

# Notice of Proposed Motions and Constitutional Amendments

AGM 2/2014

## Motions and Constitutional Amendments

Notice of the following motions and constitutional amendments for the AGM has been received in accordance with the provisions of the constitution. They are followed by the names of the branches, committees or PSO Forum 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 **three** committee headings under which **no** motions have been received:

- Family Court Committee
- Negotiating Committee – Cafcass
- Negotiating Committee – Probation

Consequently, these headings are not included in the ballot form.

There are **two** committee headings under which there is only **one** motion:

- Health & Safety Committee
- Negotiating Committee - Cafcass/Probation

These motions will, therefore, automatically be debated.

Motions being automatically debated and constitutional amendments (if any) are **not** included in the ballot or your number of votes cast.

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 22 September 2014**. 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 **12 noon on Thursday 25 September 2014**.

Further advice on amendments and on the process of compositing has been issued to branches in ST4/2014.

## 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.”

Ian Lawrence  
General Secretary

## Campaigning Committee

### 1. Chris Grayling's conduct in office

This AGM is aware that the following information was published in Private Eye no 1364:

- that, despite having a constituency home 17 miles from Parliament and despite owning two other London flats, Chris Grayling claimed financial assistance from Parliament to obtain a mortgage on a London home;
- that in 2005-6 he claimed almost the maximum allowance for refurbishment of this flat at taxpayers' expense;
- that in July 2006 he claimed a further £2250 for decoration work carried out the previous year, saying that the decorator handed in the bill a year late;
- that in 2006-7 he claimed £3534 for services and maintenance, even though the invoice was marked "tax point 22 Feb 2006" and referred to costs incurred in 2005-6.

This union believes in the rehabilitation of offenders. However, it also believes in justice for a justice secretary. Napo will therefore write to Mr Grayling to ask whether he believes he acted with justice and whether he should resign; write to the Prime Minister and ask whether he believes Mr Grayling is fit to work in the Ministry of Justice; and publicise these facts, as Private Eye and the Daily Telegraph have previously done, at every opportunity.

**Proposer: Greater London Branch**

### 2. CRC Bidders

To date we have limited information about the bidders for the Community Rehabilitation Companies (CRCs) regarding their track record on human rights, their attitude to trade unions, their financial status or their political allegiances.

AGM instructs Campaigning Committee to investigate how we might most effectively gather such information to further our campaign to keep probation in the public sector.

**Proposer: Campaigning Committee**

### 3. Rape in custody

The refusal of the Secretary of State to investigate the incidence of rape in custody represents an appalling lack of care for vulnerable prisoners.

This union instructs Campaigning Committee to draw attention to this issue and to campaign for this decision to be reversed.

**Proposer: Campaigning Committee**

### 4. A Parting Shot-The Questions remain!

This AGM views with considerable interest the valedictory report from the Probation Association (PA) 'A Parting Shot-The Questions Remain' published in July 2014. Colleagues will note that although the report offers a critical timeframe of the progress of the Ministry of Justice's Transforming Rehabilitation (TR) programme. The PA, with few honourable

exceptions, offered little effective opposition to the unwarranted privatisation and abolition of a public probation service and maintained throughout this period a shameful collusive silence to TR, best captured in this tell tale quotation from page 7 of the NOMS Annual Report 2013/14: "progress could not have been achieved without the positive engagement and support we have received from Probation Trusts."

However, the report does pose some vital unanswered questions for the continuing viability of TR, in particular with the run-up to the 2015 election, which Justice Secretary Chris Grayling, cannot evade (even with his record of dissembling!) which include the following:

- By how much have the reforms reduced re-offending?
- Has the CRC bidding process proved successful in funding the provision of services, across all of England and Wales, to those with sentences of less than 12 months leaving prison?
- How significant is Payment by Results in the new arrangements, or are the contracts really block payments with a bit of a reward added on?
- In addition to the declared costs, how much have the reforms really cost across the piece to implement?
- Are the CRCs any more liberated than Trusts could have been and wanted to be?
- Has the NPS been able to sustain managing the exclusively high risk caseload?
- What has been the effect on staff professionalism, morale and motivation in the longer term?

This union will, of course, continue to campaign vigorously against TR in the run-up to the 2015 election and press for definitive answers to the above questions (and many more). This AGM therefore calls upon the national officers' group, when making contacts with all MPs standing for election in 2015, as part of its anti-TR campaigning strategy, to continue to press the MoJ strongly for answers to the above questions, expose Grayling's TR plans as unworkable and dangerous, and publish every response received from those MPs canvassed.

**Proposer: Mike Guilfoyle**  
**Seconder: Christopher Hignett**

## Equal Rights Committee

### 5. Social class as a factor in disadvantage and discrimination

This Conference notes with concern that, as so often in the past, the poorest and most vulnerable sectors of this society have suffered disproportionately from the 'austerity agenda'. Conference also notes that at this time, in one of the world's richer countries, there is an increasing dependency on food banks, a burgeoning gap in wealth distribution and even decreasing life expectancy amongst the poorest.

Conference further notes that social class is excluded from the protected characteristics list. The wider problem of precise definition of boundaries, within the overall notion of

social class, has always presented difficulties in taking action to address the deprivation and even outright discrimination that those who would usually be defined as 'working class' have historically faced. Indeed Conference believes that it could be argued that these problems of definition have been a convenient reason to ignore or downplay social class discrimination.

Conference instructs Equal Rights Committee to consider the issue of social class discrimination and boundary definitions, preferably in liaison with kindred trade unions where possible, also taking account of the overlap between this and other forms of discrimination. The Committee should aim to present to next year's Conference a working model of how social class discrimination may be operating within probation work, in wider society, and what initiatives may help to redress these issues.

**Proposer: Greater London Branch**

### 6. Dedicated funding to enable equitable participation in Napo activities for people requiring reasonable adjustments

This AGM understands that previously individual branches have been responsible for funding reasonable adjustments for disabled members to enable them to attend national Napo events such as training and AGM i.e. taxi fares or an additional night accommodation. If the branch was a small one or had a high number of disabled activists it could apply to the hardship fund for assistance.

This AGM believes that this is less favourable treatment for disabled members. No one should have to jump through hoops to be able to participate in Napo activities or have to rely on their branches to be able to obtain additional funding. It is also insulting that disabled members' branches had to apply to the 'hardship' fund in order to comply with the legal duties imposed under the Equality Act 2010.

This motion mandates the national Officers and Officials to find a way to set up a central fund dedicated to funding members with support needs to participate fully in union activities without the need for separate applications, means testing or other barriers.

**Proposer: Greater London Branch**

### 7. Equality Impact Assessments

The Equality Act provides a positive duty on public bodies to promote equality in their activities, and eliminate discrimination. Decisions should be made in such a way as to minimise unfairness and not to have a disproportionately negative effect on people from different ethnic groups, disabled people, and men and women.

A key requirement of this public sector duty is for public authorities to carry out equality impact assessments (EIA) for all relevant policies and decisions, the impact assessment being carried out when policy is initiated, as a central part of the policy development process.

AGM believes there is sufficient evidence that Trusts have been evading this duty. EIA for the TR process was a farce for example. Kent Trust

provided details to the EIA group within a few days of enacting the sifting process alongside an unconcealed caveat that announced the process would continue regardless of any outcome from an EIA. The split went ahead without proper assessment of the impact on members with protected characteristics. Appeals have been raised and sufficiently fudged to ensure they were not upheld, regardless of evidence the sifting process would disadvantage members with disabilities. Astonishingly, our employer concluded in the TR EIA that “the sifting process was not unfair or discriminative as there was an appeal process”.

Published guidance from the MoJ encouraged the practice of coin tossing or names in a hat for selecting staff to NPS or CRC as an indiscriminate act. Ingloriously, this was denied by Chris Grayling who in the House of Commons was reported to have said; “What the hon. Gentleman says is absolute nonsense. Names were not drawn from a hat. There was a carefully constructed process of selection and a proper appeal mechanism for those who were unhappy with where they had been allocated.”

The EIA process generally has become a tick box exercise with the spirit of equality assessments altogether lost, undermined and disregarded not just by our employers but by this government. EIAs are not completed or when they are, they are worthless attempts at producing written evidence that the organisation has taken reasonable steps to identify the impact of processes and decisions on protected characteristics.

If Trusts have been able to evade their obligations up to now and more recently with Government backing for the discriminative TR sifting and establishment process, then the future is bleak for human rights and equality. Notwithstanding, if share sale is realised, in spite of our campaigning, then this public duty no longer exists for the CRCs.

AGM believes that Napo must take collective action to protect members with protected characteristics from employers’ practices and decisions that discriminate and disadvantage these members. AGM instructs Napo to collate the evidence from branches to show that appropriate and effective assessments have not been undertaken, that members with protected characteristics have been discriminated and treated unfairly, been disadvantaged by decisions to implement procedures and policies driven by cost cutting exercises, incompetence, and prejudice. That Napo collectively identifies these cases with a view to taking legal action.

Napo must also secure a confidence and agreement from our employers; those private companies if share sale succeeds and from the NPS; that equality impact assessments will be effective through NNC agreement to adopt minimum requirements set by Napo, supported by legislation.

**Proposer: Kent Surrey & Sussex Branch**

## 8. Disability Related Absences/ Reasonable Adjustments

Equal Rights Committee is very concerned at the increasing use of capability hearings and disciplinary action to punish and in some cases dismiss disabled workers. Equal Rights Committee believes that in many cases reasonable adjustment requests are not properly understood or approved and in reality it frequently takes many months and in some cases years to implement appropriate adjustments.

Equal Rights Committee believes that the lack of meaningful consultation; appropriate recording of disability related absence; failures to establish disabled workers’ needs; implement reasonable adjustments; approve disability leave, coupled with the level of wasted resources on punitive measures and actions, which often result in causing anxiety and stress, which is a detriment to our members.

This AGM mandates Napo to gather data from members to bring pressure on the Ministry of Justice to acknowledge the impact of unfair employment practices against disabled members. AGM instructs the NNC to adopt national guidance for NPS and CRCs, produced by Napo on managing disability related absences and reasonable adjustments.

**Proposer: Equal Rights Committee**

## Health & Safety Committee

### 9. Promoting a positive Health and Safety culture

The current Government’s austerity programme in general and the Transforming Rehabilitation (TR) project in particular has brought about a climate where Health and Safety is subject to unprecedented levels of threat. The current Justice Secretary’s contemptuous terminology for people concerned with Health & Safety, which he used in media discussions when introducing his new SARAH (Social Action, Responsibility and Heroism) Bill, is ‘Jobsworths’. As new managements and new procedures come into play, prevailing attitudes to Health and Safety are that it is a cumbersome and annoying burden. In fact it is more important than ever as people are increasingly pressured and stressed at work and risks are rising.

This AGM instructs Napo’s Health & Safety Committee, Officers and Officials to:

- keep a prioritised focus on Health and Safety and allocate sufficient resources for meaningful work;
- support and promote the official recognition of Health & Safety Reps, providing adequate training, guidance and support to ensure the mental and physical welfare of staff in Probation and the Family Court Section is not compromised;
- promote the role of Health & Safety Rep through the provision of training, guidance and publicity in Napo News, Napo’s website and blogs to develop interest and promote recruitment to the role;

- encourage and support Napo Branches/ Family Court Section to resist pressures to merge Health & Safety Rep facility time with other Branch/Section facility time and to ensure that Health & Safety Reps have not only facility time but workload relief;
- support Napo branches to ensure that the Health & Safety Committees provided for under the Health & Safety at Work Act are set up where the new TR management structures are replacing the old arrangements;
- work at national level to ensure through all possible negotiating and consultative forums that health & safety requirements and legal provisions are not diluted, sidelined or ignored.

**Proposer: Health & Safety Committee**

## National Executive Committee

### 10. Access to nDelius case records

Up until the split of the Probation Trust into NPS and CRC on the 1 June 2014, all operational probation staff had access to all nDelius records as part of the day to day tools required to operate efficiently, maintain accurate records and identify risk.

The restriction of staff within the CRC to access probation records is potentially very dangerous. All serious case reviews highlight that one of the fundamental factors that led to a serious offence being committed was a failure of organisations to share information. The decision to stop probation staff having access to probation records of offenders that they may have dealing with, directly or indirectly, is counter intuitive to all advice resulting from the investigation of serious case reviews or serious further offending.

There appears to have been no rationale given for why half the staff have suddenly been denied access to these probation records.

This has been a very dangerous consequence of the NPS/CRC divide and must be stopped as soon as possible.

Therefore this AGM instructs Napo Officers and Officials to take the following action:

- a) Seek support from senior management within NPS and CRC for Napo’s campaign to end the new two tier system which prevents CRC staff from accessing nDelius. Such support could include making the Secretary of State for Justice aware of the imperative need to change the current system and return to the position of having all probation staff, whether in CRCs or the NPS, accessing all probation records.
- b) Actively campaign throughout the press and media to highlight how this issue is a very real threat to public protection and must be stopped as soon as possible.
- c) Highlight the seriousness of this issue to Members of Parliament and other Government/Ministry of Justice/NOMS staff.

**Proposer: Napo Cymru Branch**

## 11. Placements for women offenders in Wales

This motion proposes that the complete lack of suitable and secure placements for women on remand, serving sentences and returning to the community in Wales be highlighted and campaigned for by Napo Cymru.

This issue should be addressed to local MPs, the Welsh Office and the Welsh Assembly Government, through the Justice Group, as provision of such places has yet to be devolved.

AGM therefore calls on the National Executive, to immediately campaign for provision of custodial services, supported accommodation and approved premise places for women in Wales.

**Proposer: Napo Cymru**

## 12. Pledge for staff to use the Whistleblowers' Charter

This Conference needs to join together to do all it can to protect the future of the Probation Service in whatever form it may take. We believe that the use of whistleblowing is an effective tool and is used when a worker reports a suspected wrongdoing; officially called 'making a disclosure in the public interest'.

As TR is taking hold and we move ever closer to the proposed share sale and permanent splitting of our organisation, we need to use this to highlight the dangers of continuing on this path in an attempt to protect the ethos of probation and halt this process or in fact report wrongdoing should it be successful.

All members in NPS, CRCs, and PBNI should be asked to make the suggested following pledge:

- I pledge to uphold the values and professional ethics of probation
- I pledge to expose all dishonesty, wrongdoing and manipulation of data and targets
- I pledge to expose any organisational practice that falls short of professional standards
- I pledge to expose professional compromises that place the public at risk of re-offending or serious harm
- I pledge to do all the above through the use of the Whistleblowers' Charter

This Conference instructs Napo Officers and Officials to produce a pledge for members to sign up to as soon as is possible.

**Proposer: East Coast Branch**

## 13. Assistive Technology (AT) Systems

This AGM understands that the MoJ has yet again failed to ensure that new IT systems are compatible with the systems our assistive technology users currently work with. The Risk of Serious Recidivism Tool, essential to screening NPS and CRC cases is a case in point. SAP is another (as currently used by the CRC in London and elsewhere). nDelius is also problematic and there is currently poor feedback about the Phoenix Tool in NPS.

This AGM believes that the MoJ has breached its public sector duty under the Equality Act 2010. It is disabling rather than enabling people and making AT users targets for frustration and victimisation. Overworked colleagues are being

asked to undertake the tasks AT users cannot currently do through no fault of their own. This is less favourable treatment and discriminatory practice.

This motion calls on the national Officers and Officials to undertake legal action against the MoJ in order to hold them to account for the continued discrimination of AT users.

**Proposer: Greater London Branch**

## 14. TR and work related stress

This AGM is concerned about the consequences of the TR split on the health and wellbeing of members across all grades.

Detailed information has been received from members highlighting issues including increased workloads, inadequate staffing levels, directed moves and working in split locations. PSOs are also experiencing increased pressure to do work outside their expected remit and without adequate training.

These are all identified as a direct result of TR and staff are being expected to resolve the issues and cover for the discrepancies. We are all able to deal with stress in the short term, but long term exposure is a serious health hazard that will effect the health and wellbeing of our members.

The increasing level of stress caused by the outcome of TR cannot be allowed to continue.

This AGM instructs its Officers to address the issue of stress caused as a result of TR by identifying the issues within all branches and taking action to address the issues as a priority with the employers. This should not exclude industrial action after consultation with the members.

**Proposer: Staffordshire West Midlands Branch**

## 15. No sale at any price

This AGM is of the view that the Secretary of State has misled Parliament in respect of the viability of the competitive tendering process being used to privatise the Probation Service. Concerns continue to emerge in respect of interference to ensure the contracts being developed cover the inadequacies of the process involved in the sell off of that part of the Probation Service that has been handed over to the 21 CRCs.

In light of the evidence emerging that the competitive exercise has been anything but, this union calls on its members, Officers and Officials to press for the exposure of this farce in the press, Parliament and within its negotiations.

Furthermore, this AGM demands the disqualification from any list of preferred bidders of a potential provider who falls into one of the following categories:

- any bidder who has, within its operation, a record of an abuse of human rights, torture or links to the arms trade;
- any bidder who has been cited for fraud in respect of previous Government contracts;
- any bidder who intends to charge those with a court sanction for the equipment necessary to carry out the sentence;

- any bidder who has, within its operation or within its global reach, a record of failing to recognise trade unions;
- any bidder who has been actively involved in the denial of workers' rights such as those cited in 'Labour First';
- any bidder known to have exploited child labour, or caused the deaths of workers, through unsafe working practices.

This AGM instructs the Officers and Officials of Napo to make our views known to the Ministry of Justice and to freely publicise our objections to any preferred bidders who fall into one of the above categories.

**Proposer: Probation Negotiating Committee**

## 16. Support for the civilians of Gaza

This AGM wholeheartedly condemns the slaughter of Palestinian civilians by the state of Israel this year. This has included bombardment of United Nations' schools (where displaced civilians were sheltering), hospitals, domestic houses and children on a beach. This AGM also condemns the "staunch support" of the Israeli bombardment offered publicly by David Cameron and his Government on a number of occasions. Civilians are entitled to protection under the Geneva Convention and international humanitarian law.

This AGM instructs the Officers and Officials of Napo to affiliate the union to the Palestine Solidarity Campaign and instructs the General Secretary to write to David Cameron, stating that his unconditional support of Israel's attacks in Gaza are not only misplaced, but also costing lives; And demanding that Mr Cameron supports moves to impose sanctions on Israel, in particular that Britain will not purchase or supply military equipment that has or could be used or tested as part of its illegal occupation or as part of a collective punishment of the Palestinian people.

**Proposer: Anthony Garrett**  
**Seconded: Sharon Price**

## 17. There is an alternative

Since probation was split on 1 June 2014 the service has been in utter chaos. Napo knows things will get worse as long as the service remains split, even if we are successful in fighting off proposed privatisation ahead of the General Election. It is therefore important that, whilst continuing to oppose privatisation and pointing out what is wrong with the current structures, we now present strong arguments for a better alternative model.

Napo believes that there is an alternative model: "Probation Service – A future that works" and resolves to take the following actions:

- to actively promote "Probation Service – A future that works". This includes to politicians, the media, the public, other unions and stakeholders (including potential bidders), up to, including and beyond the General Election in May 2015;
- continue to highlight the crisis that has arisen from the split and Grayling's pursuit of the 'Transforming Rehabilitation Agenda', including risks to the safety of staff, the public and taxpayers' resources;

- continue to work with TUC 'Speak up for Justice' to raise awareness of the meltdown of the justice system and to promote a workable, affordable alternative;
- continue to oppose the threatened sale of CRC contracts, whilst continuing to call for an independent review and evidence based change (incorporating analysis of pilots) as outlined in the TUC report 'Justice For Sale – the privatisation of offender management services'.

**Proposer: Chris Pearson**  
**Seconder: Megan Elliott**

## Negotiating Committee – Cafcass/ Probation

### 18. Facility Time

If the Cabinet Office proposals to curtail facility time are implemented then it will be impossible to honour any commitments to management teams throughout England and Wales in terms of consultation and negotiation through the usual fora.

It may be that branches come to the conclusion that they cannot continue to operate at a local level in all future dealings with the senior managers in England and Wales and this will have to be through Napo nationally.

AGM considers this to have a long term damaging effect upon business in England and Wales and at a time when so much change is being effected, feel it would be mutually disadvantageous.

AGM calls upon the NEC to write to Chief Executive Officers of CRCs, Cafcass and NPS and to the Cabinet Office with a view to supporting the union's position on facility time off.

This AGM also calls upon the NEC to consider the position, should there be this curtailment of facility time, and to advise branches/section as a matter of urgency, no later than Spring 2015, on what contingency plans are in place.

**Proposer: Napo Cymru**

## Professional Committee

### 19. Reconnecting Probation with Social Work

This AGM reasserts the probation service's proud history rooted in social work and recognises the fundamental relevance of social work theory, practice and values to the probation service today.

To this end, AGM instructs:

- Training Committee to immediately seek the inclusion of social work as a relevant degree for the purposes of the Probation Qualifications Framework.
- Professional Committee to undertake a review of the international definition of social work and produce a report on how this relates to probation practice, identity and values.
- The General Secretary, or a representative he shall appoint, to write to the head of

the Probation Institute, informing them of the contents of this motion and that, as co-founder, Napo insists that the relevance of social work be properly recognised and active connections between social work and probation be developed, now and in the future.

**Proposer: East Midlands Branch**

### 20. Bureaucracy and the TR threat to professional practice

The following is a quote from one of a multitude of lengthy Probation Instructions issued by NOMS over the last year:

"There is no intention to build in unnecessary bureaucracy or risk aversion".

As we all know the reality is in direct contradiction to this statement. The plethora of instructions, sometimes running to over forty pages, have been produced by NOMS to deal largely with the communication and liaison processes now required at the 'interface' between the newly formed NPS and CRCs. This volume of bureaucracy was unnecessary when we were all working in one organisation. The instructions cover such areas of practice as pre-sentence assessment processes, risk escalation and management of case records. This is to name but a few parts of Probation work which are likely to be rendered so overcomplicated and unwieldy that the ability to do a professional job, in particular managing risk efficiently, is liable to be compromised. The confusing, dense and prescriptive nature of the instructions reflects the flawed principles which underlie TR. A good deal of duplication by CRCs and NPS is being created in the process.

This AGM calls upon Napo, including via Professional Committee, to continue to examine, monitor and publicise where possible, the impact made upon professional practice by the bureaucracy generated through the TR division of services. This requires particular attention in relation to pre-sentence assessment and risk management at the interface between NPS and CRCs.

**Proposer: Professional Committee**

### 21. Safeguarding and TR

This AGM wishes to remind the so called architects of the TR agenda that the safeguarding roles which are of enormous importance to the professional work of the Probation Service - across both CRC and NPS - must not be neglected in favour of reduced training costs and an economic desire to cut service provision in favour of profit.

Having read through much of the relevant paperwork on risk referral and risk escalation the Professional Committee could not help but notice that only one single paragraph in the entire series of documents made any real reference to risk to children or to safeguarding responsibilities.

Given that rumours appear to be spreading that potential private contractors are apparently being frightened away from the tendering process on account of high risks and high costs, it may be that these omissions are deliberate. The provision of resources by probation for Child Protection Conferences, coupled with the necessary costs of providing annual safeguarding training (which is both essential and necessary), may further discourage

potential bidders in the view of the Ministry of Justice.

We therefore ask this AGM:

- to endorse the need for all staff, CRC and NPS, to have safeguarding training to a level which maintains current professional standards;
- that increased resource allowance will be made to caseloads for those staff in either CRC or NPS who may have cases where there are active child protection issues, and;
- that all electronic risk assessment tools must contain relevant sections on risk to children, and be underpinned in all sections by a firm commitment to the paramount duty of all agencies with involvement with children to put the needs of the welfare of the child above all others.

**Proposer: Professional Committee**

### 22. Grayling's 'hidden' GPS expansion plans - downgrading probation?

This AGM views with considerable alarm reported plans from the Ministry of Justice to place 75,000 people on a new GPS scheme, such tracking would represent a sea change in the way we supervise offenders. Such moves are particularly alarming as the plan coincides with the unwarranted privatisation of the probation service. The plan needs far more open discussion than it has had; the MoJ should have been much more honest about the projected numbers, the time scale and the offenders who will be targeted, given that the GPS tracking scheme will start in 2015. The plan has, in effect, been secret.

How was the figure of 75,000 arrived at in the MoJ? Does it include prisoners on ROTL which works well as it is - only a few prisoners might warrant GPS? Is this a figure market-driven - a minimum or optimum number necessary to persuade potential contractors to submit a tender?

AGM accepts that there are a number of useful ways in which GPS tracking could be used on offenders - none of which get anywhere near a figure of 75,000 per day. France, the Netherlands and Germany all use GPS tracking on some high risk sexual and violent offenders. The use of GPS tracking on a voluntary basis with 'persistent and priority offenders' by a number of police forces in England and Wales has a lot to recommend it. Offenders who want to desist from crime can prove their commitment to it - their tracks show whether or not they are at crime scenes. The schemes are voluntary by default because there is no legal power to permit compulsion with these particular offenders.

AGM therefore seeks urgent clarification from Justice Secretary Chris Grayling (or indeed the Justice Minister at AGM) on whether such a transformational shift in the supervision of offenders is planned and if so to disclose all relevant information on the penal basis for such moves. AGM also calls upon Campaigning/Professional Committees to draft an urgent response to any such planned scheme and calls upon the union negotiators to address and challenge these plans at its next meeting with MoJ/NOMS officials after AGM.

**Proposer: Mike Guilfoyle**  
**Seconder: Christopher Hignett**

### 23. Supporting Manager Grades

As a Union, Napo represents a diverse range of staff with a wide range of issues, all of which need to be considered. It has become clear during these incredibly difficult times, created by Tory ideology, that many managers do not feel they are fully represented by Napo. Much of the TR information for members says 'tell your manager if you have workload issues, need clarification on new policies for example', but what happens to the managers themselves?

This AGM recognises that Napo needs to work with its manager members to plan ways of providing the appropriate information and support to meet their needs.

This AGM instructs the Trade Union Organising Committee to consult with managers, including manager reps on branch/section executives, and then report to the NEC with an action plan aimed at providing support to this group of members. Given the urgency of the issue, such an action plan should be provided at the earliest opportunity, April NEC.

**Proposer: Napo Cymru**

### 24. PSO representation on national committees

The PSO Forum recognises that PSO are disproportionately impacted by the Transforming Rehabilitation (TR) Agenda. The split of staff into 21 Community Rehabilitation Companies (CRC) and the National Probation Service (NPS) has seen most PSO members assigned to the 21 CRCs which will potentially be sold to the private sector.

The PSO Forum believes that if Napo wants to grow as a union we need to ensure the interests of all members are represented throughout Napo's structures including its national committees. To make this a reality this AGM instructs TUO Committee to make the necessary arrangements to reserve two places (one reserved for a woman) for PSO members on each relevant national committee that is concerned with Probation issues affecting all probation staff.

**Proposer: PSO Forum**

### 25. Continuous Professional Development

This AGM is concerned that the recognition and recording of continuous professional development by a central body is now essential in a profession where there are different organisations and employers involved.

AGM instructs the NEC to consider the establishment of a mechanism by which Continuous Professional Development (CPD) milestones of members will be recognised and recorded in the new probation world.

**Proposer: Training Committee**

### 26. PSOs and continued access to the VQ3/5

It has come to the attention of Training Committee that there is currently a pool of PSO staff who were undertaking the VQ3 with the expressed intention of completing the VQ5 to become a qualified Probation Officer. Under the present TR arrangements, these staff cannot progress on to the VQ5, thereby are prevented from completing their training.

AGM instructs Training Committee to bring this matter to the attention of NOMS and to endeavour to urge them to provide a satisfactory route for those staff wishing to complete their training, including access to the VQ5 route.

**Proposer: Training Committee**

### 27. Recruitment and Training

This AGM is concerned that the present arrangements for the recruitment and training of new probation staff is fundamentally flawed.

These arrangements will not result in the recruitment of a broad range of new probation staff from a diverse range of backgrounds who reflect the communities they are required to work with.

This AGM instructs Training Committee to seek assurances from NOMS that adequate arrangements are made to ensure that equalities issues are given the highest possible priority and that Napo is represented on all relevant committees involved in deciding how recruitment and training is to be delivered.

**Proposer: Training Committee**

### CA1. Incorporation of role of Treasurer into Vice-Chair

*The purpose of this Constitutional Amendment is to incorporate the role of the Treasurer into the role of a Vice-Chair.*

Delete Clause 9(a) and replace with new clause 9 (a) below:

“The officers of the Association shall be full members of the Association as per Clause 4(a) (i) and consist of the Chair and five Vice-Chairs; of the five Vice-Chairs one will be an employee of Cafcass.”

Consequential Amendments as a result of new clause 9 (a):

Clause 5 (a)

Delete reference to ‘Treasurer’ and replace with ‘officers’

So the amended clause reads as follows:

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

Clause 9 (b)

Delete the last sentence: ‘The Treasurer may serve a maximum of three terms (six years) successively in that office’.

So the amended clause reads as follows:

(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.*

Clause 9 (d) (i)

After the reference to ‘Chair’ delete the rest of the sentence: ‘, Vice-Chair or Treasurer,’ and replace with ‘or Vice-Chair,’

So the amended clause reads as follows:

9 (d) (i) *the appointment of an acting Chair or Vice-Chair,*

Clause 12 (b)

Delete the reference to ‘Treasurer’ and replace with ‘a Vice-Chair’

So the amended clause reads as follows:

12 (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 a Vice-Chair. The General Secretary may be appointed to the staffing sub-committee ex-officio.*

Clause 12 (d)

Delete reference to ‘Treasurer’ and replace with ‘a Vice-Chair’

So the amended clause reads as follows:

12 (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 subcommittee of the NEC, consisting of no less than four and no more than five members of the NEC, usually including the Chair and a Vice-Chair 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.*

Clause 16 (b)

After the reference to ‘Vice-Chairs,’ delete ‘Treasurer,’

So the amended clause reads as follows:

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

Clause 16 (e)

After the reference to ‘Vice-Chairs’ delete ‘,Treasurer’

So the amended clause reads as follows:

16 (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 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.*

Clause 17 (d)

Delete the last sentence: ‘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’

So the amended clause reads as follows:

17(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.*

**Proposer: National Executive Committee**

## Abbreviations used in motions

AGM – Annual General Meeting

AT – Assistive Technology

CA – Constitutional Amendment

Cafcass – Children & Family Court Advisory and Support Service

CRC – Community Rehabilitation Company

EIA – Equality Impact Assessment

FCS – Family Court Section

GPS – Global Positioning System

i.e. (id est) – that is

IT – Information Technology

MoJ – Ministry of Justice

MP – Member of Parliament

NEC – National Executive Committee

NOMS – National Offender Management Service

nDelius – National DELIUS (Delivering Information to Users)

NNC – National Negotiating Council

NPS – National Probation Service

PA – Probation Association

PbR – Payment by Results

PBNI – Probation Board for Northern Ireland

PO – Probation Officer

PQF – Probation Qualifications Framework

PSO – Probation Service Officer

ROTL – Release on Temporary Licence

SAP – Systems Application Product (computer software – Human Resources tool)

SARAH – Social Action, Responsibility and Heroism

TR – Transforming Rehabilitation

TUC – Trade Union Congress

TUO – Trade Union Organisation Committee

VQ3/5 – Vocational Qualification Level 3/5