational Learning Agreement and 10 active ULRs (with agreement for two more reps).

226. The project has identified the learning priorities and working plan for staff, which is fully supported by the LPC. Priorities including the provision of Welsh language courses, ITC skills, Communication and Presentation skills, PTTLS, qualifications in leadership, business administration and customer service.

227. So far the project has supported more than 190 staff to access various learning opportunities.

228. **Skills for Justice.** Napo continues to be a stakeholder in Skills for Justice through our membership of the Council, which meets bi-annually. We receive regular communications from the body and will attend events which it organises, as appropriate.

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

229. **National Executive Committee.** 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.

230. The Committee maintains direct links with the Staff Associations via Napo’s regular meetings with representatives of the SAs.

231. **Cafcass Negotiating Committee.** The Committee continues to review its Equality and Diversity practices to ensure that its 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.

232. The Committee comprises a selection of elected FCS representatives and full time Officials that we believe are as proportionately representative in terms of grade coverage and ethnicity as any contemporary group in Napo.

233. The Committee welcomes and will actively encourage interest from Napo FCS members from within the traditionally under represented groups who may wish to consider standing for a representative position.

234. **Campaigning Committee.** Regular meetings occurred with the Black Police Officers’ Association. There was also considerable involvement with organisations campaigning on the issue of domestic violence and violence against women, arising from the stalking law reform campaign. These included: Women Against Rape; Global Campaign against Domestic Violence and Coordinated Action against Domestic Abuse (CAADA).

235. Questions were asked in parliament on the stalking and harassment of women and domestic violence. Napo participated in the National Stalking Awareness Day by addressing the Justice Committee of the Scottish Parliament.

236. Napo also produced a briefing on the issue of the treatment of sex workers in the Olympic boroughs by the police and met with three groups representing sex workers. Napo also gave evidence to the Government on the treatment of victims and witnesses and produced press releases on stalking victims let down by the justice system, the shocking treatment of victims of stalking – abuse of process in the family courts; discrimination against female Jewish victims of crime, cuts to domestic violence programmes.

237. The Committee also undertook work on collecting and collating staffing and equality data from Probation Trusts with a view to identifying those Trusts that had not complied with their statutory duty, under the Single Equalities Act, to publish such information and also collating the information centrally.

238. In *Napo News*, work continued on promoting Women in Napo. Attention was also focussed on improving the representation of BME members in the newsletter. There was also good coverage of all the TUC diversity conferences.

239. **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 female, five white women, two Asian men and six white men.

240. 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.

241. 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.

242. **Equal Rights Committee.** The full Committee report details action taken by the Committee on implementation and monitoring of Napo’s Anti – Racism and Equal Rights Policies.

243. The Committee has worked closely with the Staff Associations to progress matters of common interest. Over the last twelve months the National Chair (Tim Wilson) and the Link Official (Ranjit Singh) have held regular meeting with the Staff Associations.

244. The Committee has reviewed the branch pro-forma for collecting data on the work of branches on the implementation of the Anti-Racism policy and other work carried out by branches to support active participation of members with a protected characteristic as defined by the Equality Act 2010.

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

246. **Health and Safety Committee.** Equal rights is central to the work of this Committee's work. For example, the Committee will seek to ensure the highest possible standard of Assistive Technology is embedded in new IT systems and software, so that disabled members do not suffer a detriment. Similarly, in introducing the new guidance on office closures and moves we are sensitive to the needs of disabled members, for whom changes in working environment and location can have a harmful impact. Along with other trade unions, the Committee engages in campaigning activity on workplace violence, bullying and harassment, and oppressive and discriminatory behaviours by employers or others which can cause stress and are thereby hazardous to health.

247. **Probation Negotiating Committee.** The Committee maintains a commitment to equality issues in pay negotiations. The 2011/12 pay settlement included the harmonisation of working hours which had been a long-term equality focus of the Committee. Achieving improvements for lower paid staff and addressing gender and age differentials in the NNC pay bands are an ongoing element of pay negotiations.

248. The Management of Change protocol incorporates the need for an equality impact assessment as part of the national intervention and the ongoing work on sickness absence procedures continues to prioritise DDA issues and the treatment of disabled staff. The improved engagement with NOMS over IT issues has facilitated continuing work on the provision of assistive technology (AT). However, the attempted forced introduction of ViSOR has failed to take account of AT issues and this is being taken up with NOMS.

249. **Professional Committee.** The principles of equality and valuing diversity underpin and inform the Committee's approach to work on the resolutions and more broadly. For instance the Committee made a number of suggestions for inclusion in the Napo response to the Ministry of Justice consultation papers on 'Punishment and Reform' Effective Community Sentences and Effective Probation Services particularly as regards to women, BME, young and transgendered offenders.

250. **Steering Committee.** Steering Committee comprises six elected members. The current Committee comprises four women and two men and has members from both the Family Court Section and Probation branches. There were no black members on the Committee during 2011 but a black woman has been elected to the Committee starting her three year term in January 2012. 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.

251. 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.

252. 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 Eastbourne show that women speaking from the floor made more contributions than men for the first time since the gathering of this information was introduced. 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 registering to attend AGM at Eastbourne was 60, an increase on the previous two years. In addition, 25 members defining themselves as mixed race or other were registered at Eastbourne.

253. 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 require it, to seek initial assistance.

254. **Trade Union Organisation Committee.** The Committee through the Link Official has formal links to the Staff Associations; this is a critical link to identify any specific issues which may need to be addressed by Napo. It is also an avenue for the Staff Associations to inform and contribute to the Napo's organising and recruitment strategies.

255. The Committee has hosted a stall at the Staff Associations conferences in order to raise the profile of Napo with potential new members who have a protected characteristic.

256. The Committee continues to support the work of the Women in Napo (WiN) Strategy Group. The group has had a very successful first year and will use this as a basis to develop further structures to support and encourage the involvement of women in Napo business.

257. Napo continues to provide trade union courses which aim to develop participation across membership and promote anti-discriminatory practice. The diversity and harassment course is an integral part of the education programme.

258. **Training Committee.** The principles of equality and valuing diversity are central to the work of the Committee both in regards to the Committee's approach to work on the resolutions and more broadly. For instance this year we have discussed in detail the NOMS PQF diversity monitoring report and also the ULF project equality and diversity monitoring work which indicates a greater take-up by learners from lower pay bands, individuals with disabilities and those from a variety of ethnic groups within the union.

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

259. 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".

260. Pro-formas have also been sent to branches to report on issues that may have arisen which affected Napo members who have a protected characteristic as defined by the Equality Act 2010. Although there is no constitutional requirement for branches to report back on these areas, it is nevertheless, seen as an important step in furthering Napo's commitment to these areas of work and promoting an inclusive union.

261. The pro-formas are reviewed annually to ensure we gather the required information required to address any concerns and identify emerging patterns.

262. **Anti-Racism.** Reports have been received from seven 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.

263. The following summarises the responses received:

- (a) **Anti-racism initiatives:** most branches have adopted, though not always formally, anti-racism initiatives.
- (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:** This has taken place in a few branches. In other branches, branch executive members have undertaken this as part of the general reps' training.
- (d) **Complaints of racism:** one branch reported dealing with a complaint and the member was supported and advised through the formal procedures.
- (e) **Liaison with local ABPO/NAAPS reps:** a few branches reported they have informal liaison with reps from ABPO/NAAPS.
- (f) **Support:** branches expressed commitment to supporting black members when approached. Some branches are promoting and celebrating Black History Month.

264. **Branch reports on work to promote an inclusive union.** Reports have been received from seven branches.

265. Branches have expressed their commitment to supporting members with a protected characteristic and to liaise with the relevant Staff Association if necessary.

266. Concerns raised by branches: experiencing difficulties around reasonable adjustments if hot-desking; sickness absence policies.

267. One branch reported complaints from members concerning disability. Another branch reported complaints from members around maternity, gender, disability, age and sexual orientation. All members were supported via informal and formal ways at a local level.

Affiliations for 2011

Abortion Rights

Amnesty International

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

68 is too late

TUC – Trades Union Congress

UAF – Unite Against Fascism

Venezuela Solidarity Campaign

Wales TUC Cymru

Napo

ACCOUNTS

for the year ended 31 December 2011

Report of the Officers

The Officers present their annual report with the accounts of the union for the year ended 31 December 2011.

OFFICERS

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

<i>Name</i>	<i>31 December 2011</i>
T. Wilson	(Chair)
K. Stokeld	(Treasurer)
P. Bishop	(Vice Chair) completed term of office October 2011
D. Peros	(Vice Chair)
M. Quinn	(Vice Chair) completed term of office October 2011
L. Robinson	(Vice Chair)
E. Chester	(Vice Chair) appointed October 2011
C. Bewley	(Vice Chair) appointed October 2011
A. Mercer	(Vice Chair) appointed October 2011

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 24 May 2012.

Independent Auditors' Report

TO THE MEMBERS OF Napo

We have audited the accounts of Napo for the year ended 31 December 2011, 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 2011 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 2011

	Notes	2011		2010	
		£	£	£	£
Income from Subscriptions			2,203,889		2,232,509
TUC Projects			179,382		171,743
Other Income	2		36,826		24,206
			<u>2,420,097</u>		<u>2,428,458</u>
Staff Costs	3	922,359		970,368	
TUC Projects		179,382		171,743	
Accommodation Costs		66,185		66,892	
Operating Costs		298,899		287,174	
Committee, Conference and Affiliation Costs		411,573		417,894	
Financial and Legal Costs		24,081		12,452	
Branch Expenses		169,004		167,409	
		<u>2,071,483</u>		<u>2,093,932</u>	
			(2,071,483)		(2,093,932)
Surplus for the Year before Taxation			348,614		334,526
Taxation	4		(4,894)		(2,450)
Surplus for the Year after Taxation			343,720		332,076
Transfer to Special Aid Fund	6		(223,251)		(161,772)
Transfer to Action Fund	6		(5,000)		(5,000)
Transfer to Office Relocation Fund	6		(50,000)		–
Transfer to Hardship Fund	6		(8,005)		(2,000)
Amount transferred to Accumulated Fund			<u>57,464</u>		<u>163,304</u>

The notes on pages 27 and 28 form part of these accounts.

Balance Sheet

AS AT 31 DECEMBER 2011

	Notes	2011		2010	
		£	£	£	£
FIXED ASSETS	5		150,627		155,847
CURRENT ASSETS					
Sundry Debtors		110,986		118,045	
Cash at Bank and in Hand					
– Branches		157,819		154,441	
– Head Office		1,656,338		1,538,628	
		<u>1,925,143</u>		<u>1,811,114</u>	
CURRENT LIABILITIES					
Sundry Creditors		30,820		33,512	
NET CURRENT ASSETS			<u>1,894,323</u>		<u>1,777,602</u>
TOTAL ASSETS LESS CURRENT LIABILITIES			<u>2,044,950</u>		<u>1,933,449</u>
<i>Represented by:</i>					
ACCUMULATED FUND	8		1,672,532		1,615,068
OFFICE RELOCATION RESERVE FUND			250,000		200,000
SPECIAL AID FUND	8		54,261		63,229
ACTION FUND	8		43,790		38,790
HARDSHIP FUND	8		24,367		16,362
			<u>2,044,950</u>		<u>1,933,449</u>
J. Ledger, General Secretary					
K. Stokeld, Treasurer					

The notes on pages 27 and 28 form part of these accounts.

Statement of Total Recognised Gains and Losses

FOR THE YEAR ENDED 31 DECEMBER 2011

	<i>Notes</i>	<i>2011</i> £	<i>2010</i> £
General Fund surplus for the financial year after taxation		343,720	332,076
Surplus for the year on Office Relocation Reserve		—	—
Donations from Branches to Special Aid Fund		4,138	4,320
Expenditure on Special Aid		(236,357)	(105,171)
Surplus for the year on Branches Action Fund		—	(1,000)
Total recognised gains since last annual report		<u>111,501</u>	<u>230,225</u>

Notes to the Accounts

FOR THE YEAR ENDED 31 DECEMBER 2011

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. Income is received from payroll deductions made by Probation Trust pay authorities and members direct payments to Napo.
- (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>2011</i> £	<i>2010</i> £
2. OTHER INCOME		
Interest Receivable	23,308	11,321
Sundry Income	13,518	12,885
	<u>36,826</u>	<u>24,206</u>

	<i>2011</i> £	<i>2010</i> £
3. STAFF COSTS		
Included in staff costs are:		
Wages and Salaries	699,101	738,305
Social Security Costs	82,214	80,026
Other Pension Costs	79,039	82,548
	<u>860,354</u>	<u>900,879</u>
General Secretary		
Remuneration	66,192	63,573
Social Security Costs	8,059	7,534
Pension	10,914	10,832
	<u>85,165</u>	<u>81,939</u>

4. TAXATION

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

	<i>2011</i> £	<i>2010</i> £
Current Corporation Tax	<u>4,894</u>	<u>2,450</u>

5. FIXED ASSETS

	<i>Freehold Land and Buildings</i> £	<i>Computer Equipment and Software</i> £	<i>Total</i> £
Cost			
At 1 January 2011	205,339	272,512	477,851
Additions	—	6,245	6,245
Disposals	—	—	—
At 31 December 2011	<u>205,339</u>	<u>278,757</u>	<u>484,096</u>
Depreciation			
At 1 January 2011	72,678	249,326	322,004
Charge for the year	4,107	7,358	11,465
Deduct for Disposals	—	—	—
At 31 December 2011	<u>76,785</u>	<u>256,684</u>	<u>333,469</u>
Net Book Value			
At 1 January 2011	<u>132,661</u>	<u>23,186</u>	<u>155,847</u>
At 31 December 2011	<u>128,554</u>	<u>22,073</u>	<u>150,627</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 £79,039 (2010 – £82,548). No contributions were due at the year end (2010 £nil).

7. CONTINGENT LIABILITY

A former employee of Napo is pursuing a case for unfair dismissal against the union at an employment tribunal. The Officers have obtained legal advice and, based on this, at this stage, it is not considered necessary to make any provision in these accounts in respect of this claim.

8. 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		2,420,097	—	4,138	—	—	2,424,235
Expenditure		<u>(2,071,483)</u>	—	<u>(236,357)</u>	—	—	<u>(2,307,840)</u>
Surplus/(deficit) for the year		348,614	—	(232,219)	—	—	116,395
Taxation		<u>(4,894)</u>	—	—	—	—	<u>(4,894)</u>
Net surplus/(deficit)		343,720	—	(232,219)	—	—	111,501
Transfers between Funds	6	<u>(286,256)</u>	50,000	223,251	5,000	8,005	—
		57,464	50,000	(8,968)	5,000	8,005	111,501
Balance at 1 January 2011		<u>1,615,068</u>	200,000	63,229	38,790	16,362	1,933,449
Balance at 31 December 2011		<u>1,672,532</u>	<u>250,000</u>	<u>54,261</u>	<u>43,790</u>	<u>24,367</u>	<u>2,044,950</u>

National Office

Detailed Income and Expenditure Account

FOR THE YEAR ENDED 31 DECEMBER 2011

	Schedule	2011		2010	
		£	£	£	£
Membership Subscriptions			2,203,889		2,232,509
Bank Deposit Interest			23,303		11,146
TUC ULR Project			179,382		171,743
Sundry Receipts			1,688		3,827
			<u>2,408,262</u>		<u>2,419,225</u>
Staff Costs					
Salaries, Pensions, National Insurance		860,354		900,879	
Staff Recruitment		5,715		4,918	
Staff Training		8,999		10,982	
Staff Expenses		47,291		53,589	
Car Leasing Charges		—		—	
		<u>922,359</u>		<u>970,368</u>	
TUC ULR Project		179,382		171,743	
Accommodation Costs					
Rates, Light and Heat		21,680		23,357	
Repairs and Renewals of Building		26,075		33,100	
Insurance		5,880		5,540	
Professional Indemnity Insurance		2,650		2,625	
Office Move		8,427		—	
Sundry		1,473		2,270	
		<u>66,185</u>		<u>66,892</u>	
Operating Costs					
Printing, Stationery and Equipment		59,198		58,621	
Reference Books and Papers		862		1,023	
Postage		9,622		10,021	
Telephone		5,163		4,745	
		<u>74,845</u>		<u>74,410</u>	
Computer Maintenance and Support		55,290		43,153	
Cost of Publications	1	157,299		157,776	
(Profit)/Loss on disposal		—		—	
Depreciation		11,465		11,835	
		<u>298,899</u>		<u>287,174</u>	
Committee, Conference and Branch Costs					
Committee Expenses		132,640		140,846	
Cost of Conferences	2	89,409		95,980	
Branch Grant		121,769		124,340	
Branch Conference Funding		38,777		39,682	
Branch Training		40,892		46,169	
Health & Safety		6,185		5,154	
Welsh Language Translations		252		234	
Membership Recruitment		15,993		11,640	
Union Learning Fund		(35)		6,335	
Consultancy		—		917	
		<u>445,882</u>		<u>471,297</u>	
Subscriptions and Affiliations					
Fees – TUC		21,506		23,372	
Fees – Other		5,860		4,494	
Fees – GFTU		7,540		6,984	
		<u>34,906</u>		<u>34,850</u>	
Donations – Edridge		26,962		27,741	
Donations – Autonomous Groups		12,000		13,000	
Donations – General		880		613	
		<u>39,842</u>		<u>41,354</u>	
Ballots		16,893		7,306	
Political Lobbying/Media		33,478		22,988	
Women Strategy		2,318		—	
Conference Consortium		(1,200)		4,121	
		<u>572,119</u>		<u>581,916</u>	
Financial Costs					
Audit and Accountancy		9,700		8,000	
Bank Charges		1,761		1,671	
Legal and Professional Fees		12,620		2,781	
		<u>24,081</u>		<u>12,452</u>	
			<u>2,063,025</u>		<u>2,090,545</u>
National Office surplus for year			345,237		328,680
Add: Branch Offices surplus			3,377		5,846
Total surplus for year before tax			<u>348,614</u>		<u>334,526</u>

Branches

Detailed Income and Expenditure Account

FOR THE YEAR ENDED 31 DECEMBER 2011

	2011		2010	
	£	£	£	£
Grants from National Office		121,769		124,340
Hardship Grant		—		1,000
Conference Funding from				
National Office		38,777		39,682
Individual Contributions		5,624		5,175
Bank and Building Society Interest		5		175
Donations		269		1,279
Sundry Income		5,937		2,604
		<u>172,381</u>		<u>174,255</u>
Branch Expenses				
Expenses of other Officials	18,592		15,735	
Printing, Postage and Stationery	3,035		3,560	
Branch Meetings	15,432		18,068	
Bank Charges	78		118	
Training	6,713		7,467	
Donations	3,758		7,734	
Net Cost of Annual and				
Branch Conference	108,536		108,144	
Hardship Fund	—		—	
Other Branch Expenses	12,860		7,583	
		<u>169,004</u>		<u>168,409</u>
Surplus of Income over Expenditure				
for the Year before Taxation		3,377		5,846
		<u>3,377</u>		<u>5,846</u>
Charged to General Fund		169,004		167,409
Transfer from Hardship Fund		—		1,000
		<u>169,004</u>		<u>168,409</u>

Publications Account

FOR THE YEAR ENDED 31 DECEMBER 2011

Association's Publications	Schedule No. 1			
	2011		2010	
	£	£	£	£
Cost of publications				
Printing — Newsletter		60,795		61,243
— Journal		59,472		62,680
— ICCJ Monographs		—		1,043
— Changing Lives		—		—
— Cafcass Journal		6,406		3,241
Postage — Newsletter and Journal		57,108		54,621
		<u>183,781</u>		<u>182,828</u>
<i>Less:</i>				
Sales — Journal and Newsletter	78		57	
— ICCJ Monographs	43		19	
Changing Lives	13		41	
Inserts — Journal and Newsletter	1,740		2,190	
		<u>1,874</u>		<u>2,307</u>
		181,907		180,521
Income from other publications	—		—	
Royalties — Napo journals	24,608		22,745	
Sundry Publications	—		—	
		<u>24,608</u>		<u>22,745</u>
Net cost of publications transferred to				
Income and Expenditure Account		<u>157,299</u>		<u>157,776</u>

Conference Account

FOR THE YEAR ENDED 31 DECEMBER 2011

Conference Account	Schedule No. 2			
	£ 2011	£	£ 2010	£
Cost of Annual Conference	79,679		71,442	
Less: Registration Fees	<u>(17,492)</u>		<u>(15,822)</u>	
Net cost of Annual Conference		62,187		55,620
Trainees Conference Expenditure	1,129		37,708	
Less: Registration Fees	<u>—</u>		<u>(8,375)</u>	
Net cost of Trainees Conference		1,129		29,333
Family Court Conference Expenditure	3,438		5,451	
Less: Registration Fees	<u>—</u>		<u>—</u>	
Net cost of Family Court Conference		3,438		5,451
Professional Conference Expenditure	—		—	
Less: Registration Fees	<u>—</u>		<u>—</u>	
Net cost of Professional Conference		—		—
Women in Napo Conference	8,712		—	
Less: Registration Fees	<u>(300)</u>		<u>—</u>	
Net cost of Women in Napo Conference		8,412		—
Race for Justice Conference over accrual	—		(8,444)	
Less: ULF contributions	<u>—</u>		<u>—</u>	
Less: Registration Fees	<u>—</u>		<u>—</u>	
Net cost of Race for Justice Conference		—		(8,444)
Cost of Managers Conference		(5)		2,171
Cost of PSO Conference		15,650		2,629
Cost of Health & Safety Forum/Conference		5,623		9,220
Centenary Conference		5,000		—
YOT Seminar		—		—
Hostels Seminar		4,192		—
Other Project Income		<u>(16,217)</u>		<u>—</u>
Total cost of Conferences		<u>89,409</u>		<u>95,980</u>

ACCOUNTS & ANNUAL REPORT

for the year ended 31 December 2011

(Abbreviated Version)

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 2011. The accounts have been prepared in accordance with the accounting policies set out in previous Annual Reports 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
Nick Paul, MBE	(London)	Appointed November 2008, and elected Vice Chair in May 2011
David Cox	(Gloucestershire)	Appointed June 2007 (Appointed Treasurer September 2007)
Alessandra Evans	(Thames Valley)	Appointed November 2008
Liz Bywater	(Kent)	Appointed September 2009

Staff

Richard Martin	Secretary
Sarah Byatt	Administrator
David Cox	Bookkeeper

Chairs Report

Introduction

The Trustees have agreed that we should present an abbreviated version of the Annual Report and Accounts of the Edridge Fund for inclusion in the Napo Annual Report. We believe that this version of the Report will present members with the essential information to understand the workings of the Edridge Fund in the relevant accounting year. The accounts are presented in full. A complete list of our investments is in the full report, which will be available to members on request, and will also be available from our website. In due course it will also be available on the Charity Commission website, and complies with their guidelines.

I therefore now present, on behalf of my fellow Trustees the Accounts and abbreviated Report for the year ended 31/12/2011.

Edridge – a phenomenal year

The year 2011 has been a phenomenal year for Edridge. The demand for our help has increased by 37%, and the amount we have paid out in grants has reached a new record, increasing by 47% over the 2010 figure. More detailed analysis of our Grant administration is set out later in this report, but an important fact is that for the second year running we have paid out more to Napo members than we receive in the annual donation from Napo by a considerable amount.

At the same time we have been preparing for the retirement of our Secretary, Richard Martin, at the end of 2012, which has meant that we have had to consider every element of our operation, including office arrangements. The main direction we have been taking has been to create a "virtual" office, with two staff members working from home, and maximising on use of electronic communications and "cloud" storage. Keith Waldron, Office Manager at Napo Head Office has helped us a great deal with our revised office arrangements, and I take this opportunity to thank Napo for this help, as well as for other facilities they will be providing us with, in particular mail forwarding and electronic storage for Edridge on the Napo Head Office server.

The Edridge Fund of Napo

Governance and Staff Changes

At the same time we have started the process of revising our governance. This has been a healthy process, but we must give a vote of thanks to the hard work of Edridge Trustees and staff, especially David Cox, who has been the lead on revising our facilities and introducing substantial modernisation. In the course of 2012 David will step down as a Trustee, but remain as Treasurer and carry on with the other work he does for Edridge, as well as carrying out some of the administrative tasks at present done by the Secretary. Our Administrator Sarah Byatt will be undertaking a wider range of administrative tasks, including the initial processing of applications for assistance.

Our work on revising governance has to continue in 2012, and we will be re-writing our main policies, as well as defining more clearly the various roles carried out by Trustees and staff, to produce job descriptions and clarify lines of responsibility and supervision. Some of this was prompted after the Trustees undertook some training on governance in the course of the year, but it has also been driven by the need to share out tasks in a different way, and make the role of Secretary a more closely defined one, along Charity Commission guidelines. We will then need to recruit a suitable person for this role.

Going forward we will have to concentrate on making sure that our new administrative arrangements work, and continue with the revision of our governance, as outlined above.

Donations and Fund Raising

The level of need for our help has increased greatly, and a following section of this report has tables with the breakdown of our grant giving activity. However, our income in the course of 2011 only increased by around £3,000, though the pattern of receipts changed. There were greater increases in receipts for sponsored and fund raising events, with clear evidence that members and others had responded to our appeals for help. As the year approached its end we appealed for more personal monthly donations, and the indications for 2012 are that this was successful to a degree, but much more is needed. In these difficult times we are very grateful for the large number of people who have worked hard to raise money for Edridge, and this has continued into 2012.

Edridge Investments

I now turn to our Investments, which are our main reserve. The unprecedented increase in demand for assistance gave us no alternative but to withdraw £10,000 from the investments, and we are predicting that we may need to repeat that during 2012. In the last five years we have increased our grant giving considerably, and up to this year we had only withdrawn the equivalent of our income on the portfolio. This year we were lucky in that after the withdrawal in October our portfolio increased in value, and recovered the funds we had withdrawn, even though the valuation over the year was still down on the previous year. However, in the longer term we need to increase our income, as at the present rate our reserves will eventually dwindle to nothing. The only alternative will be for the Trustees to drastically revise their grant making policy, unless demand for help reduces.

Last year we reported that we would be changing the Investment Portfolio to be based on more ethical investments. In the event our Investment Managers were unable to provide us with a suitable investment vehicle, so work will continue into 2012 to resolve this, if necessary with a different Investment Manager.

Achievements and Performance

The applications received, as defined by employment grade, have been:

Administration/Clerical	16	Retired PO	9
Managerial/Supervisory	2	Unemployed PO	4
PO	73	Dependants of Staff	3
PSO	75		
TPO	2		
Cafcass	3		

Total successful applications 155

Total Applications during the year 187

The Edridge Fund of Napo

The total number of Applications received in the year increased by 47% over the number received in 2010. Applications were refused on 28 applications, and 4 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 refusals increased substantially, though there was a decrease 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 2010 are quoted in brackets:

Designation of Applicant	Applications	Refused or Withdrawn	Total Amount Paid	Percentage of Total Paid
Napo Member	121 (93)	19 (6)	£34,672 (£27,500)	66.0% (76.4%)
No Union Membership	45 (27)	4 (5)	£15,443 (£6,984)	28.0% (19.4%)
Not Known	3 (3)	NIL (NIL)	£2,250 (£800)	4.6% (2.3%)
Unison and other Unions	11 (14)	9 (11)	£725 (£700)	1.4% (1.9%)
Overall Totals	187 (137)	32 (22)	£53,090 (£35,984)	

In the case of Unison members the Trustees have always followed the practice set out in previous reports. Each case was dealt with on its own merits.

Final thoughts

I have to say something about Richard Martin, our Secretary, who for the past three decades has been a pivotal part of the Fund and its' work. Richard has been at the heart of our deliberations on how we will do things after he has retired. At the end of such a long term of service Richard has continued to still offer great effort and energy in this work, and for this we are all very grateful.

Finally I have to thank all those members who contribute towards the work of Edridge and who give their time and effort to raise money for us; the area Representatives who raise funds and offer help to colleagues in need, the Napo staff who help us in so many ways, and finally our staff and my fellow Trustees.

Anne King – Chair

August 2012

Independent Examiner's Report on the Accounts

The accounts have been submitted to an Independent Examiner, in accordance with Charity Commission guidelines, and have been approved. A full copy of the Independent Examiner's Report is available with the full version of our Report.

David Cox – Treasurer

August 2012

Statement of Financial Activities

(incorporating an Income and Expenditure Account)

FOR THE YEAR ENDED 31 DECEMBER 2011

	<i>Notes</i>	<i>2011</i> £	<i>2010</i> £
Incoming Resources from Generated Funds			
Voluntary Income			
Regular Donations and Gifts		9,610	11,026
Contribution from Napo		26,962	27,741
Activities for generating funds			
Fund Raising (including 50/50 Club subscriptions)	5	6,224	3,199
Investment and Interest Income			
Investment Income		3,773	3,948
Bank Interest (including Investment Account)		—	—
Incoming Resources from Charitable Activities			
Contributions from members, branches and others		9,354	5,968
Net Profit on Christmas Cards		209	1,408
Total Incoming Resources		<u>56,132</u>	<u>53,290</u>
Resources Expended			
Costs of Generating Funds			
Promotional activities		261	702
Investment Management Fees		3,201	1,743
Website Expenses		504	1,407
50/50 Club Prizes	5	966	628
Sub Total		<u>4,932</u>	<u>4,480</u>
Net Resources available for Charitable Application		<u>51,200</u>	<u>48,810</u>
Costs of Charitable Activities			
Grants paid		53,090	35,984
Management and delivery of the charity's purpose	2	13,580	12,728
		<u>66,670</u>	<u>48,712</u>
Governance Costs	4	1,630	1,147
Total Resources Expended		73,232	54,339
Net Operating Surplus/(Deficit) for the Year before Gross Transfers		<u>(17,100)</u>	<u>(1,049)</u>
Gross Transfers between Funds	9	(10,000)	—
Net Incoming Resources before Gains and (Losses)		(27,100)	(1,049)
Other Recognised Gains (Losses)			
Realised gains/(losses) on investments		18,532	(3,232)
Unrealised gains/(losses) on investments		(15,777)	14,477
Net Movements in Funds		<u>(24,345)</u>	<u>10,196</u>
Total Funds Brought Forward		<u>199,480</u>	<u>189,284</u>
Total Funds Carried Forward		<u>175,135</u>	<u>199,480</u>

The notes on pages 37 and 38 form part of these accounts.

Balance Sheet

AS AT 31 DECEMBER 2011

	<i>Notes</i>	<i>2011</i>		<i>2010</i>	
		£	£	£	£
Fixed Assets					
Tangible (Fixed) Assets	8		Nil		73
Investments	9		160,127		175,904
			<u>160,127</u>		<u>175,977</u>
Current Assets					
Debtors	7	3,637		3,976	
Cash at Bank and in Hand		14,088		19,527	
		<u>17,725</u>		<u>23,503</u>	
Creditors:					
Amounts falling due within one year					
Accruals	6	<u>2,717</u>		<u>—</u>	
Net Current Assets			<u>15,008</u>		<u>23,503</u>
Total Assets Less Current Liabilities			<u>175,135</u>		<u>199,480</u>
Net Assets			<u><u>175,135</u></u>		<u><u>199,480</u></u>
Income Fund and Reserve					
General Reserve as at 31 December 2011			<u>175,135</u>		<u>199,480</u>
Total Funds available to the Fund			<u><u>175,135</u></u>		<u><u>199,480</u></u>

These financial statements will be submitted to the Trustees for approval at their meeting on 13 September 2011, and their decision will then be reflected in the full version of the Edridge Report and Accounts, which will be published after that date.

ANNE KING
Chair of the Trustees
15 August 2012

DAVID COX
Treasurer/Trustee
15 August 2012

The notes on pages 37 and 38 form part of these accounts.

Notes forming part of the Accounts

FOR THE YEAR ENDED 31 DECEMBER 2011

1. ACCOUNTING POLICIES

The accounts have been prepared using the same policies published in previous Annual Reports.

2. MANAGEMENT AND DELIVERY OF THE CHARITY'S PURPOSE

		<i>2011</i>	<i>2010</i>
	<i>Notes</i>	£	£
Staff Costs	3	8,151	8,153
Rent		2,880	2,880
Postage, Printing, Stationary and Equipment			
Maintenance		1,450	1,036
Other Equipment Costs		401	Nil
Insurance		599	593
Depreciation on Fixed Assets	8	73	25
Bank Charges		25	41
		<u>13,580</u>	<u>12,728</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 for accounting services provided by the Treasurer David Cox. The payments are made on the basis indicated in previous Annual Reports.

4. GOVERNANCE

	<i>2011</i>	<i>2010</i>
	£	£
Staff and Trustees Expenses	955	681
Independent Examiner's Fee	Nil	Nil
Napo Conference Expenses	466	466
Trustees Training	240	Nil
	<u>1,629</u>	<u>1,147</u>

5. FUND RAISING

	<i>2011</i>
	£
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 £654 in the current year.

6. CREDITORS

	<i>2011</i>
	£
Secretarial Costs	<u>2,717</u>

The Edridge Fund of Napó

7. DEBTORS

	<i>Notes</i>	<i>2011</i> £
Gift Aid Tax Refund for 2009 (received in 2012)		1,542
Gift Aid Tax Refund for 2010 (estimated)	7(a)	1,800
Christmas Cards (based on receipts in 2012 'till 31/3/12)		295
		<u>3,637</u>

(a) This item was carried over as a debtor from the 2010 accounts, which was not received during 2011, but is realistically anticipated in 2012. Therefore this item is not reflected in the total of voluntary income for the current year, as it was reflected in the 2010 accounts.

8. FIXED ASSETS

In previous years our only tangible asset has been equipment, and this was depreciated on a regular basis, in accordance with normal accounting practices. The book value of these assets in the previous accounting year had reached £73. In view of the fact that we will be disposing of this equipment in the course of 2012, we have decided to write off the remaining balance, thus making a charge on our accounts of £73.

9. INVESTMENTS

The full list of our investments will be available in the full report. The valuation is based on the report of our Investment Managers, reflecting the position as at 31/12/2011. It will be noted that we withdrew £10,000 from the portfolio, and this is reflected in the realised gains reported in the Statement of Financial Affairs.

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 28 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 2012

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.

Notes

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OFFICERS AND STAFF OF THE ASSOCIATION

ELECTED OFFICERS 2011/2012

Chair:	Tim Wilson
Vice Chair (Cafcass):	Tony Mercer
Vice Chairs (Probation):	Caroline Bewley and Eve Chester (job share) Dino Peros Lisa Robinson
Treasurer:	Keith Stokeld

STAFF

General Secretary:	Jonathan Ledger
Assistant General Secretaries:	Harry Fletcher Ian Lawrence
National Official Professional and Training:	Sarah Friday
National Official Trade Union Organisation and Equal Rights:	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
Finance Officer:	Theresa Boorman
Office Manager:	Keith Waldron
Administrators:	Alison Bonner Anne Burbidge Annoesjka Valent Cynthia Griffith Jacqui Paryag Kath Falcon Margaret Pearce Shireena Suleman Taytula Burke

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