

Notice of Proposed Motions and Constitutional Amendments

AGM 1/2007

Motions and Constitutional Amendments

Notice of the following motions for the AGM has been received in accordance with the provisions of the constitution. They are followed by the names of the branches or committees proposing them or the names of individual proposers and seconders. Motions have been broadly grouped under the committees to which their subject matter relates and the order in which the committees are taken is rotated on an alphabetical basis each year.

Ballot

Included in this mailing is a ballot form for the purpose of deciding the order in which motions will be discussed.

The order of business will be based on ensuring that the highest voted motion under each committee heading will be debated following the committee order as set out in this motions booklet.

There are four committee headings under which there is only one motion:
Equal Rights Committee
Family Court Committee
Negotiating Committees – CAF/CASS and Probation
Negotiating Committee – CAF/CASS

These motions will, therefore, automatically be debated.

Motions being automatically debated and constitutional amendments are not included in the ballot.

Members can vote for up to 8 of the remaining motions.

Please note that the closing date for receipt of all ballot forms at Napo office is Monday, **1 October 2007**. If your branch is organising a local collection of ballot forms within the branch there will obviously be an earlier deadline for you to meet.

Amendments to Motions and Constitutional Amendments

Amendments to motions can be proposed by the NEC, any of its committees, a branch or two full or professional associate members. Amendments to constitutional amendments can only be proposed by the NEC or by a branch. Notice of any proposed amendments must be given in writing and must reach the General Secretary by noon on Monday, 1 October 2007.

Further advice on amendments and on the process of compositing has been issued to branches in ST5/2007.

Emergency Motions

Members are reminded that if they wish to submit an emergency motion they need to ensure that it meets all the necessary criteria.

The criteria for emergency motions is set out in Napo's General Meeting Standing Order 7, which states:

“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.”

Judy McKnight
General Secretary

Equal rights Committee

1. Napo becoming signatory to TUDA Charter

“This AGM finds there is a serious mismatch between verbal and actual commitment to Equality and Diversity.

To hold NOMS and NPS to account and to affirm Napo in its continuing fight to require evidence of legal compliance, Napo should model best practice and become an exemplar by signing up to the Trade Union Disability Alliance (TUDA) Charter. The aim of the Charter is to promote disability equality and the civil rights of disabled people by setting out practical measures to help unions work towards these objectives.

The Conference therefore instructs Napo to become a signatory to the Charter.”

Proposer: Desiree Leete (South Western Branch)
Secunder: David Quarmy (West Midlands Branch)

Family Court Committee

2. CAFCASS Professional Practice

“This AGM believes that CAFCASS’ current approach to professional practice places it at risk of losing touch with the fundamental principles of the Children Act in which the role of Family Court Advisers is enshrined and could result in damaging the service provided to children and families.

Practitioners are increasingly concerned at an apparent culture of change for change’s sake in which established professional practice is being dismantled, without a clear evidence base and despite considerable reservations across the organisation. Practice developments in both Public and Private Law, including the new National Standards do not have the universal confidence of practitioners and are often contradictory in their expectations on staff.

CAFCASS presents increasingly as an organisation unclear of its role, at times acting in a quasi Social Services’ role in its approach to Safeguarding, at others, focussing unrealistically on agreement seeking.

This AGM therefore re-asserts our professional commitment to the principles of the Children Act and will instruct Family Court Committee to:

- produce a paper regarding the Principles of Good Practice in Family Court work by AGM 2008;
- collate information from members regarding practice initiatives and undertake an analysis of current practice;
- seek to agree with CAFCASS the development of a sophisticated, professional model of practice responsive to evidence and research;
- Develop a campaign to promote understanding of good professional models of work within the Family Justice System;
- investigate the possibility of legal challenge to models of work which are incompatible with the Children Act.”

Proposer: Family Court Committee

Health and Safety Committee

3. Work Related Stress

“This AGM expresses its grave concern about the rising number of Probation and CAFCASS staff who are suffering from, and often off sick with, work related stress, depression and other illnesses, which they have developed as result of the pressures and conditions at work.

The sharp rise in work related stress appears not only to be indisputably linked with the relentless structural and managerial changes being imposed upon us but also as a result of the methods being deployed by those who wish to see the changes implemented.

Many members who eventually succumb to the pressure end up being referred to occupational health consultants. Some see this as humiliating, but others hold out hope that when the doctor writes his/her report that

something will be done to improve their working lives. Sadly this has not been our experience and we find ourselves representing sick colleagues in often protracted grievance procedures. Few survive this process unscathed as the stress induced by such hearings is tangible and members often come away feeling that they were not taken seriously “just being a nuisance”. Whatever happened to the duty of care for staff that our employers have supposedly signed up to? Most Probation Areas have policies such as LPA’s Stress Management Policy, but how often are their guidelines followed? In any event, we need to develop a stress avoidance policy.

We have a right to work in safe and healthy conditions and that means one which is emotionally and psychologically safe as well as physically safe.

We have got to insist that health and safety polices are adhered to and, as a union, we must develop tactics and strategies to deal with those who flout them. We must be prepared to take collective action as well as taking up individual cases if we are to stem the tide of work related stress.

We realise that our experiences are replicated throughout the public sector, therefore we call upon this AGM to instruct its Officers and members of the health and safety forum to join together with other public sector unions in order to develop a stress avoidance policy and to work together to tackle the acute and chronic problems of work related stress.”

Proposer: Bron Roberts (Greater London Branch)
Secunder: Jack Cohen (Greater London Branch)

4. Security Review of Probation Premises

“This AGM is alarmed at the increasing level of gun crime in our communities. This raises concerns regarding the health and safety of our members, as well as the security and safety of Probation premises.

With this in mind AGM calls on the Health and Safety Committee to demand that NOMS undertakes a security review of all Probation premises.

The Health and Safety Committee to report to the NEC no later than 31.03.08 on progress made.”

Proposer: Merseyside Branch

National Executive Committee

5. Strengthening Napo

“Napo is facing the challenge of an increasingly fragmented and privatised public sector. Both the Probation Service and CAFCASS are under the threat of permanent re-organisation. Members face increasing uncertainty about the nature of their work and even the security of their jobs. Napo needs to have the strength to negotiate with the Government and employers and to campaign for achievable and humane criminal and family justice policies in an increasingly complex and hostile environment. It is therefore essential that Napo maximise membership of all grades and have the most effective organisational and financial structures in place.

This Conference therefore instructs the National Officers and Officials to undertake a fundamental review of Napo’s facilities, membership, organisational and financial structure, including the possibility of a political campaigning fund, and to report back to the next AGM with any proposals that are needed to strengthen Napo.”

Proposer: Thames Valley Branch

6. Building an Alliance of Fighting Unions

“This AGM recognises that the only effective way for Napo to fight privatisation, job cuts, below-the-cost-of-living pay rises and the denial of trade union rights enjoyed elsewhere in Europe, in Probation and CAFCASS, is to campaign alongside the other public service trade unions who are in the same predicament.

It also recognises that the PCS, the largest civil-service union, under the inspired leadership of Mark Serowtka, is attempting to form an alliance of ‘Fighting Unions’, in the first instance to co-ordinate industrial action that individual unions have already balloted to take (civil servants and postal workers) or are expected to ballot to take in the Autumn (to date that is the rail workers, teachers, health workers and college lecturers);

but in the longer term to build a broad alliance of public service workers to defend our public services against the onslaught of New Labour's neo-liberal, economic policies.

This AGM therefore formally supports the building of an alliance of public service unions, dedicated to fighting privatisation, job cuts, unfair pay and the denial of trade union rights. It instructs its Officers to liaise on this basis with their opposite numbers in the PCS and other 'Fighting Unions', to report back regularly on progress to the NEC and to the general membership through Napo News and the website."

Proposer: CAF/CASS Section

7. Edridge Fund

"Napo AGM wishes to pay tribute to the work of the Edridge Fund. Over many years it has provided much needed support to Napo members at times of crisis frequently when there was no one else to turn to. We also applaud the work of the trustees and representatives who give up many hours to enable this valuable support to be given.

AGM acknowledges that whilst Edridge funds are derived from a variety of sources a substantial proportion of Edridge income is provided in the form of an annual grant from Napo. Other sources of income received by Edridge include donations by Napo branches plus individual contributions and fund raising efforts by Napo members.

AGM notes that a sizeable percentage of grants given by Edridge (approx 50%) are received by non-Napo members, who are eligible to join Napo if they choose to do so.

Napo is supporting Edridge with members' subscriptions which are then being used to give grants to both Napo members and a large number of non-members. AGM is concerned that assistance is being given to Edridge applicants who do not support Napo by becoming members and believe that Napo members will be concerned that their money is being used in this way

This AGM therefore asks that these concerns be addressed by establishing a working party to examine whether there are any means by which this situation can be improved. It is recognised it is a complex issue, not least because Edridge is an independent Charity. Conference therefore hopes that representatives from the Fund will be invited and be able to participate in any working group. Among the options which need to be examined are the feasibility and legal arrangements of changing the terms of the Charity and also the establishment of a separate Napo members benevolent fund.

The working party will be asked to report back to next year's AGM with the possible options to be considered."

Proposer: Greater Manchester Branch

8. Cuts in Probation Area Establishments

"This AGM is opposed to the freezing of posts and reduction in staffing establishments that is occurring in many Areas of England and Wales. The cuts appear to be worst in Probation Areas which are applying for trust status – with one such Area announcing at least a 10% reduction in staffing levels over the next 2 years.

This AGM therefore calls for the following action aimed at reversing these cuts:

- (i) that Napo's Officers and Officials should immediately publicise the depletion of resources, pointing out the contradiction between increasing workloads and reducing staff levels, together with the adverse effects of the NOMS design on delivery of services;
- (ii) that Napo Officers and Officials should continue to press the Ministry of Justice for more resources;
- (iii) that branch officers in Areas affected by such cuts should demand properly costed workforce planning figures from their Boards and should consider registering a dispute which challenges the validity of any proposed redundancies."

Proposer: Gwent and Glamorgan Branch

9. Job Losses in Probation Areas

"The AGM will have noted with dismay that at a time of increasing workloads there appears to be a developing trend of reduction in numbers of

jobs across many Probation Areas. It is of particular concern that this seems to be happening without the implications of the results of the introduction of the National Workload Measuring Tool being taken into account.

Members will be aware that in many Areas vacant posts have been kept unfilled for long periods, to the detriment of both efficient working and staff stress. Recently such posts have been struck from the establishment in a number of Areas. While the loss of posts does not directly lead to the loss of jobs, it does have the hallmarks of redundancy by the back door. However, it is also noted that there have been threats of possible redundancies in some Areas and that the situation in respect of the employment of newly qualified officers has this year been even more than usually chaotic and unacceptable.

It is noted that the general reason given for this is that of budget shortfall and that the recent pay and conditions settlement is still "blamed" for this.

This AGM affirms its belief that recent and proposed job reductions are unsound in principle and unacceptable in practice. It expects the Government to ensure that in the interests of public safety the work of Probation Services nationally is fully funded so that Areas can maintain an adequate level of staffing. It does, however, accept that the detailed situation is currently unclear.

The AGM therefore directs the National Officers to carry out the following actions:

- to carry out immediate research to establish the true level and scale of the loss of posts, both actual and proposed, in the 12 month period from 1 April 2007;
- to commence a campaign with Ministers to gain acknowledgement of the need to properly fund the work of Probation Areas, and to ensure that Areas are not forced to cut staff to make ends meet;
- to start a public awareness campaign to ensure that the general public are aware of the effects of Government underfunding of our work, and of the possible impact on public safety."

Proposer: Lincolnshire Branch

10. Workloads in the Probation Service

"This AGM notes that views expressed by the Chief Inspector of Probation confirm that caseloads in excess of thirty are unsustainable. Probation staff throughout the country are being expected to supervise well in excess of this figure and in many instances caseloads are in the fifties and beyond. Despite the introduction of Workload Measurement and Management Tools, caseloads continue to rise. The effect on staff is devastating resulting in unacceptable levels of stress, ill health and poor quality of life.

This AGM declares that now is the time to say 'enough is enough'. This AGM believes the only way caseloads can be controlled is by capping the number of cases for each individual worker. This AGM instructs its National Officers to negotiate a national agreement which will cap the number of cases, reports and other work. This AGM instructs the National Officers to report back to the National Executive Committee by 31 March 2008 and in the event of no progress consideration is given to balloting for industrial action."

Proposer: Jack Cohen (Greater London Branch)
Seconder: Bron Roberts (Greater London Branch)

11. Unacceptable Workloads in the Probation Service

"This Conference believes that the oppressive targets and increasing demands being placed on Probation staff are resulting in an unacceptable over-stretching of resources. We believe that this resultant pressure is having a negative impact on staff health and service delivery. We, as a staff group, cannot be expected to carry on like this indefinitely.

As such, unless we receive a commitment from the Ministry of Justice by the November NEC (29 November) that there will be a 20% increase in operational staff, we shall ballot immediately for industrial action short of full day strikes.

This Conference mandates the Officers and Officials to start immediate negotiations with the Ministry of Justice and to report back to the November NEC on progress. This Conference mandates the National

Officers to seek legal advice from Thompsons and other firms about the forms of industrial action that can be taken and to liaise with the teaching unions on action such as work to rule and not completing certain tasks.

Should the Ministry of Justice not provide us with such a commitment by the 29th of November this Conference mandates the National Officers to register a trade dispute with the employers and to proceed directly to a ballot of all members without this being voted on separately by the NEC.”

Proposer: Fariha Quraishi (Lancashire Branch)

Seconder: Judy Green (Trent Branch)

12. Stop Climate Change

“Climate change is a growing issue for everyone. It is having a negative impact on developing and developed communities alike and will continue to affect our lives unless we all take action now.

This Conference urges Napo to take direct action to halt climate change through reducing carbon emissions by:

- i) Napo head office moving to using green, renewable energy and to reducing its energy use by 10% by 2009;
- ii) campaigning for all Probation and CAFCASS run/owned properties to use renewable energy and reduce energy use by 30% by 2012;
- iii) joining and supporting campaigns for the Government to set and meet annual carbon reduction targets throughout the UK in both industrial and domestic settings.”

Proposer: Thames Valley Branch

Negotiating Committees – CAFCASS and Probation

13. 2008 Pay Negotiations

“AGM deplores the Government’s 2 per cent pay limit on public sector pay increases. It believes that this sector-wide pay freeze has created the conditions for another coordinated campaign including industrial action. AGM affirms Napo’s commitment to any TUC coordinated campaign in the coming year.

Conference rejects any suggestion that high quality public services can be assisted or improved on the basis of unfair, discriminatory or demotivating public sector pay policies which reduce the real or relative levels of pay. Inherent in this is a rejection of any move towards regionalisation of pay beyond existing and already negotiated geographical pay supplements.

AGM believes that all public sector workers are entitled to levels of pay that:

- i) appropriately recognise the demands upon them;
- ii) reflect their valuable contribution to the country and society as a whole; and
- iii) compare fairly with the pay and rewards available in other comparable employments.

On this basis, AGM instructs our negotiators to pursue pay settlements for the coming year that maintain both real and relative levels of current pay for all Probation and CAFCASS staff. In addition, pay enhancements should be pursued particularly for those on the lowest pay scales.”

Proposer: Negotiating Committee

Negotiating Committee – CAFCASS

14. Contracted Hours

“AGM notes that talks between CAFCASS and the unions on up-dating practitioner workload timings are suspended with no evident senior management enthusiasm for resuming them. AGM further notes that there have never been equivalent timings for other grades, particularly Service Managers, and that their workloads have long been recognised as excessive.

AGM is concerned at the potential for CAFCASS to continue to pile unrealistic demands on its members, whether new forms of practice for which

there are no agreed timings, new practice expectations which render those timings obsolete, or demands which continue to take no account of capacity. AGM therefore instructs CAFCASS Negotiating Committee to prioritise achieving a resumption of, and satisfactory outcome to, negotiations on timings for new areas of work and areas where demands have changed.

At the same time AGM re-affirms that the bottom line must be that its members will work their contracted hours – no more, no less. CAFCASS Negotiating Committee is instructed to campaign within the membership to ensure that members do not work longer hours to make up for changes required by CAFCASS that reduce staff’s efficiency.

CAFCASS Negotiating Committee is further instructed to produce:

- i) advice for members about the individual and collective damage caused by unpaid overtime; and
- ii) a form that enables members for their own purposes to keep track of their hours worked so that they can easily identify time to be taken back in lieu. Such a form should also enable members to identify for themselves any time worked for which they are entitled to premium payments.”

Proposer: Graham Walsh (CAFCASS Section)

Seconder: Sian Griffiths (CAFCASS Section)

Negotiating Committee – Probation

15. c-NOMIS – Development

“This AGM instructs the Officers entering into negotiations with NOMS regarding the design of c-NOMIS to ensure the needs of effective offender management – particularly the ability to review risk of harm and produce sentence plans – are given clear priority over data collection. Failure to reach a satisfactory agreement will lead to the calling of a ballot for industrial action.”

Proposer: Avon and Somerset Branch

16. Probation Pay Claim for 2008-2009

“This AGM recognises that the current two-year pay deal for the Probation Service expires on the 31 March 2008. This AGM therefore instructs the General Secretary to formulate a pay claim for the 1 April 2008/9.

The details of this claim will be distributed to all branches as a matter of urgency to enable a full debate at the November NEC.”

Proposer: Merseyside Branch

17. Review of Job Evaluation in Probation

“This AGM acknowledges that the introduction of Job Evaluation has had a major impact on all Napo members. Whilst some members made significant financial gains from Job Evaluation, other members’ expectations have not been realised, in particular, those members who will face a reduction in leave.

AGM therefore recognises that it is now an opportune time to review the introduction and application of Job Evaluation. The Officers will report to the January NEC outlining how the review will be conducted, the timescale for the review and who will undertake the review.”

Proposer: Merseyside Branch

18. Job Evaluation in Probation

“This AGM asserts its support for branches who are finding that the Job Evaluation process is insufficiently robust to protect them.

Some members, having accepted responsibilities for some time, have found that, once this has been recognised within the JE scheme, their roles are being downgraded and de-skilled and their salaries reduced, sometimes without properly negotiated protection or further re-evaluation. Other members are finding that their properly evaluated bandings have been challenged, outside of the agreed procedures.

We are employed across 42 areas but the Job Evaluation scheme was negotiated nationally. It was a vital constituent part of the most recent

national pay agreement. Therefore Napo Officers and Officials, the NEC and branches must act to protect this as a national process, to ensure that it is consistently applied and to challenge wherever the process is unfairly used, or abused.”

Proposer: West Mercia Branch

19. Model Disciplinary Procedure in Probation

“This AGM notes that the Probation Service National Negotiating Council model disciplinary procedure covering conduct and capability is in need of review to ensure that it is fair, comprehensible and accessible. This review should include the model bullying and harassment policy which has a direct link to the disciplinary procedure.

AGM also notes that the NPS is too often negligent in its training and support for managers responsible for the application of procedures. Napo is concerned that its manager members are left without sufficient guidance from their employers in the performance of a duty which carries significant responsibility and can have major consequences for individual members of staff.

The AGM instructs Negotiating Committee to seek a review of the model procedures at the NNC, based on the principles above. Additionally, it asks the Committee to include representations on behalf of trade union manager members in respect of their training and support.”

Proposer: Negotiating Committee

Professional Committee

20. e-OASys Generated PSRs

“This AGM notes the implementation of the e-OASys generated Pre-Sentence Report. In many Probation Areas this has led to the complete withdrawal of administrative support in preparing reports for Court alongside of a downturn in staff morale.

This Union believes that:

- administrative tasks should be carried out by administrative staff and not pushed onto differently skilled staff risking the reduction of that skilled workforce;
- the time of qualified Probation Officer staff should not be diverted from front line services by spending time undertaking tasks which, for many, they are neither trained nor sufficiently skilled in performing;
- the quality of PSRs provided for the Courts has suffered in terms of the depth of analysis and overall coherence, as well as formatting and presentation;
- the reference within the report to it being “underpinned and informed by an Offender Assessment System (OASys) in the identification of the risk of reconviction and the risk of harm” undermines the knowledge, skills and training undertaken by POs;
- the time-consuming, laborious and repetitive nature of composing PSRs via e-OASys has had a significant and detrimental effect on staff morale.

Consequently this AGM instructs the appropriate national committee and the National Officers and Officials to undertake the following and to report to the NEC in March 2008:

- i) to undertake a survey of sentencers to establish whether there is a reduced level of satisfaction with these reports;
- ii) to oppose the erosion of role boundaries in terms of administrative and officer tasks, working with Unison as appropriate;
- iii) to re-establish the fact that it is the professional assessment of the author that underpins each PSR.”

Proposer: Chiltern Counties Branch

21. Clients not Offenders

“This AGM applauds the Bishop of Worcester’s speech at the Probation Centenary Service. In particular, this AGM welcomes the Bishop’s critical comments that the use of the word ‘offender’ rather than ‘client’ “slides easily from being a statement of fact – that a person has committed an offence or some offences – into an assertion of identity”.

This AGM agrees that ‘offenders’ is not the proper term to use when describing the people we supervise. Therefore this AGM resolves to advise members to return to the traditional use of the term ‘clients’. AGM also instructs its National Officers to publicise this throughout the Criminal Justice System and, in particular, write to Chairs and Chief Officers of Area Boards confirming that Napo will support members in this action.”

Proposer: Jack Cohen (Greater London Branch)

Seconder: Bron Roberts (Greater London Branch)

22. Good Practice Guidelines

“This AGM believes that in the changing world of criminal justice and the role of Probation within it, it is important to have a clear set of good practice guidelines. Such guidelines do exist but have not been revised for twelve years. This Conference believes that if these guidelines are produced by an academic in conjunction with the Professional Committee, they will have more authority when used to inform practice. This motion asks that enquiries are made by the Officers’ Group as to the cost of this piece of work being undertaken and the feasibility of this being completed by an academic in time to report back to the January NEC with a view to that NEC deciding whether this piece of work should be commissioned.”

Proposer: Professional Committee

23. Maintaining the Integrity of the Probation Service

“The professionalism of the Probation Service and probation values are under threat by an increasingly commercialised Probation Service. The work of the Service is being compromised by a drive to reduce costs and achieve more for less. The target driven nature of service priorities places number crunching above the quality of work done by members. In the drive for marketisation, by the greater role of the private sector, we have the introduction of additional work without additional resources, the use of unrepresentative performance measuring that encourages short term fixes in order to climb league tables, and a NOMS structure that costs more than the service it is providing. This commercialisation is compromising the integrity of the Service and damaging both the staff and the clients we supervise.

This AGM believes that Napo should promote probation values to preserve the character and integrity of the Probation Service, and that this should be done by promoting probation values to the public, its members and in all local and national professional and training consultations and negotiations.”

Proposer: Professional Committee

24. Probation Values

“In this centenary year it has been possible to reflect upon how the role of the Probation Service has evolved. It is clear, as we move towards control and punishment, that we may have lost our way. Evidence is available to show that simple punishment and control is less effective in changing offending behaviour than proper, focussed, rehabilitative work. Therefore, as individual responsible practitioners and as a professional association we acknowledge that we have a responsibility to challenge routine direction and simplistic procedures where they can be demonstrated to be destructive in the rehabilitation of those made subject to community orders and licences.”

Proposer: West Mercia Branch

25. Equipping People for the Job in Probation

“This AGM recognises that the current arrangements for the protection of role boundaries in the Probation Service are increasingly outdated and ineffective. Due to the pressures of workloads, changing employment profiles, a lack of access to accredited training and inadequate job evaluation there has been a significant move away from the defensible allocation of tasks to those with the professional competence to perform them.

This is continually increasing the pressures on staff, allowing them

to be misused, increasing risks to the public and undermining the professionalism of our Service.

We must do all we can to prevent further erosion of standards.

We must formalise arrangements for staff who are undertaking work without proper training or pay and ensure that they are appropriately trained and paid.

This AGM calls upon Professional Committee to consult with interested parties such as Training Committee, Negotiating Committee, Unison and the PSO Forum. The purpose of the consultation will be to produce an effective, inclusive and forward thinking agreement within Napo. The aim of the agreement will be to ensure that all staff are appropriately trained, recognisably able to demonstrate their professional competence and adequately paid to undertake the tasks they are given.

The Committee should produce a paper which allows the NEC to express an opinion on progress prior to the 2008 AGM.

Once such an agreement has been finalised and agreed by the NEC, Napo should make every effort to ensure that it is universally recognised and consistently applied through all branches and by all our employers. This should exploit all means of negotiation but could also involve the use of industrial action.”

Proposer: West Mercia Branch

TUO Committee

26. Inclusivity in the Union

“This AGM hereby commits the union as a whole, and the TUO Committee in particular, to promoting the inclusion of ordinary members in the business of the union. The attendance of ordinary members at the national AGM should be encouraged and facilitated, for example, through the production of a ‘Plain English’ version of the constitution, and delivery of training designed to enable members to understand and work within the structures of the union. Members have already benefited from public speaking training courses, but this should be expanded to cover understanding points of order and debates.

This work should be taken on by the TUO Committee and the Officers’ Group and a progress report should be made to the March NEC.”

Proposer: Hampshire Branch

27. Plain English

“This Conference is committed to encouraging and aiding members of all grades and backgrounds to become more active in the union. It recognises that sometimes the language and structure may appear daunting for members and may discourage people from becoming active. This Conference also believes that transparency and accountability will not only make the union stronger but encourage members to access the unions at all levels.

To this end it instructs the Trade Union Organisation Committee to produce job descriptions for all local posts, to produce a jargon-free plain English version of the constitution and to produce a guide to the union which will be accessible to all members. This guide should cover points such as standing orders, structures of meetings and how to influence Napo policy; through motions at branch, NEC and AGM. It should also cover the structure of the union and help members to understand how the various committees link together.”

**Proposer: Ros Kamara (North Yorkshire Branch)
Mariam Hall (Humberside Branch)**

28. Organisational Support for Branches

“This Conference recognises that the strength of Napo depends upon organised and active branches. Conference further recognises that the full-time Officials and the elected Officers have a vital role in providing organisational support to branches.

Conference therefore calls upon the General Secretary and the Officers’ Group to review the level of support currently given to branches

regarding organisation. The review should be wide ranging and take into consideration such factors as:

- i) branch vacancies;
- ii) attendance at branch meetings;
- iii) branch attendance at NEC;
- iv) branch responses to committee questionnaires;
- v) national resources to assist branch organisation.

The General Secretary will report back to the NEC no later than 31 March 2008 outlining findings and, if warranted, proposals to increase organisational support to branches.”

Proposer: Merseyside Branch

29. Recruitment Drive in Hostels

“This Conference instructs the Officers to organise a recruitment drive within Approved Premises. The campaign strategy and recruitment material will be presented to the January NEC. The recruitment drive will commence no later than 1 April 2008.”

Proposer: Merseyside Branch

30. Equitable Representation of Minority Groups in NEC

“This Conference directs the National Officers and Officials to undertake an urgent review into the absence of any formal representation of some minority groups within the composition of the National Executive Committee. Full representation is required in order to ensure equitable treatment of members.”

Proposer: Grace Powell (Surrey Branch)

Seconder: Libby Wrighton (West Yorkshire Branch)

31. Membership Anomaly

“A discriminatory practice has been identified within the Napo subscriptions process. Currently, Probation employees paid at spinal point 39 or below (£18,406 – equivalent to the top of the Trainee Probation Officer (TPO) scale) are entitled to an initial 3 months of free membership upon joining Napo. However, if an employee joins Napo whilst paid at above spinal point 39, and subsequently their salary falls to below this level, they do not receive 3 months free membership. This is of particular concern to PSO grade members (paid at above spinal point 39), who take a significant reduction in salary to become TPOs. They are, in effect, discriminated against and penalised for joining Napo promptly whilst a PSO.

This AGM instructs the Officers’ Group to ensure that the same entitlement to 3 months free membership is extended to:

- i) new members who join the Union at spinal point 39 and below
- ii) existing members who joined whilst above spinal point 39, but whose salary subsequently drops to spinal point 39 or below.”

Proposer: South Western Branch

32. Young Members’ Forum

“This AGM is committed to encouraging all members to be active participants in the union. In particular, it recognises that younger members are an integral part of Napo’s future and need to be provided with support in order to develop their commitment to and involvement within Napo.

To this end, this AGM instructs TUO Committee to establish a Young Members’ Forum open to all members up to the age of 30. It will be provided with a national Napo budget with which to establish a contact network and hold occasional meetings. Its purpose will be to help recruit younger members, encourage member participation and empower those looking to become an active part of Napo’s future.”

Proposer: TUO Committee

Training Committee

33. Dispensing Medication in Approved Premises

“This AGM welcomes the recent survey undertaken by the Campaigning Committee regarding the ‘dispensing of medication’ in Approved Premises. Whilst the overall findings of the report were positive, training provision for Approved Premises, members/staff is less positive.

AGM therefore instructs:

- i) the appropriate national committee reviews the findings of the survey as a matter of urgency;
- ii) reports to the January NEC detailing its findings regarding (i);
- iii) produces a set of recommendations outlining the areas needed for improvement in training in Approved Premises;
- iv) circulates these recommendations to other national committees, where appropriate, NOMS and other interested groups.”

Proposer: Campaigning Committee

34. Professional Standards

“This Conference is concerned at the attacks on the professional status of Probation and CAF/CASS staff. We feel that these attacks are best repelled by ensuring that all staff members are adequately and professionally trained for the tasks that they are expected and paid to undertake. This training should be grounded in an understanding of theory, externally accredited and should include registration with the relevant professional bodies. Staff should be given adequate time to complete the training before being expected to undertake any duties which should be informed by such training.

To ensure that this is implemented this Conference gives the following mandates:

- Professional Committee and Family Court Committee to undertake a review of professional standards which should underpin CAF/CASS and Probation Practice.
- Family Court Committee and Training Committee to ensure that any proposed training meets these standards and is implemented across all areas of CAF/CASS and Probation.
- the Negotiating Committees to obtain a commitment from the relevant government departments that these professional standards will inform Probation and CAF/CASS practice and that Areas will be resourced accordingly.”

**Proposer: Fariha Quraishi (Lancashire Branch)
Ralph Coldrick (West Midlands Branch)**

Campaigning Committee

35. Future Campaigning

“This Conference applauds the campaign led by Napo against the NOMS Bill. Whilst some concessions were made, for example, national collective bargaining, training, diversity, and the Home Secretary’s letter on local commissioning, the Bill was passed largely unamended.

The threat of privatisation and all the possible consequences are now a reality. The Parliamentary campaign ultimately was not successful. The Labour Government with the exception of a small group of progressive MPs failed to support Napo, a public sector trade union.

It is time for Napo to develop a new campaign strategy which would include activity outside Parliament. Conference therefore agrees to adopt the following broader approach in order to protect the interests of Napo members:

- i) a contingency fund to be created for legal advice to be used to challenge NOMS if it pursues regional commissioning;
- ii) the formation of stronger alliances with other trade unions to confront inequality, injustice and privatisation across the movement;
- iii) campaigning with pressure groups to ensure that radical ideas on public policy are debated in the press and media, through publicity, policy papers and conferences;

- iv) the development of the use of direct action and protest around the issues of workloads, resources, serious further incident enquiries and other causes of injustice;
- v) continuing to meet with MPs who support Napo’s values and with other public sector trade unions;
- vi) the continuation of work with politicians of all parties but with less priority than hitherto.”

Proposer: Campaigning Committee

36. Treatment of Young Offenders in Secure Treatment Centres

“This AGM views with anger and alarm the decision by the Youth Justice Board to extend the range of circumstances in which force can be used against children in Secure Training Centres (STCs), as enacted by Statutory Instrument on 13 June 2007. The failure to look at the potential dangers of the restraint method was one of the factors in the death of 15 year old Gareth Myatt at Rainsbrook STC (Northamptonshire) in April 2004. Gareth was the first child to die while being restrained in custody. He died from ‘positional asphyxia’ after choking on his own vomit as he was held down. Despite numerous warnings about its safety, a medical review into the use of restraints was not ordered until after Gareth’s death. In its search for evidence the police had to raid the Youth Justice Board. This represents, in Napo’s view, a woeful failure to care for children in the ‘care’ of the Youth Justice System. It is important to record the words of the Coroner’s Jury into Gareth’s death, “his death was entirely preventable and was a disaster waiting to happen”.

As a result of the concerns highlighted by Gareth’s death and the Government’s decision, aided by the Youth Justice Board, to implement the extension of restraints, it is Napo’s belief that such measures should only be used as a last resort by well-trained staff when threats to health and safety are evident.

The Joint Parliamentary Committee on Human Rights intends conducting an inquiry into the use of restraints in STCs. The responsible Minister, David Hanson, is due to provide oral evidence on 10 October 2007, immediately prior to AGM. This Conference, therefore, calls on Campaigning Committee to work alongside affiliated organisations, such as Inquest, to highlight the need for such restraints to be properly monitored, accounted for and regularly reviewed.

Proposer: Campaigning Committee

37. Violent Offender Orders

“This AGM views with considerable alarm the proposed introduction, within the terms of the new Criminal Justice and Immigration Bill 2007, of the Violent Offender Order.

The VOO is a civil injunction placed on anybody convicted of a violent offence. This will prohibit the person from association with named people, from going to certain locations and from doing anything else associated with violent behaviour.

In effect this will be a ‘Super-ASBO’. If enacted it could add at least 4,000 to the daily prison population. It is already known that the breach rate for ASBOs is over 50%. 16,444 people were jailed for violence against the person during 2005. If half those were subject to a Violent Offender Order the likely breach rate would swell the prison population. The recent Appeal Court judgement on IPPs (Indeterminate Sentences for Public Protection) which said that such sentences had been a ‘general and systemic legal failure’, should clearly sound a clarion call to politicians that ill-considered and short-sighted measures enacted to offer protection to the public, often result in an ever-more punitive and incapacitating criminal justice system.

Conference therefore calls on Campaigning Committee to:

- i) mobilise opposition to the introduction of such a measure; and
- ii) provide its parliamentary allies with a briefing paper outlining Napo’s principled concerns about the false promise of greater public protection contained in the measure and its impact on the prison population.”

Proposer: Campaigning Committee

Constitutional Amendments

CA 1: Section 8 – President and Vice-Presidents

The purpose of this amendment is to remove the option to elect a President and Vice-Presidents annually.

Section 8 – delete in its entirety and renumber subsequent sections.

Proposer: National Executive Committee

CA 2: Section 20 – Negotiating Committee

The purpose of this amendment is twofold, to update references to the Probation Service Negotiating Committee and also to cover the CAF/CASS Negotiating Committee.

(CA2-1)

CA2-1 updates references to the National Negotiating Council in respect of the Probation Service Negotiating Committee currently covered in Section 20, Clause 20(a).

Clause 20 (a) Line 2 and 3: Delete “either (i) constitute the Staff Side of the Joint Negotiating Committee of the Probation Service or (ii)”

Clause 20 (a) Line 4: Delete “Committee”, insert “Council”

(CA2-2)

CA2-2 provides for the Constitution to cover the CAF/CASS Negotiating Committee in addition to the Probation Service Negotiating Committee.

Section 20 Rename section as “Negotiating Committees”

After heading insert sub-heading:

“(a) Probation Service Negotiating Committee”

Delete letters (a) to (f) for existing paragraphs and number paragraphs (i) to (vi)

After (vi) insert sub-heading:

“(b) CAF/CASS Negotiating Committee”

Insert new paragraphs as follows:

“(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 CAF/CASS 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 (CAF/CASS) shall preside at meetings of the CAF/CASS 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 consider 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.”

Proposer: National Executive Committee

Amendment to CA 2 – 2

Amendment to proposed Section 20 (b) (vi) – CAF/CASS Negotiating Committee

The purpose of this amendment to the above constitutional amendment, CA2-2, is to allow members of the CAF/CASS Section to vote on pay ratification by means other than section meetings. If agreed, the following paragraph would replace Section 20(b) (vi) as set out above.

Clause 20 (b) (vi) Delete in full and insert new clause as follows:

“When a referral is made under clause 20 (b) (v) by the Negotiating Committee, the Section shall make arrangements to allow full members of the Section to register a vote within 28 days. At the discretion of the Section members may vote by attending meetings or by post or by electronic mail. The offer shall be ratified if a majority of full members voting support 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.”

Proposer: CAF/CASS Section

Abbreviations used in motions

AGM – Annual General Meeting
ASBO – Anti-Social Behaviour Order
CAF/CASS – Children & Family Court Advisory and Support Service
c-NOMIS – National Offender Management Information System
e-OASys – electronic - Offender Assessment System
H&S – Health and Safety
IPP – Indeterminate Sentence for Public Protection
JE – Job Evaluation
LPA – London Probation Area
NEC – Napo’s National Executive Committee
NOMS – National Offender Management Service
NPS – National Probation Service
PCS – Public and Commercial Services Union
PO – Probation Officer
PSO – Probation Services Officer
PSR – Pre-Sentence Report
SPO – Senior Probation Officer
TPO – Trainee Probation Officer
TUC – Trades Union Congress
TUDA – Trade Union Disability Alliance
TUO – Trade Union Organisation Committee
UK – United Kingdom
VOO – Violent Offender Order