

# **Annual Report and Constitution 2015/2016**

Napo  
4 Chivalry Road, London SW11 1HT  
Telephone: 020 7223 4887 Fax: 020 7223 3503  
Web site: [www.napo.org.uk](http://www.napo.org.uk)

# List of Contents

	<b>Page</b>
<b>Annual Report and Accounts</b>	<b>3</b>
<b>Constitution</b>	<b>39</b>
<b>Standing Orders</b>	<b>48</b>
<b>List of Branches</b>	<b>50</b>
<b>Disciplinary Rules</b>	<b>51</b>
<b>Special Aid Fund Rules</b>	<b>54</b>
<b>Rules for Conduct of Ballots</b>	<b>55</b>
<b>Napo Organising Fund</b>	<b>56</b>

## **List of Abbreviations used in the Annual Report**

ABPO	- Association of Black Probation Officers	LPC	- Learning Partnership Committee
ACAS	- Advisory, Conciliation and Arbitration Service	LtP	- Licence to Practice
AGM	- Annual General Meeting	MIAM	- Mediation Information and Assessment Meetings
AGS	- Assistant General Secretary	MP	- Member of Parliament
APL	- Accreditation of Prior Learning	MoJ	- Ministry of Justice
ARO	- Anti-Racism Officer	NAAPS	- National Association of Asian Probation Staff
AT	- Assistive Technology	NDSN	- National Disabled Staff Network
BAME	- Black Asian and Minority Ethnic	NEC	- National Executive Committee
CA	- Constitutional Amendment	NI	- Northern Ireland
Cafcass	- Children and Family Court Advisory and Support Service	NNC	- National Negotiating Council
CB	- Cross bencher	NOMS	- National Offender Management Service
CCC	- Children Contact Centre	NPC	- National Partnership Committee
CEO	- Chief Executive Officer	NPS	- National Probation Service
CIPD	- Chartered Institute of Personnel and Development	NR2SDL	- New Routes to skills driven learning
CJS	- Criminal Justice System	NVQ	- National Vocational Qualification
CNC	- Cafcass Negotiating Committee	OASys-R	- Offender Assessment System-Revised
COSOP	- Cabinet Office Statement of Practice (on staff transfers in the Public Sector)	OFF	- Officer
CPD	- Continued Professional Development	OFSTED	- Office for Standards in Education, Children's Services and Skills
CRC	- Community Rehabilitation Company	OHU	- Occupational Health Unit
CV	- Curriculum Vitae	OM	- Offender Management/Manager
DD	- Deputy Director	PA	- Probation Association
DV	- Domestic Violence	PAM	- Professional Associate Member
E3	- The Effectiveness, Efficiency and Excellence (NPS) Programme	PBNI	- Probation Board of Northern Ireland
EAP	- Employee Assist Programme	PbR	- Payment by Results
EDM	- Early Day Motion	PCA	- Probation Chiefs Association
EHRC	- Equality and Human Rights Commission	PCC	- Police and Crime Commissioner
EIA	- Equality Impact Assessment	PCF	- Probation Consultative Forum
ERO	- Equal Rights Officer	PCS	- Public and Commercial Services union
EVR	- Enhance Voluntary Redundancy	PI	- Probation Institute
FC	- Football Club	PO	- Probation Officer
FCA	- Family Court Adviser	POA	- Prison Officers Association
FCC	- Family Court Committee	PQAB	- Probation Qualifications Assurance Board
FCJ	- Family Court Journal	PQF	- Probation Qualifications Framework
FCUPG	- Family Court Unions' Parliamentary Group	PQiP	- Professional Qualification in Probation
FOI	- Freedom of Information (Requests)	PSLG	- Public Service Liaison Group
FSC	- Family Court Section	PSO	- Probation Service Officer
FSW	- Family Support Worker	PSQAP	- Professional Standards and Qualifications Advisory Panel
FTE	- Full Time Equivalent	PTLA	- Pathways to Learning for All
G4S	- Group 4 Securicor, private company	RSR	- Risk of Serious Recidivism (risk assessment tool)
GFTU	- General Federation of Trade Unions	SA	- Staff Association
GMB/SCOOP	- The union GMB / Society of Chief Officers of Probation	SAGM	- Section Annual General Meeting
GSCC	- General Social Care Council	SALFA	- Sustainable Access to Learning For All
H&S	- Health & Safety	SARs	- Specified Activity Requirements
HCPG	- Health and Care Professions Council	SAP	- Systems Applications Product
HEI	- Higher Education Institutions	SCCOG	- Standing Committee for Chief Officer Grades
HMCS	- Her Majesty's Court Service	SEC	- Section Executive Committee
HR	- Human Resources	SFO	- Serious Further Offence
HSE	- Health and Safety Executive	SGM	- Special General Meeting
HSSG	- Health & Safety Steering Group	SM	- Service Manager
IAG	- Information, Advice and Guidance	SMT	- Senior Management Team
ICCC	- Issues in Community and Criminal Justice	SPO	- Senior Probation Officer
ICT	- Information and Communication Technology	SPOC	- Single Point of Contact
IDC	- Interdisciplinary Alliance for Children	SW	- Social Work
IT	- Information Technology	TR	- Transforming Rehabilitation
JNC	- Joint Negotiating Committee	TRCF	- Transforming Rehabilitation Consultative Forum
JNCC	- Joint Negotiating Consultation Committee	T&S	- Travel and Subsistence
JUPG	- Justice Unions' Parliamentary Group	TUC	- Trades Union Congress
KSS	- Kent Surrey and Sussex (Napo branch)	TUCG	- Trade Union Coordinating Group
LA	- Learning Agreement	TUPE	- Transfer of Undertakings (Protection of Employment)
LAGIP	- Lesbians, Gay Men, Bisexuals & Transgendered people in Probation and the Family Courts	TUO	- Trade Union Organisation
LDU	- Local Delivery Unit	UHSS	- Union Health & Safety Specialists
LGB&T	- Lesbian, Gay, Bi-Sexual & Transgender	ULR	- Union Learning Rep
LGPS	- Local Government Pension Scheme	ULF	- Union Learning Fund
		VQ3/5	- Vocational Qualification Level 3/5
		WiN	- Women in Napo



# Annual Report

## August 2015 – August 2016

### **Introduction**

#### **Napo weathering the storm**

The fallout from the disastrous political decision to implement Transforming Rehabilitation continues with massive challenges being faced by our members working in the NPS and the 21 Community Rehabilitation Companies.

The operational landscape in which Napo is now working is markedly different than anything that this union has ever faced in its history; and has resulted in huge demands being placed on our staffing and financial resources.

Alongside our sister unions we now have to contend with the introduction of the Trade Union Act which, despite a number of concessions being secured, represents a concerted attack on unions on top of the vindictive move to cease ‘Check Off’ (deduction of union subscriptions from payroll).

This has meant that Napo has spent considerable amounts of time and energy to persuade members to maintain their Napo membership by Direct Debit payments, but the indications are that more and more members (and lapsed members) are starting to come back to Napo. We are now about to embark on the next stages in our re-engagement campaign by stepping up the numbers of visits to members and prospective members in their workplaces to talk about the work that we are doing with all of the 24 employers we deal with in the form of NPS/CRCs/Cafcass and the Probation Board Northern Ireland.

Napo members will also be invited to make a major decision at the AGM on potential reforms to the future negotiating structure, as NPS and CRC employers signal their wish to move to single table bargaining. While our work this year in maintaining the NNC machinery has been successful, we require a clear steer from members about how best Napo can meet the future and highly complex challenges that are coming our way.

Our work in the areas of Parliament and with other stakeholders in the Criminal Justice System is also hugely important, and we hope it will be possible to develop a constructive working relationship with the new Secretary of State for Justice and her Ministerial team as we offer solutions to some of the operational difficulties that our members in probation are facing through no fault of their own.

#### **Planning for growth**

The loss of key activists as a result of TR, with many leaving the service or taking on new roles, has meant that we have had to renew our approach to the training of new representatives as well as finding members willing to join their respective branch or section committees.

In my many visits to branch meetings this year I have been encouraged to see a good number of new faces step forward. In other areas of our work such as that in respect of the E3 Job Evaluation appeals, we have seen some incredibly selfless work by volunteer practitioners who have provided some high quality submissions to help us present the best possible case to senior NOMS management and Napo members can be proud of their efforts. This is just one more example of what makes Napo so special, and why those who would seemingly wish to see us crumble are bound to suffer disappointment.

We now embark on the next stage in our re-engagement campaign supplemented by the ‘Napo Extra’ member benefits package to increase our profile with more visits to member’s workplaces in each of the employers we deal with. Here we seek to explain the work that we are doing and will be doing to promote and protect member’s interests and further illustrate why Napo ought to be the union of choice.

#### **Professional values**

As always, it has been Napo who has led the way in trying to maintain and promote professional standards within Probation and Cafcass. The launch of Napo’s ‘One Probation One Profession’ strategy document is a sign of how we intend to develop policy in partnership with our grass roots members.

Our members working in the Family Court Service, whilst witnessing major changes at the top of the Justice Department will be well aware of the lingering threat that a politician somewhere may seek to question the longer term provision of children’s services or try to impose dangerously unqualified volunteers in the complex area of Family Law proceedings. The achievements of our members within Cafcass, who in spite of increasing workloads and cuts in Government spending, still produce remarkable results, cannot be allowed to be viewed with complacency by Ministers. Napo’s Vice-Chair Jay Barlow’s contribution to the Napo employers group has brought additional wisdom and enthusiasm as a voice for Cafcass members.

#### **Northern Ireland – always a part of the Napo family**

The impact of the Northern Ireland Government’s austerity agenda has been brought into sharp focus for our members working for the Probation Board (NI). Our current priority is about ensuring that there are no attempts to introduce terms and conditions that will represent a detriment to our members. We also want to improve the dialogue with, and between, our members in Northern Ireland and England and Wales about professional practice.

#### **Diversity**

Napo has contributed to the David Lammy review into racial bias in the CJS and we continue the development of the Napo Black Members’ Network. This year saw another highly successful Family Court Professional Conference covering some topical and controversial issues around ‘honour based’ crime with sensitivity and a great commitment to find answers from all those present. I was also very proud to be able to speak at a number of high profile rallies such as the Anti-Racism demonstration and the TUCG anti-austerity conference in my capacity as one of the few senior trade union leaders to have emerged from the BAME community. I have also spoken at a ‘Refugees are Welcome’ public meeting and fulfilled a lifetime dream of running out for 55 minutes playing time at Millwall FC’s home The Den in a ‘Show Racism the Red Card’ Charity match.

#### **Appreciation**

Napo’s work could not be undertaken without the efforts of your employees at Chivalry Road and we were sorry to see the departure of long serving National Official and former Napo Chair Mike McClelland who decided to retire this year. Members will, I am sure, be hugely grateful for Mike’s contribution to the cause over so many years.

Dave Adams National Vice-Chair has decided not to seek another term of office, and again sincere thanks go to him for his hard work as part of the employers’ group.

Napo’s panel of National Representatives undertake sterling work for our members who face difficult situations, and I want to pay tribute to long serving panel member Rob Thomas for his tremendous efforts over many years.

Finally, I want to express appreciation to all Napo members and representatives for sticking with Napo during such difficult times. As we look ahead to the work that this AGM will set for us over the next 12 months, let us resolve to face the challenges ahead with solidarity and strength of purpose.

**Ian Lawrence, General Secretary**

## National Executive Committee

<i>Officers:</i>	Yvonne Pattison and Chris Winters (National Co-Chairs), Katie Lomas, Dave Adams, Chas Berry and Jay Barlow (National Vice-Chairs) and Chris Pearson (Vice-Chair Finance)
<i>Branch:</i>	Each branch is entitled to send one of its two elected
<i>Representatives:</i>	representatives to each NEC meeting
<i>NEC Black Reps:</i>	Maureen Vernon (Staffordshire and West Midlands) Icki Bhogal (West Yorkshire)
<i>Officials:</i>	Ian Lawrence (General Secretary) Dean Rogers (Assistant General Secretary) Tania Bassett (National Official) Sarah Friday (National Official) Mike McClelland (National Official) – retired May 2016 Ranjit Singh (National Official)

**1. Meetings.** The NEC has met four times since the last annual report was written: in September and November of 2015 and in March and June of 2016. The NEC oversees the work of all Napo's standing committees and receives regular reports from them. Much of the business conducted by the NEC is therefore reported in other sections of the Annual Report. Unfortunately, the NEC was inquorate for a long time in March and inquorate all day in June.

**2. Officers.** Napo's officers for the year 2015-16 were: Yvonne Pattison and Chris Winters (East Coast) National Co-Chairs, Katie Lomas (West Yorkshire), Dave Adams (The Mercia), and Chas Berry (Kent Surrey and Sussex) Vice-Chairs (Probation), Jay Barlow (Family Court Section) Cafcass Vice-Chair and Chris Pearson, Vice-Chair (Finance).

**3. NEC Black Representatives.** Black representative seats were filled for the 2-year period 2014-2016 by Maureen Vernon (Staffordshire and West Midlands) and Icki Bhogal (West Yorkshire).

**4. Employers' issues.** The NEC Administrator post was not filled following Alison Bonner's departure. The servicing of the NEC is shared by remaining Administrators; the bulk of the meetings this year had been minuted by Margaret Pearce. Mike McClelland retired in May. Shireena Suleman, Administrator, went on maternity leave in January. The sale of Chivalry Road was approved at the March NEC and the NEC is being kept up to date of developments of this sale and the move by staff from Chivalry Road to 160 Falcon Road (nearby).

**5. Finance.** Napo's Finance Vice-Chair reports regularly to the NEC on Napo's financial position. In accordance with legislative requirements the basic details of the union's income and expenditure during the course of the year are published annually. The audited accounts for 2015 are included in this annual report.

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

- Cumbria & Lancashire:** failure to adhere to Enhanced Voluntary Redundancy (EVR) scheme and Organisation of Change Policy by CRC/Sodexo .
- Durham Tees Valley:** Band 1 gradings; and submitting joint dispute with UNISON on H&S risk assessment and the introduction of new policies without union consultation; CRC restructuring and redundancies.
- East Midlands:** Dispute lodged with CRC over lack of consultation & negotiations.

- Essex:** Ongoing dispute on EVR with the CRC.
- Family Court Section** – remained in an ongoing dispute over Workloads.
- Northumbria:** Health & Safety; new office layouts; new operational model; workloads and lack of workload measurement tool in CRC.
- Staffordshire West Midlands:** Failure of CRC to adhere to NNC policy on redundancies.
- South Yorkshire:** Workloads in CRC and NPS.
- The Mercia:** CRC failure to consult on office moves; Dispute over NPS mobility policy interpretation.

**7. Motions.** No Category C motions (if passed by NEC become policy), were passed.

**8. Operational Plan and Strategic Objectives.** The November meeting of the NEC agreed Napo's operational Plan 2015-16 and it was sent to branches in NEC 51/2015. The plan was set out in line with the five objectives set out under Napo's strategic aims covering the range of Napo's work.

**9. General Federation of Trade Unions.** Napo remains an affiliate of the GFTU. The GFTU's Educational Trust provides extensive training opportunities and many Napo members attend courses during the year. The General Secretary and Yvonne Pattison (National Co-Chair) sit on the GFTU Executive Committee.

**10. Trade Union Coordinating Group.** Napo also remains an affiliate of the TUCG which represents the views and concerns of 10 trade unions including Napo. It organises a range of seminars and events (around the Trade Union Bill this year) including two fringe meetings at TUC Congress. Napo continues to receive regular support and briefings from the Parliamentary Coordinator for the TUCG.

**11. Trade Union Congress (TUC).** Congress 2015 took place in Brighton. Napo's motions entitled 'Electoral Reform' and 'Child Sexual Exploitation – Campaign to provide services' were carried.

**12.** Napo's delegation to Congress in addition to the National Co-Chair Yvonne Pattison and General Secretary Ian Lawrence included Jan Bateman (Durham Tees Valley), Icki Bhogal (West Yorkshire), Nizam Salyani (London) and Joanne Perkins (The Mercia). A full report of Congress was provided in Napo Quarterly.

**13.** 2016 Congress is taking place in Brighton again and Napo is submitting motions entitled 'Austerity undermining most vulnerable in society' and 'Evidence based decision making in the Criminal Justice System'.

**14. TUC Women's Conference.** Napo's delegation included Katie Lomas (National Vice-Chair) and Jill Narin (South Southwestern). Napo was unfortunately not able to submit a motion for this conference.

**15. TUC Black Workers Conference.** Napo's delegation included Icki Bhogal (West Yorkshire) and Ranjit Singh (National Official). Napo was unfortunately not able to submit a motion for this conference.

**16. TUC Disabled Workers' Conference.** Napo's delegation included Katie Lomas (National Vice-Chair) and Icki Bhogal (West Yorkshire). Napo was unfortunately not able to submit a motion for this conference.

**17. TUC Lesbian Gay Bisexual and Trans Conference (LGB&T).** Napo's delegation included Shirley Anderson (Northumbria) and Megan Key (Staffordshire and West Midlands). Napo was unfortunately not able to submit a motion for this conference.

## Cafcass Negotiating Committee

<i>Members:</i>	Peter Brooks (Cafcass London) Martin Collins (Cafcass North area) Christine Dyson (Cafcass South area – resigned as left Napo during the year) Sue Hassall (Cafcass East Midlands) Steve Hornby (Cafcass North area) FCS Co-Chair Nicola Kenney (Cafcass Central area) FCS Co-Chair <i>Officer:</i> Jay Barlow (Vice-Chair Cafcass) <i>Official:</i> Dean Rogers (Assistant General Secretary) <i>Administrator:</i> Cynthia Griffith
-----------------	---

18. **Membership.** In accordance with the Napo Constitution the Committee was elected at the Family Court Section AGM which was held immediately before the Eastbourne National Napo AGM Conference on 15 October 2015. The membership of the Committee is set out in the FCS Constitution. It has not been possible to fill the Service Manager Representative position again this year.

19. **Meetings.** The Committee has met on two occasions at the time of writing, in May and July. There was also a two days strategic planning meeting held in November 2015 which was also attended by members of the Cafcass Section Executive Committee and the Family Court Committee.

20. In addition, the National Vice-Chair, National Official and the FCS Co Chair(s) meet with their UNISON counterparts before the Cafcass Operational National Partnership Committee (NPC) meetings and the Committee meets with its UNISON counterpart before the Cafcass Strategic NPC meetings which is open to all Committee members. There have been two National Partnership meetings in November 2015 and June 2016. A Strategic Partnership Committee meeting is planned for 1st December 2016.

21. The NPC has previously agreed to reduce the number of Operational NPCs from four to three and Strategic NPCs from two to one a year and to hold Cafcass Health & Safety Steering Group (HSSG) meetings immediately after these meetings in order to make the most efficient use of resources. Both sides of the NPC can call a special meeting if required and the NPC continues to appoint sub Committees and working groups in order to address specific areas of negotiation and consultation.

22. **2015 AGM Resolutions.** Work has continued on the motions from 2015 AGM and Section AGM. The Management of Organisational Change policy has been signed off. A Toil questionnaire has been undertaken to provide further information about workloads and hours worked. This is shortly to be analysed. The issues around repeat applications to the Family Court have not been resolved and there has been some difficulty in ascertaining the relevant data. Work is ongoing regarding Cafcass Pilot studies.

23. **Recruitment Campaign.** Substantial planning for this was undertaken during the strategic planning meetings last November. The strategy involved visiting offices and seeking to talk to as many non-members as possible. Unfortunately, it has been difficult to implement this, largely as it has been difficult to address potential members directly in offices or workplace meetings. This is because most Family Court Advisers work remotely from home using laptops, rather than at the offices. (Although flexible working from home or Court is largely welcomed, this issue also raises concerns about isolation and lack of peer consultation).

24. Accordingly, now that bespoke Cafcass recruitment material is available electronically, we aim to adapt the recruitment and make use of the Cafcass intranet and internal communications – a facility secured in negotiations with the employer.

## Campaigning Committee

<i>Members:</i>	Deb Borgen (London) Eve Cina (East Midlands) Jan Clare (East Midlands) Jill Narin (South Southwestern) Jo Perkins (The Mercia) Guy Tilbury (Kent Surrey and Sussex) <i>Officer:</i> Committee Chair <i>Official:</i> Chas Berry (National Vice-Chair) <i>Administrator:</i> Tania Bassett (National Official) Taytula Burke
-----------------	--

25. **Membership.** Thanks are recorded to all members of the Committee including the Link Officer and Official. In line with the NEC decision to reduce the number of committee meetings, the Campaign committee met once in person but communicated via email to ensure business was carried out.

26. **Overview:** Much of the Committee's work was carried by the Link Official Tania Bassett. She has maintained contact with MPs providing briefings, updates and parliamentary questions on behalf of Napo. Of note is the role that Napo played in the Trade Union Co-ordinating Groups campaign against the Trade Union Bill. Napo members and staff attended a number of demonstrations and lobbies that played a critical role in getting some if not all concessions to the Bill. The AGM motions passed to the committee had a variety of themes focusing on highlighting the chaos that both the NPS and the CRCs are in and campaigning for workers rights.

### 27. AGM 2015 motions:

#### Disastrous consequences of privatisation

Office closures have had an impact on staff being able to meet with clients and communicate with other professionals such as social workers. The group noted the health and safety implications and psychological burden of working from home as well as call centres that were not fit for purpose. It was suggested that a collaboration with Health and Safety Committee on this issue could be beneficial and that work would continue into next year to address this.

#### Trade Union Bill

The Trade Union Bill now has Royal Ascent. The hard work put in by the TUCG which at times outshone that of the TUC was acknowledged. Evening demonstrations achieved good press coverage, and were well attended by Napo members and staff.

#### Scrap the criminal courts cost charge

This has been completed. The group noted that it was a useful motion in terms of working with the Howard League. The union was frequently quoted by Francis Crooke to raise awareness of this issue and ultimately overturn the policy.

#### Revolving door of post sentence supervision

There has been a 28% increase in recalls – 2000 of those being short sentences. Napo should raise the issue of the ineffectiveness of Post Sentence Supervision orders. They are virtually unenforceable and seem to be putting people back into the system rather than rehabilitating them. It was however noted that as a union, we are not principally against supervision of this cohort but there needs to be extra resources to deliver it effectively and providers should be held to account if they fail to do so. Tania Bassett will continue to brief MPs on this issue and Napo will ensure it is kept on the agenda with all meetings at NOMS and with the new Minister.

## The reality of TR and the future of our profession

There are real concerns around professional standards in the service. Cheaper, less experienced staff are taking on PO grade duties. This is having an impact on staff retention and morale.

Access to training for existing employees is also an issue. Currently a fee of £75 is required by staff members to check their eligibility for training. Some CRCs are willing to sponsor training for employees on the basis they come back to work in the CRC. There will be a shortage of qualified staff as the next cohort will not graduate for two years.

There is also a concern about the quality of new training. Some people are not passing the competitive interview. The group questioned why issues around performance or lack of knowledge are not picked up during studies to give them a chance to improve.

The Committee want to try and find out the financial costs of TR and will be exploring the use of FOI's and other information available to do so. This will be in conjunction to Napo's submission into the recently announced Probation System Review. Napo is also engaging on a professional strategy to devise a CPD approach within probation.

## Bureaucratic nightmare

The MoJ have stated reports do not need to reference safeguarding issues despite recent serious case reviews. This is an issue that Campaigning Committee and Professional Committee can work jointly on.

Despite the criteria for SFOs being reduced, there is still a significant increase in England and Wales.

**28. Parliamentary Campaign.** Napo continues to meet with the Shadow Justice team and have further meetings over the summer recess. The new Secretary of State for Justice Liz Truss and the new Minister for Prisons and Probation, Sam Gyimah met with Napo, GMB and Unison in July. It was a productive meeting with a number of issues raised. Napo will continue to request meetings with the Minister to ensure that our concerns are heard and that Napo is well placed to influence future policy and remedies needed to stabilise the probation service.

**29.** Following on from this the MoJ is currently conducting a Probation System Review to look at how CRC contracts and the NPS can stabilise and achieve better outcomes whilst ensuring our members working conditions and professional views are heard. The review is due to be completed in October and Napo has already provided an initial summary of our concerns. A more detailed submission will be completed by the end of the summer.

## Editorial Board Probation Journal

### Members:

Lol Burke (Merseyside) Editor  
Emma Cluley (Cheshire & Greater Manchester)  
Managing Editor  
Nicola Carr (Belfast Queens University)  
Steve Collett (Merseyside/Retired)  
Eleanor Fellowes (London) Resigned 2015  
Olivia Henry (Western)  
Peter Marston (Cumbria & Lancashire)  
Book Editor  
Kerry McCarthy (London) Resigned 2016  
Fergus McNeill (Universities of Glasgow and Strathclyde)  
Jake Phillips (Sheffield Hallam University)  
(Co-opted 2016)  
David Raho (London)  
Robin Tuddenham (London)  
Shelly-Anne McDermott (London)

### Officer:

Chris Pearson (Vice Chair Finance)

**30. Editorial Arrangements.** Oversight of the editorial process is shared between Lol Burke (Editor) and Emma Cluley (Managing Editor), backed by an experienced and committed board membership. The Editor chairs the board meetings, provides the written feedback to authors regarding publication decisions, and copy edits articles for production. The Managing Editor oversees the submission of articles, deals with general enquiries, organises the board meetings and liaises with the publishers and authors during the publication process. Lol Burke is standing down as Editor at the end of December 2016 and following a recruitment process Nicola Carr has been appointed as his successor. Nicola is currently a Lecturer in Criminology at Queen's University Belfast. She is a former Probation Officer and has researched and published extensively on probation matters.

### 31. Usage\*

1. There were 97,861 total downloads of PJ articles in 2014, which is a 15% increase on 2013. Of these 89,948 were paid downloads which is a 20% increase on paid downloads in 2013.

In 2015 (Jan - May) there have been 41,417 total downloads so far. This figure is slightly beneath last year's figure at the same point in time, when there were 56,134 total downloads by May.

2. The most downloaded article in 2014 and in 2015 YTD (Jan - June) was '*Restorative justice: Changing the paradigm*' by Griff Daniels, with 1,793 downloads in 2014, and 732 downloads in 2015.

(\* 2015/16 figures are awaited from the publishers)

**32. Sage Partnership.** The relationship with Sage Publications remains extremely positive and regular meetings are held with Sage's production team. Sage actively promotes the Journal both nationally and internationally and has given it access to markets which it would be difficult to reach without an internationally respected publisher. It is already read in more than two dozen countries worldwide, and the income and profile of the Journal has continued to increase as a result of Sage's international marketing. The royalty earned by Probation Journal was £40,740. The institutional price for the journal increased in 2014 due to the bundle with European Journal of Probation. The royalty is therefore based on higher revenues driven by the 25% price increase. (The 2015/16 Royalty Statement is awaited from the publishers)

**33. Board Meetings and Board Composition.** The editorial board continues to meet every three months and remains a very strong and highly committed team. There is a decent geographical spread in terms of probation representation and the location of board meetings is scheduled to reflect this. Including the editors, the board now comprises probation practitioner's senior manager and treatment manager, senior academics, and a former Chief Officer. In 2016 the editorial board decided to stand down the external academic and professional assessors, many of whom had retired or were no longer involved directly with probation. The board has now been replaced with a newly constituted International Advisory Board consisting of expert practitioners and academics worldwide. Peter Marston has responsibility for book reviews. There is a good gender balance amongst the board members but BAME members remain under represented.

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

**35.** The Journal aims to produce articles of the highest academic quality whilst retaining their relevance to probation practitioners.

This sets it apart from other criminal justice related publications. Over the last year, published articles have covered a wide range of topics, including: Media coverage of TR; Drug treatment in a Swedish women's prison; Alcohol abuse and violence; Sexual Offending; The role of probation in the USA in facilitating civic reintegration; Personality Disorder Pathways; The role of Psychologists in probation practice.

36. The best paper prize was awarded to Mark Farmer, Anne-Marie McAlinden, and Shadd Maruna for their article *Understanding desistance from sexual offending: A thematic review of research findings*. This will be formally announced in the December edition of the journal.

37. The 2015 special edition entitled *Sexual offending: Past injustice and present risks*, was extremely well received and attracted a high quality of submissions. The edition was strongly promoted by Sage via social media sites.

38. In 2016 the Journal has published two special editions. The first entitled *Transforming Rehabilitation: Reflections two years*, contained a range of shorter comment pieces from academics and included practitioners who had published for the first time. The event was widely promoted via social media and was made available free to download throughout July 2016. To coincide with the launch of the edition a panel discussion was arranged in collaboration with Liverpool John Moores University. The speakers included Ian Lawrence (Napo General Secretary), Paul Senior (Probation Institute), Yvonne Thomas (Interserve Justice) and Roz Hamilton (NPS North West Division). Around 70 academic and professional stakeholders attended.

39. The second special edition to be published in December 2016 is on the topic of *Children and Families: The collateral consequences of punishment* and also is shaping up to be a strong edition.

40. The Journal continues to be committed to engaging with practitioners and the issues that concern them. The practitioner response section of the journal continues to be an important part of this strategy and appears to have been well received by practitioners although it is increasingly difficult to find practitioners to contribute given the current environment.

41. **Issues in Community and Criminal Justice.** There have been no ICCJs published in 2015/16 despite the best efforts of the Series Editors (Steve Collett & Emma Cluley). Despite this the ICCJ series remains an important part of the journal's publication strategy.

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

## **Equal Rights Committee**

<b>Members:</b>	Ken Boyall (East Coast) Iqbal Bhogal (West Yorkshire) Rob Worsley (Cumbria & Lancashire) Patricia Johnson (London) Urfan Amar (Thames Valley)
<b>Official:</b>	Officer: Katie Lomas (National Vice-Chair) Ranjit Singh (National Official) Administrator: Shireena Suleman

43. Due to budget constraints and the late approval of the budget the Equal Rights Committee has not had the opportunity to meet this year.

44 Despite the Committee not meeting work has been ongoing to promote equality and tackling discrimination in the workplace.

45. **AGM Resolution 2015.** Resolution 1 – Unreasonable Adjustments. Napo has met with the TUC to discuss disability issues and the "social model" of disability and the most productive way to work with our employers to promote awareness of disability issues and to ensure that they meet their legal requirement to make reasonable adjustments. Due to the nature of equality law in the UK, any legal action against an employer on a failure to make a reasonable adjustment can only be taken on a case-by-case basis depending on the facts of any particular individual member's case. However, NOMS/MoJ has a legal obligation under the Equality Act 2010 and the Public Sector Equality Duty to have "due regard" to the needs of its disabled staff.

46. Napo has had a number of meetings with NOMS/MoJ to discuss disability issues specifically and Napo has worked closely with the employer to develop a survey that will assess staff awareness of disability issues and to better understand the experience of disabled staff in the workplace.

47. Napo has met with the elected Chair of the NOMS/MoJ disabled staff Network to discuss Napo members concerns regarding reasonable adjustments and what pressure can be exerted on the employer to ensure that they meet the needs of disabled staff and their legal obligations. Further meetings are planned to progress this issue and an identified need to put in place training for managers on reasonable adjustments and raising awareness of the NOMS/MoJ policy on implementing reasonable adjustments.

48. Napo is represented on the NOMS/MoJ Assistive Technology (AT) Improvement Working Group. Having access to fully accessible IT systems is essential for disabled staff. Although systems are not currently AT compliant, this group is working with AT users to ensure future AT compliance status. Although there is still a lot that needs to be done, this working group is a step in the right direction.

49. **Staff Associations.** Napo has met with the newly established Chairs of the NOMS Staff Networks. The new networks will work across Prisons, NPS divisions and CRCs. A constructive and open dialogue has been established to deliver our shared objectives to promote equality and tackle discrimination. Proposals have been developed to deliver a joint fringe meeting at this year's AGM.

50. Napo will also continue to work alongside the oldest of the Probation Staff Associations, ABPO, as they will continue to function as a self-funded, independent Black staff association working across NOMS, NPS regions, providers of probation services and within local communities providing support to both Black staff and service users.

51. **TUC Equality Conferences.** Napo was represented at all of the TUC Equality Conferences.

52. **Training.** Due to budget constraints no additional specific equality training was delivered over and above the Napo reps training which includes diversity training.

53. **Women in Napo (WiN).** Napo worked with Professor Gill Kirton and Dr Cecile Guillaume from Queen Mary, University of London recently on a research project 'Employment Relations and Working Conditions in Probation after *Transforming Rehabilitation* with a special focus on gender and union effects'.

54. The research was based on interviews with National Officers and Officials and branch officer's across England and Wales in 2015.

55. The report of the research findings was launched in February this year and got some good media coverage on the impact of the changes on women in a workforce that is 70% female. The public sector has traditionally been a good employer of women, providing skilled, relatively well-paid jobs with the chance of progression. But the changes have resulted in fewer opportunities for flexible or part-time working, and staff being relocated further from their families. Gill Kirton pointed out that an assault on the public sector is effectively an assault on women and women's equality and this is another story of the undervaluation of the work that women disproportionately do.

56. In March we took a smaller than usual delegation to Women's TUC conference. The limitation on numbers was purely a financial consideration but our delegation of two still managed to speak on two motions. This is an excellent way for members who want to become more active in Napo to be introduced to the wider trade union movement and the Women's conference provides an inspiring environment for Women in Napo.

57. Napo worked with academics at King's College London to help us find out about our women members' occupational health, in particular their premenstrual and menopausal experience. We will use the summary of the results to advise employers on these important, but often overlooked issues.

58. **Equal Rights section.** The Committee has overall responsibility for the development and governance of all issues relating to equality and diversity in Napo. Its work over the past year is included in its annual report and as such need not be repeated here.

## Family Court Committee

<i>Members:</i>	Olivia Fitch (East Midlands) Committee Chair *
	Margaret Burns (East Midlands)*
	Ruth Fields (West Midlands)
	Sheila Mosley (East Midlands)
	Nicola Ebong Taylor (North West)
	Brian Kirby (Eastern/Retired) Co-Editor Family Court Journal
	John Mallinson (South West) Co-Editor Family Court Journal
	Catrina Flynn *
<i>Officer:</i>	Jay Barlow (National Vice-Chair)
<i>Official:</i>	Sarah Friday (National Official)
<i>Administrator:</i>	Jacqui Paryag

\* denotes member of Editorial Board

59. We are pleased to report that despite the limitations on facility time and ever increasing workloads, the Committee has soldiered on throughout this year. We have met for a meeting in May and held a two day strategic planning meeting together with other Family Court Section committees in November during the last Committee year. A further Family Court Committee meeting is scheduled for September.

60. Our main focus has been to deliver a professional conference. This is open to both members and non-members as we see it as a valuable recruiting tool. Management have traditionally recognised the conference as training and have paid expenses to attend. This year, due to restrictions on the Travel and Subsistence budget, expenses were not agreed and are unlikely to be again in the near future. Unfortunately, the situation remained unclear until the last minute which made planning for the conference quite challenging. The Committee were very grateful for Napo and the Section for providing funds for the conference to go ahead and allowing members to have this valuable time together. However, clearly the situation for next year needs to be reviewed in light of these financial restraints.

70. Despite this we held a very successful and well attended conference on the subject of Working with Vulnerable Young People.

We had excellent presentations on the issues of Forced Marriage, Honour based Violence, Domestic Violence, Eating Disorders and International Mediation. Feedback from the conference was extremely positive and it is clear that members welcome the opportunity to meet together and discuss professional issues. It also serves as a useful reminder to Cafcass about the professional voice of the sector.

71. We are also delighted to see the re-launch of the Family Court Journal and look forward to the second edition which is due imminently. Our thanks to co-editors Brian Kirby and John Mallinson. Ideas and contributions for the journal are always welcome. A recent inclusion has been book reviews for fiction on a topical or social work theme so we would love to hear from any potential critics out there.

72. Following the motion at SAGM 2015, a survey has been completed of members' experience of supervision. We hope this will form the basis of a wider article in the next Family Court Journal. Discussions also continue with Cafcass regarding the monitoring of repeat applications.

73. Members of the Committee have attended the Family Court Unions Parliamentary Group and contributed in raising awareness about the impact of cuts on the Family Justice System, notably the lack of funding for legal representation. We were very pleased to welcome the Chair of the FCUPG, Lord Ponsonby, to the Professional Conference in May.

74. Particular thanks are extended by the Committee to Jacqui Paryag for her invaluable administrative help and support and to Margaret Burns who is leaving the Committee having recently retired from Cafcass.

75. We always welcome new members and if you are interested please contact the Committee Chair or any of the Committee members for more information.

## Health and Safety Committee

<i>Members:</i>	Amanda Fisher (West Yorkshire) Committee Co-Chair
	Nicola Kenney (Family Court Section) Committee Co-Chair
	Michelle Leighton (London)
	Sue O'Mahoney (Kent, Surrey and Sussex)
<i>Officer:</i>	Dave Adams (National Vice-Chair)
<i>Official:</i>	Sarah Friday (National Official)
<i>Administrator:</i>	Margaret Pearce

76. It has been a small Committee this year, but it includes representatives from CRC, NPS and Cafcass. The Committee is currently meeting once a year and has kept in touch outside of meetings via email and telephone.

## 77. AGM motions

### Women's Health Matters

The Committee continued to have a focus on women's occupational health. We worked with academics at King's College London and the University of Nottingham. To help us find out about women's health and well-being at work we advised the academics on a questionnaire for our women members on their occupational health, in particular their premenstrual and menopausal experience. These are issues on which little information and advice is available. We will use the summary of the results to advise employers on these important, but often overlooked issues.

### New style CRC Offices

The issue of 'new ways of working' including new style CRC offices continues to be hugely problematic for our CRC members. Due to

this, Napo worked with the Probation Institute to produce very useful guidance 'Principles for Office Arrangement'.

Recently the main Napo health and safety focus has been around impact on members of changes to office/reception space and hub working and home working – referred to as 'agile/flexible working'. The plans for these 'new ways of working' are particularly advanced in the CRCs (although there has been a knock on impact on NPS staff also). This has been most advanced within Sodexo's CRCs (although nearly all CRCs are planning to introduce these new ways of working). Napo wrote a detailed critique of Sodexo and Purple Futures' plans reminding them of their legal responsibilities in this respect. Napo safety reps from other CRCs have also been active on this issue.

Napo has sent out to safety reps and branches an advice bulletin on office closures, hub working and home working. This was issued along with an advice document from the lead Family Court safety rep about their experiences and lessons learned from similar moves to 'new ways of working'.

At the Committee meeting which took place in July we discussed final arrangements for the 2016 AGM – particularly the fringe meeting and motions. The Committee also discussed estates, flexible working and court related issues.

Committee members have provided feedback on NOMS' Probation Instructions on Management of Fire Safety in Probation Premises, NOMS Health and Safety training, display screen equipment and safety inspection checklists.

Napo wrote a response document to the Sentencing council guidelines on health and safety offences, corporate manslaughter and food safety and hygiene offences.

## 78. Employers' Health and Safety committees and meetings

### NPS HS&F (Health and Safety and Fire) Committee

Napo is represented at these quarterly meetings by Napo National official (health and safety) link national officer for health and safety and Napo health and safety committee members.

We have reached an impasse regarding access to meaningful sickness data (information that allows us to identify trends – the reasons why people go sick or are referred to OHU).

At Napo's request the NOMS Senior H&S Adviser (NPS) wrote a review of the legal requirements to provide sickness absence stats to safety reps. He concluded that NOMS are within their right not to provide this info – but thought it was more doubtful as to whether they were in the spirit of the legislation. The view of the HSE inspector (for Defence and Public Protection) was that there was little scope to challenge this as NOMS are now giving us some information and so are complying with legislation.

NOMS have agreed to give us a breakdown of sickness absence statistics by division (which is average per quarter) on a non-restricted basis.

Accident/incident reports show that slips, trips and falls is the most significant problem in relation to lost time. Although threats, intimidation and verbal abuse continue to be most commonly reported incidents, Napo has agreed to work with NPS on under reporting in some divisions.

NOMS have agreed to put together some guidance/a checklist of what must be thought about when CRC move out of a building leaving NPS behind.

Stress is a standing item on the agenda. Napo has asked NPS to ensure that their stress PI is fully implemented in all NPS divisions and have asked for reports on implementation to be proved for the NPS safety committee meetings.

Estates issues including facilities in courts have been discussed including limitations in interview room and access to suitable space to complete reports. Updates were given on health and safety training for managers and NOMS' attendance management project.

NOMS have agreed that Napo can be represented on the recruitment panel for a replacement for their head of NPS Health and Safety and to be included in discussions regarding a re-retender for their occupational health provider.

### NOMS Attendance Management Project

Napo has been represented at NOMS Attendance Management Project. This project is aimed at lowering the level of sickness absence from average days lost from 12.25 (when the project began in November 2015) to the target of 9 days. Stress and muscle strain are main reasons for sickness absence).

Napo members have been kept up to date with the project through articles in Napo quarterly. Napo National representatives have been briefed and we have written to safety reps in specific 'support and sustain' project target areas and fed in their comments to the attendance management team.

The crackdown on staff sickness initiated by the NOMS Attendance team is starting to have ramifications for our members through overzealous and incorrect application of the Attendance management PI. Napo has raised these issues with NOMS at the Attendance Team meetings. The NOMS planning and analysis group promotes organisation of wellbeing days.

NOMS are also setting up wellbeing committees which union safety reps will be invited to attend. Napo has said that this issue should be discussed at safety committees as safety reps have legal rights on these committees.

Napo were represented at the NPS South East and East healthy living event in early 2016 where we given a stall to display our health and safety and Napo promotional materials and were invited to speak to attendees about Napo and occupational health and safety.

### CRCs

It has proved difficult to be able to gain an accurate overall picture as to what is happening in CRC's as regards health and safety.

The meeting arranged for early June of CRC and NPS H&S advisors was cancelled as very few advisors had registered to attend. The previous meeting (the only meeting since share sale) in November 2015 was poorly attended. Napo has spoken to the HSE inspector about this and as the attendance problem was specifically related to the non-attendance of CRC safety advisors she proposed that the HSE will write to all CRC CEOs to state that they must ensure that their H&S advisors attend such meetings (a similar strategy was successful in arranging similar meetings with advisors from private prisons).

Purple Futures (PF) are amongst the CRCs who have attempted to form some sort of pan CRC H&S structure. Napo safety reps attended a pan CRC health and safety meeting with PF in April to discuss the company's plans for workplace safety, including moving towards applying for a safety charter mark 18001. In addition to presentations on the charter, there were workshops on issues such as planning for 'New Ways of Working', looking at Estate Moves, Lone Workers and Health and Wellbeing - Supporting stress in the workplace.

PF gave a presentation at the May trade union forum meeting of their wellbeing strategy and said that across the Interserve empire levels of absence are highest in their justice sector. Napo explained that until the workplace issues that caused sickness were addressed there would continue to be high levels of sickness.

Following a Napo request PF have set up a Workloads Management Tool and Assistive Technology working groups at which the trade unions are represented.

In Sodexo CRCs workloads continue to be a significant issue. A Napo stress survey conducted in early 2016 showed that nearly 95% of respondents indicated that workload was causing them stress. Just over 80% of respondents indicated that they would leave if they could, or are in fact actively looking to leave the CRC. 64% of respondents said they only rarely felt in control and 22% said they never feel in control of their workload.

Napo believes that the current situation regarding workloads is a consequence of a massively reduced workforce.

Napo is asked members suffering from occupational stress to send a foreseeability notice to their employer.

In Warwickshire and West Mercia CRC sickness levels are on the increase (long term and short term) and stress levels are on the increase. Members are complaining about workloads (average case load for a PSO is 50 + cases) and there are continual assessments and audits of work completed. New processes and practices are being introduced on what seems like a weekly basis on top of existing work and processes. Members either go off sick, or continue reporting for work trying to ignore the problems and/or slowly drown in the work load.

The Napo stress survey continued to be used by safety reps in both NPS and CRC – although particularly by CRC safety reps including reps in West Yorkshire, Merseyside, Cheshire and Greater Manchester, Warwickshire and West Mercia and Cumbria and Lancashire.

#### Communications

Regular reports and articles continue to be provided for the Napo website and we would encourage H&S Reps to use this resource.

#### **79. The Cafcass Health & Steering Committee**

This Committee has met twice in the last Napo year (November 2015 and June 2016.)

#### Napo questionnaire on TOIL and hours worked.

This was conducted following a Family Court Section motion to SAGM. Napo was able to share with management the initial results of this survey of members which showed that most staff do not use the policy and do not seek to take back hours worked. Many members reported having given up recording their hours due to an inability to take them back. We will share the summary of the findings with management in an attempt to use this to highlight the hidden and unpaid hours worked by practitioners and the time taken to undertake practitioner tasks.

Overall sickness absence figures were showing a downward trend and compared positively against Chartered Institute of Personnel and Development (CIPD) benchmark data. At 31st March, sickness absence was 7.6 days per person per year across all staff. There are approximately 1100 Social work staff. Mental health absences constitute about 23%. Of the 246 referrals to the occupation health scheme, 34 were for stress followed by 21 for back pain and 20 for depression.

The category “mental health” is sub divided into work related and non-work related categories in order that management can focus on those issues that require workplace interventions and those that are outside of the general duty of care but which can be assisted by signposting staff to provisions in the health and wellbeing plan and the EAP. Napo is concerned that often staff are not asked whether their absence is work or non-work-related and that this is often a judgement call on the part of the manager to whom the employee reports sick. The information inputted to itrent (Cafcass computer system) can be altered. Absence through stress- related categories is often hidden amongst data for mental health, depression and anxiety. Approximately one quarter of absence in this category is deemed to be work related.

The data for the Employee Assistance Programme for April 2015 to March 2016 showed that 151 staff accessed the scheme in the year. 17 had taken part in the one day stress intervention service which attempts early engagement with staff reporting sick from stress.

The number of accidents/incidents is as usual remarkably low. We believe there is consistent under-reporting which management are attempting to remedy. Of the total of 59 reported over the year, 20 were for verbal abuse. And 18 for threats of violence and 9 intermediate injury. 39 were caused by male and female service users or a relative.

There were 4 incidents of tripping and 4 acts of actual violence. Members should be advised that employers will not automatically support staff to make civil claims. A new form of reporting will automatically send the reporter and their line manager a copy of the report.

The average number of claims per month to the health and wellbeing programme is 650. This scheme allows staff to reclaim the cost of various health-related treatments/consultations e.g. partial reimbursement of the cost of dental and optical tests and treatment.

**80. Trade union related health and safety meetings and conferences.** Napo was represented at: the HSE Violence at Work sub committee, TUC UHSS (Union Health and Safety Specialists) meetings and TUC GOSH (Gender Occupational Safety and Health) meetings. Napo National Official Sarah Friday attended the 2016 National Hazards conference and a launch event organised by The Centre for Crime and Justice Studies of Professor Steve Tombs report: ‘Better Regulation’: Better for whom?

## **Probation Negotiating Committee**

#### *Members:*

Jenny Aston (Staffordshire West Midlands)  
Esther Barton (South Yorkshire)  
Dave Bellingham (East Midlands)  
Martin Bull (Staffordshire West Midlands)  
Natalie Dimbleby (The Mercia)  
Carolyn MacDonald (East Anglia)  
Jamie Overland (Essex)  
Alec Price (Kent Surrey and Sussex)  
Mike Rayfield (Kent Surrey and Sussex)

Pat Waterman (London) resigned April 2016

#### *Officers:*

Chris Winters (National Co-Chair)

Ian Lawrence (General Secretary)

Dean Rogers (Assistant General Secretary)

Annoesjka Valent

81. The Committee has met regularly throughout the year. Its meetings aim to coincide with the formal, quarterly meeting of the NNC/SCCOG.

81. The Committee was not allocated any motions from the 2015 AGM.

**83. Pay Settlement 2015/16.** In line with an indicative mandate from an AGM motion and in discussion with UNISON, the 2015/16 pay claim called for a 3% increase in all NNC pay points, backdated to 1 April 2015; immediate payment of the contractual increments to which NPS and CRC staff are entitled for 2015/16, backdated to 1 April 2015; backdating to take into account premium pay earnings and all other salary related allowances; 3% increase in all relevant NNC allowances and further negotiation on the allocation of any residues available once the above have been paid. As in previous years, the offer by the Employers only consisted of contractual increments, however with a non-consolidated but pensionable minimum £300 underpin for members who had not been in receipt of a pay increment as a result of the 2015/16 unions’ pay claim. The offer was put to members in May 2016 and the ratification process resulted in acceptance of the offer by 628 votes to 133.

**84. Future Pay Claims.** Shadow pay discussions have begun with the NPS about significant probation wide pay reform. These are “shadow” because there is as yet no remit or agreed budget to fund pay reform, which will inevitably be far more expensive than the 1% Treasury limit imposed upon NOMS. In reality this is unlikely to be granted until a final model, that can credibly be costed, is agreed at least in principle. Although the talks are primarily with the NPS, the same problems and issues are reflected across probation, albeit with different emphasis and focus points in different places. So far, although CRC owners have been eager to assert their independence around the

potential to negotiate their own pay rates and reward structures, none have yet sought to open any formal discussions with any union to break the existing contractual link back to the NNC terms.

85. Napo have presented a set of basic principles as a starting point to build discussions around:

1. The Pay Model must be:
  - Fair and measurably equitable
  - More transparent and easy to understand (a pre-requisite for fairness)
  - Sustainably competitive
  - Affordable now and as we move forward
2. Transition must be:
  - Fair with implementation both supporting the new model and its aims
  - Transparent with unions able to consult with members without undermining the integrity of negotiations
3. Outcomes must be:
  - Supported by and aligned to wider changes needed across probation
  - These include greater support and structure to secure probation's status as an independent, professional service which, at all levels, promotes inclusion and opportunity.

Answers are not likely to emerge quickly but all parties recognise the need for some pace if the costs and challenges of reform are not to carry on growing. Napo have said we want to see a potential new model being put to Government for approval within the 2016-17 pay year. Ongoing consultation with members via the Committee will be held as discussions continue.

86. **NNC/SCCOG bargaining machinery.** Since January, the probation unions have been under some pressure to engage in discussions about changes to the NNC and SCCOG bargaining machinery to reflect the circumstances we now find ourselves in, in England and Wales, with 21 CRC Employers and the NPS.

87. Essentially the unions have been doing our best to try and prevent the CRCs serving notice of withdrawal from the NNC/SCCOG. We have maintained engagement by trying to provide answers to (and clarification on) a range of questions that have emerged since an initial meeting in March. This has been especially critical in ensuring that the CRCs honor the 2015/16 pay award and that they will hopefully remain 'in the tent' for whatever emerges as a claim and consequent settlement for 2016/17 (as described above).

88. The view of the Committee was that all efforts should be made to continue discussions with a view to reaching agreement on a revised NNC/SCCOG structure, subject to the unions receiving assurances about transitional issues and recognition of our concerns around minimum standards. Additionally, the Committee's view is that upon receipt of final proposals, these must be the subject of consultation amongst Napo members and that they must be debated at our forthcoming AGM in Cardiff.

89. The NNC meeting in June received a progress report on the talks and written exchanges, and it was agreed that a further meeting between the parties would be useful. It was also acknowledged that these might usefully be assisted by involving the services of ACAS. We await a definitive answer on this point from the employers at the point of writing.

90. The proposals – key points for consideration are set out below and reflect the aims of the employers to see new single table bargaining arrangements for the NPS and CRCs:

- One owner wide single-table collective bargaining arrangements to be put in place in 2016 following suitable

consultation by all three unions with their members (the preference of the employers is that revised machinery is in place for 1 November 2016).

- A structured transition from the NNC and SCCOG to the new arrangements, setting out when old arrangements end and new arrangements commence;
- Sufficient time for each trade union to hold talks with the respective employers regarding the new arrangements and to confirm the Terms of Reference;
- The creation of a pan-NPS/CRC Probation Professional Practice Forum to develop and share good practice going forwards;
- The inclusion of an interim arrangement which would see the current NNC/SCCOG Joint Secretarial process retained solely to assist with clarification of legacy issues;
- Confirmation from the Employers that they believe that the indemnity from the Secretary of State covering issues which occur following the contract share sale continue, with or without the NNC structure.

At the point of writing, the unions have major concerns about the proposed reforms, especially around the thorny issue of what we would expect to see in terms of the recognition of minimum standards in any new single table bargaining arrangements.

91. **NPS - E3 Programme.** There have been significant discussions about the proposals around E3 and clarification of the protections Napo won in negotiations. It was agreed that Napo has not agreed with E3 in its entirety and communicating the concerns we have was recognised as important tasks for local Branch officers. Primary areas of concern include:

- the expanding use of short court reports;
- some untrained staff being asked to write reports in complex and high risk cases;
- continued uncertainty about the position of AP managers and VLOs;
- opposition to the outsourcing of AP night cover;
- and about proposed rosters in APs being unworkable and promoting poor working practices.

92. There are also broader concerns about the apparent disconnect between the Government's revised prison strategy and its probation strategy.

93. However, the Committee also agreed that some form of comprehensive operational review had been necessary and should have happened prior to any split. Further, whilst some of the weaknesses were inherent in the post-TR model, with natural strains emerging from a highly centralised delivery model in the NPS, Napo had secured some important protections by engaging in the review – not least the no redundancy guarantees and 3 year pay protections. The Committee also recognised that our capacity to promote and influence professional debates had been increased by positive engagement in the E3 process. This was especially evident around the broadening debate on training and access to CPD for all staff.

94. **Other NPS negotiations.** The carry over of annual leave was clarified in a Joint Secretaries' Circular and there have been significant issues over the Travel & Subsistence Policy. There are still outstanding harmonisation issues in particular around maternity pay.

95. Members affected in East Anglia, East Coast, Kent, Surrey and Sussex and West Mercia were consulted about a proposed buy-out of some local health and well-being support. A particular concern was raised about the range of choice and quality of the comparative NOMS

package being put forward as a replacement. This was fed back to NOMS. Subsequently, a final offer was made which recognised some of the concerns raised by members about the scale of any buy-out recognising the benefits received not the cost to the member. Napo indicated a willingness to accept this as the best that could be achieved in negotiation and recognising the difficulty of any personal challenges when an alternative in-house package (however inferior) was being presented.

**96. CRCs.** The Committee was kept up to date about developments in CRCs.

97. It had become clear during the year that all of the CRCs are reporting financial challenges arising from lower than anticipated Weighted Annual Volumes (WAVs) – the main payment mechanism. Therefore, all of the CRCs are not receiving the income anticipated and this is impacting in different ways depending upon how each CRC responds and their operational approach.

98. Working Links are still proposing large numbers of redundancies across grades and functions. The General Secretary is leading for Napo. He reported being told their intention was to honour the National Transfer EVR terms but that there were cost challenges, especially for the over 55's as previously recorded elsewhere.

99. Following the major disputes in the Sodexo owned CRCs around the NNC Enhanced Voluntary Redundancy Scheme employee relations remained tense with some improvements. There continued to be huge tensions around their operating model and their “food bar” style meeting booths. They have now agreed to a review these.

100. RRP areas reported that there was still a threat of compulsory redundancies and that they were trying to avoid meeting the costs of the national terms by persuading staff to accept lesser voluntary terms.

101. Seetec in KSS reported an admin review following moves towards a revised operating model that had moved away from hubs. Engagement with the employer was reported as being satisfactory. Negotiations were taking place around safeguards and compensation for staff in programmes being asked to deliver work mostly in the evenings and at weekends as their clients are otherwise in work.

102. EOS are also planning redundancies and cuts. Discussions and negotiations are ongoing.

**103. Probation Board Northern Ireland.** In light of above reported restructuring of NNC/SCCOG bargaining machinery and potential withdrawals by CRCs, PBNI are also mooted to withdraw from NNC T&Cs and offer civil service conditions to staff instead which aren't as good as the NNC ones.

**104. Chief Officers.** Pay and other negotiations between GMB/Napo and NOMS through the Standing Committee for Chief Officer Grades (SCCOG) have largely mirrored those taking place under the auspices of the NNC.

105. A discussion paper on a Professional strategy co-authored by Dean Rogers, Assistant General Secretary and Tania Bassett, National Official, was circulated for consultation to members at the end of July. The paper raises some fundamental issues about Napo's role as a professional association, including professional standards, role boundaries, Licence to Practice and Continuing Professional Development (CPD).

## Professional Committee

*Members:* Matt Austin (Western) Committee Chair until June 2016

Caroline Bewley (Cumbria & Lancashire)  
Stephen Bradley (East Midlands)  
Jan Clare (East Midlands)  
Nick Peake (East Midlands)  
Nizam Salyani (London)  
Kirin Sandhu (London)  
Tim Schilling (East Midlands)  
Chas Berry (National Vice-Chair)  
Mike McClelland (National Official) – until May 2016  
*Administrator:* Shireena Suleman

106. The Committee has had only one face to face meeting since AGM at which it identified the following priorities:

- To develop ideas of what the ideal operating model for probation would be, rather than simply responding to proposed operating models of the CRCs and the NPS, and to seek to identify in case of CRC failures, how the shape of probation might be changed.
- To identify ways for Napo to highlight the impact of recent and proposed changes on the work of probation in courts, sentencing and delivery of the sentences.
- To continue to seek to respond to the E3 initiative.
- To act on the motion raised at AGM 2015 about RARs.

107. Professional Committee was active in responding to the E3 Blueprint and provided much of the initial feedback through the Link Official Mike McClelland. Mike and Chas, as Link Officer, and two other members of the Committee also attended a meeting at Sheffield Hallam with Paul Senior to discuss Standard Operating Models.

108 The work of the Committee had stalled somewhat since Mike's retirement in May and also unfortunately lost Matt Austin as Chair, who had to stand down through pressure of work, and the Committee was also without dedicated admin support by Shireena since the New Year. Tania Bassett, National Official, has taken over some of Mike's duties and responses to Probation Instructions (PIs) on professional subjects is currently managed on an 'as and when' basis by the Officers' Group.

## Steering Committee

*Members:* Charron Culnane (London)  
Howard Davies (East Anglia/Retired)  
Carolyn Mack (East Midlands)  
Tony Mercer (FCS Yorkshire and Humberside/Retired)  
Jeanne Peall (Kent Surrey & Sussex) Committee Chair  
Jo Thompson (East Midlands/Retired)  
*Officer:* Yvonne Pattison (National Co-Chair)  
*Official:* Ian Lawrence (General Secretary)  
*Administrator:* Annoeska Valent

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

110. Steering Committee was reduced to five members at AGM in 2015, as one was unable to attend due to sickness. As a small group with specific roles to carry out, this inevitably places our resources under strain. We were, therefore, very grateful to Maureen Vernon, who agreed at short notice to help out both on the timing table and in the Steering base.

111. The support provided by Napo's administrative staff, both before and during AGM is essential in enabling the Committee to carry out its functions and is much appreciated. In 2015 we were without Kath Falcon, who has an in-depth knowledge of the organisational issues presented by all the venues we use. It was a steep learning curve for everyone involved in the practicalities of 'producing' AGM and we owe a debt of thanks to Annoesjka Valent and Keith Waldron, in particular, for ensuring that everything that should happen, did.

112. Eastbourne proved to be a challenging AGM in a number of areas: for members attending there was the frustration of the lack of quoracy; for Officers and Officials this created concerns about achieving the absolute minimum of the formal AGM business, as well as the organisational pressure of devising and maintaining some sort of programme.

113. There were also issues in relation to the venue organisational team's expectations of our stewards. The venue were clearly expecting our volunteer stewards to take on roles more appropriate to paid staff. This had the potential to adversely affect the roles Napo needed them to perform and initially placed an additional burden on the Chief Steward in terms of trying to meet these expectations with a comparatively limited number of people. In the event the venue Organiser realised the stewards simply could not do what they required and as a result they did bring in additional staff. In the light of further substantial reductions to council budgets, this is something we now know we need to be alert to, where venues are council run or funded. In all other respects the venue organising team were very flexible and helpful, especially when the programme and timings of breaks changed. The Committee's thanks as ever go to the Chief Steward who worked tirelessly throughout AGM and to the stewards for their enthusiasm and hard work.

114. All the issues – motions, Annual Report - around the affiliation to the Palestinian Solidarity Campaign involved a great deal of Steering Committee's time before and during AGM, as did the process of the ballot for the order of motions. In terms of the latter, Steering Committee have reviewed this process but intend to continue with it. We are firmly of the view that it is the most inclusive and transparent method of enabling all eligible members to contribute to the priority given to the motions submitted for debate. The Committee have also reviewed and revised the document known colloquially as the 'Stewards' Instructions' in the light of the ballot miscount. It now includes a better link between the Deputy Chief Steward's job description and the detailed instructions as to how the count should be undertaken, as this is set out on a different page. In addition, a poster has been produced, to be displayed in the room where any ballot count takes place, showing clearly the process for a count. Steering Committee will also ensure this is covered in our briefing meeting with the Chief Steward, which takes place on the day before AGM. The Stewards' Instructions are sent out some months prior to AGM, once the names of the Chief and Deputy Steward are known.

115. The statistics for AGM 2015 are, of necessity, limited. 496 out of 660 available minutes were lost to inquoracy. The last comparable AGM was at Llandudno in 2008 when 428 minutes were lost. The last time we were in Eastbourne in 2011, 128 minutes were lost. 3 out of 34 motions plus a Constitutional Amendment were debated (22 minutes in total) and all were passed. A further 11 motions and an emergency motion were debated during inquorate sessions and indicative votes taken. All the required formal business was taken during the time when conference was quorate and this took up 96 minutes. Explaining and collecting the ballot took 4 minutes. Announcements in quorate time

took 9 minutes and there were 4 minutes when nothing was happening: this is usually the time taken when members are returning to the hall after the morning or afternoon break.

116. **Steering Committee Equal Rights section.** Steering Committee comprises six elected members. The current Committee comprises four women and two men, all white. It has members from both the Family Court Section and Probation Branches. The Committee is not involved in proposing policy through motions, but implements policy in the specific context of its constitutional remit for the planning and running of Napo's AGM. The Committee responsibilities, therefore, alter little from year to year.

117. The Committee sends representatives to the site visits at the AGM venue as part of the planning process. The site schedule for each venue is drawn up in negotiation with the venue staff by the Conference Organiser. However, the site visits enable the Committee to identify issues of accessibility in terms of the dedicated rooms for Napo's admin staff working at AGM, Steering Committee and the Monitors, as well as more generally for members during the conference. The Committee representatives also consider any other factors that could impact on AGM business, including the ability of members to participate. This can be the general accessibility of the venue or through more specific issues like the availability and siting of microphones, height of speakers podiums and their accessibility.

118. The ordering of business at AGM and ruling on Emergency Motions form two of the Committee's main responsibilities. The Committee works to ensure that the process is as transparent as possible and is carried out in line with Napo policies on anti-racism and equal rights. The lack of participation by members in the ballot process for motions which takes place prior to AGM has been a matter of concern for some years. However, the Committee considers it to be the most open method to enable all members to participate in prioritising matters for debate at AGM and will continue with it. The ballot form is available on-line, either to download or to save and complete. The Committee has resolved to publicise this process prior to AGM so as to better explain the democratic rationale. The Committee's decisions are explained and accounted for publicly during AGM sessions and members have the right to challenge those decisions. Part of the Committee's role at AGM is to time speeches and keep a running record of all spoken contributions. Following a decision by the NEC in 2013, the Committee has ceased to record the race and gender of all individuals making contributions. This information was traditionally reported to the National Executive Committee and to members within the Steering Committee contribution to the Annual Report.

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

## Trade Union Organisation

<i>Members:</i>	David Masterson (Greater London) Roger Peel (Cumbria & Lancashire) Barry Adams (South Southwestern)
<i>Officer:</i>	Dave Adams (National Vice-Chair)
<i>Official:</i>	Ranjit Singh (National Official)
<i>Administrator:</i>	Margaret Pearce

120. Due to budget constraints and the late approval of the budget the TUO Committee has not had the opportunity to meet this year.

121. As the majority of AGM was inquorate in 2015 very few motions were passed and therefore no resolutions came under the remit of the Committee. However, work has continued around Trade Union Organisation issues and details are provided in the following paragraphs.

122. **Organising.** This has been without doubt the most challenging year for Napo in terms of recruitment and membership figures. The government's decision to terminate "Check Off" (the arrangement to collect subscriptions direct from members' salaries), at the end of December 2015 in the National Probation Service (NPS) has had a direct impact on membership figures. In addition, restructuring in the CRCs has led to a reduction of staff employed in many of the CRCs.

123. To meet these challenges Napo embarked upon a "re-engagement strategy". Link Officers and Officials have worked alongside their link branches to implement the strategy. Branch Development Days have been arranged to discuss with the Branch Executive key issues for the branch and identify scope for recruitment of new members. An outcome of these development days is to develop a programme of workplace visits to communicate Napo's key messages and listen to the concerns of members.

124. Recruitment Week will take place in September in the run up to the AGM. This will provide an opportunity to promote the AGM and encourage members to register and attend to ensure that we achieve quoracy. Promotional items have been purchased centrally and these will be distributed to branches.

125. **Direct Debit Working Group.** To support branches with the switchover to direct debit, a working group was set up at Napo HQ to directly work with branches. The group provided regular updates of members still to make the switch for "mapping" purposes and, more importantly, the working group supported branches in contacting all members where "Check Off" had been discontinued who had still not made the switch. The working group worked tirelessly and at the time of writing the switchover rate achieved was 65%.

126. **Agency Workers.** In both the NPS and CRC there is increasing reliance on Agency Workers to fill staffing shortfalls. At present these members are not eligible to be full members of Napo. Discussions have taken place at Officers and Officials meetings to explore potential options to organise and recruit these potential members.

127. **Trade Union Education.** Napo's reps' training is delivered by our new education provider Ruskin College, Oxford. This is the first year that we have moved away from residential courses and adopted a day release approach with courses delivered regionally. To date 42 reps have undertaken the bespoke Napo training and further course dates are currently being scheduled for the remainder of the year.

128. **Family Court Section.** The Family Court Section has focussed on recruitment this year. The Section has established a targeted recruitment campaign and although resources have been committed to this the impact has been limited as there are no longer that many people in the offices.

129. **Gill Kirton's report.** Napo worked with Professor Gill Kirton and Dr Cecile Guillaume from Queen Mary, University of London, recently on a research project 'Employment Relations and Working Conditions in Probation after *Transforming Rehabilitation* with a special focus on gender and union effects'.

130. The research was based on interviews with National Officers and Officials and branch officer's across England and Wales in 2015.

131. This research was the first to focus on the impact on staff as opposed to service delivery and we were pleased to be partners. The

research highlighted in particular the impact on Napo as a trade union and offers evidence to back up some of the things we thought we knew about TR and added helpful insight to support changes to the way we operate as a union.

132. **National Reps.** In 2015 there were 49 cases referred to National Representatives for representation. This was 8 less than in 2014 and 5 less than in 2013. At the time of writing there had been 26 cases referred in 2016 – broadly in line with the 2015 trend.

133. Rob Thomas has informed the Panel that he wishes to not take any more cases from October 2016. All of Napo should want to record their thanks to Rob for his excellent work on behalf of Napo members over many years.

134. At the time of writing we are considering whether to seek to expand the Panel again or if this might create a situation where there wasn't enough work to allocate – given that there is a slight downward trend on case numbers and we would still have 7 active Panel members as opposed to 6 in 2013-15.

135. **Equal Rights Section.** Napo has been meeting with the new Chairs of the NOMS' Staff Networks to explore ways how we can work together to promote our respective organisations and this will assist Napo reaching out to potential new members with protected characteristics.

## Training Committee

<b>Members:</b>	Patricia Johnson (London) Roger Peel (Cumbria and Lancashire) Dee Roach (London)
<b>Officer:</b>	Katie Lomas (National Vice-Chair)
<b>Official:</b>	Mike McClelland (National Official) until May 2016 Aziz Bouleghlimat (ULF Project Manager Wales)
<b>Administrator:</b>	Shireena Suleman

136. Training Committee did not get to hold an actual meeting this year.

137. Mike McClelland, National Official, continued to represent and negotiate on behalf of Napo at the Probation Standards Qualification Panel (PSQP). He also played a pivotal role as part of Napo's national team at the MoJ's Probation Consultative Forum (PCF).

138. Members will note that the new qualification for Probation Officers is the Professional Qualification in Probation (PQiP), which was launched at the end of April 2016. It is a graduate level fifteen month work-based qualification which focuses on both skills development and applied academic learning.

139. The academic element of the PQiP will be provided by one of three NOMS' contracted universities, namely: De Montfort University, Sheffield Hallam University or University of Portsmouth. Learners will also need to complete a Level 5 vocational qualification. The Committee understands that the first intake will commence in October 2016, with a proposed second intake in May 2017.

140. Community Justice Learning introduces various access routes to enable a wider selection of people interested in a probation qualification to progress to the graduate undertake the (PQiP).

141. Training issues continue to be on the agenda of the Probation Consultative Forum. However, the Committee would like to note that Mike McClelland was the lead Official for Training prior to his retirement and thanks are extended to him on behalf of the Committee

for all his dedicated hard work on Probation Training issues. The Committee awaits to hear which Official will continue as the link lead in this area.

#### 142. Wales Union Learning Fund (Aziz Bouleghlimat, Project Manager)

143. In Wales, Napo maintained its ability to secure funding from Welsh government to manage union learning projects aimed at supporting staff with various learning opportunities. Within this AGM year October 2015 – October 2016, Napo successfully (i) completed the Pathway to Learning for All project in March 2016 and (ii) secured funding for a new project for 2 more years.

144. The success of Union Learning activities in Wales, continues to be driven by a dedicated number of Union Learning reps, employers' engagement and staff intake

- The Pathways to Learning for All (PTLA) finished in March 2016; a Welsh Government review confirmed the effective management of the project and achievement of all its objectives and targets.
- The new project; New Routes to skills driven learning (NR2SDL) is for a period of 2 years from 1st April 2016- 31st March 2018.
- At the bidding stage both Wales NPS and Wales CRC provided formal letters of support for Napo's bid, and both organisations have been informed of the outcome
- Napo Cymru and the project are in working in unison to encourage the employers Wales CRC and Wales NPS to consider the adoption of new learning agreements.
- Napo Cymru branch has provided both employers with a draft copy of a learning agreement. But at present no learning agreement has been signed.
- The project continues to have a reasonable number of active Union Learning Reps; 3 in Wales NPS and 3 in Wales CRC.

145. The new project is committed to deliver the following objectives and in the manner described below:

- (i) **Deliver workplace vocational qualifications at levels 2&3.**  
The offer of workplace qualifications will have a positive impact on reducing barriers to learning in the service for lower grade staff.
- (ii) **Support the essential skills programmes offered to service users.** The project will support the programme by signposting staff to resources and refresher courses. These include ICT skills, presentation and communication and counselling skills.
- (iii) **Offer staff access to bespoke and needs driven learning.**  
This is achieved by identify learning needs, devising bespoke learning plans for individuals and signposting them to learning activities suited to their learning styles. The Union Learning Reps conduct learning needs assessment and complete activity reports and devise tangible action plans.
- (iv) **Support employers to implement the Welsh language strategy.**
- (v) **Mitigate the impact of redundancy and office closures;** work with employers to identify the roles and individuals affected by job cuts and organise learning activities to improve their chances to secure employment in other sectors. The focus will be on practical and transferable skills such access to ICT and essential skills courses, how to complete a CV, planning for retirement...etc. Whilst the exact numbers and activities are not yet confirmed, attempts are being made

to put an action plan in place to help staff deal with the impact of loss of employment.

#### 146. In conclusion.... in Wales union learning projects managed by Napo are highly regarded by the Welsh Government due to:

- (i) effective management of learning projects since 2008,
- (ii) high achievement of desired outcomes,
- (ii) highly skilled, experienced and dedicated group of ULRs
- (iv) and most importantly; the union learning project continues to offer staff a wide range of learning opportunities, which includes access to vocational qualification at different levels.

### **Report on the Implementing Anti-Racism Policy; work to promote an inclusive union – by Branches.**

146. Thank you to the following branches that sent returns: London, Merseyside and East Midlands.

#### **Affiliations for 2015**

Abortion Rights

Amnesty International

Campaign for Homosexual Equality

Campaign for Trade Union Freedom

Cuba Solidarity Campaign

General Federation of Trade Unions

Hazards

Hope not hate

Howard League for Penal Reform

Justice for Columbia

Labour Research Department

Liberty

National Shop Stewards Network

National Pensioners Convention

Palestine Solidarity Campaign

Trade Union Friends of Searchlight

Trades Union Congress

Unite Against Fascism

Venezuela Solidarity Campaign

Wales TUC Cymru

Napo

Annual Report and Accounts

for the Year Ended 31 December 2015

Napo

Report of the Officers

The officers present their annual report with the accounts of the union for the year ended 31 December 2015.

OFFICERS

The officers who held office during the year were as follows: -

Name

Y Pattison	Co Chair
C Winters	Co Chair
K Stokeld	Treasurer completed term in October 2015
D Adams	Vice Chair
K Lomas	Vice Chair
C Berry	Vice Chair
J Barlow	Vice Chair
C Pearson	Vice Chair (Finance) appointed October 2015

STATEMENT OF OFFICERS' RESPONSIBILITIES

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

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

Signed, on behalf of the National Executive Committee

C Pearson

Vice Chair  
Approved on



25.05.2016

INDEPENDENT AUDITORS' REPORT TO THE MEMBERS OF  
NAPO

We have audited the financial statements of Napo for the year ended 31 December 2015, which comprise the Income and Expenditure Account, Balance Sheet, Statement of Total Recognised Gains and Losses and the related notes. The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice).

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

**RESPECTIVE RESPONSIBILITIES OF OFFICERS AND AUDITORS**

As explained more fully in the Statement of Officers' Responsibilities, the officers are responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view.

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

**SCOPE OF THE AUDIT OF THE ACCOUNTS**

A description of the scope of financial statements is provided on the FRC's website at [www.frc.org.uk/apb/scope/private.cfm](http://www.frc.org.uk/apb/scope/private.cfm)

**OPINION ON THE FINANCIAL STATEMENTS**

In our opinion the financial statements:

- give a true and fair view of the state of the union's affairs at 31 December 2015 and of its surplus for the year then ended; and
- have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice and the Trade Union and Labour Relations (Consolidation) Act 1992.

INDEPENDENT AUDITORS' REPORT TO THE MEMBERS OF

NAPO

MATTERS ON WHICH WE ARE REQUIRED TO REPORT BY EXCEPTION

We have nothing to report in respect of the following matters where the Trade Union and Labour Relations (Consolidation) Act 1992 requires us to report to you if, in our opinion:

- proper accounting records have not been kept by the union; or
- the union has not maintained a satisfactory system of control over its transactions; or
- the accounts do not agree with the accounting records; or
- we have not received all the information and explanations we require for our audit

*PK Audit LLP*

PK Audit LLP  
Chartered Accountants  
Statutory Auditor  
454-458 Chiswick High Road  
London  
W4 5TT

Dated: *25 May 2016*

**Napo**  
**Income and Expenditure Account**  
**for the Year Ended 31 December 2015**

	<u>Notes</u>	<u>2015</u>	<u>2014</u>
		£	£
Income from subscriptions		1,745,743	1,940,353
TUC Projects		69,247	102,723
Other income	2	<u>17,784</u>	<u>24,408</u>
		<u>1,832,774</u>	<u>2,067,484</u>
Staff costs	3	842,235	850,924
Staff recruitment, training and expenses		38,111	42,854
TUC Projects		69,247	102,723
Accommodation costs		51,350	64,035
Operating costs		220,987	189,516
Committee, conference & affiliation costs		239,101	424,512
Financial & Legal Costs		18,390	296,200
Branch expenditure		<u>154,548</u>	<u>183,618</u>
		<u>1,633,969</u>	<u>2,154,382</u>
		<u>(1,633,969)</u>	<u>(2,154,382)</u>
Surplus/(Deficit) for the year before Taxation		198,805	(86,898)
Taxation	4	<u>(1,859)</u>	<u>(2,085)</u>
Surplus/(Deficit) for the year after Taxation		196,946	(88,983)
Transfer from General Fund	10	-	280,000
Transfer to Legal Representation Fund	10	(156,409)	(186,614)
Transfer to Action Fund	10	-	(5,000)
Transfer to Office Relocation Fund	10	-	-
Transfer to Organising Fund	10	-	(2,000)
Amount transferred from Accumulated Fund		<u>40,537</u>	<u>(2,597)</u>

The notes on pages 22 to 27 form part of these accounts.

Napo

Balance Sheet as at 31 December 2015

	<u>Notes</u>	<u>2015</u>	<u>2014</u>
	£	£	£
FIXED ASSETS	5	123,308	128,074
CURRENT ASSETS			
Sundry Debtors	6	160,130	156,576
Cash at bank and in hand			
- Branches		60,843	112,555
- Head Office		1,318,513	1,194,879
		1,539,486	1,464,010
CURRENT LIABILITIES			
Sundry Creditors	7	(84,563)	(168,034)
NET CURRENT ASSETS		1,454,923	1,295,976
TOTAL ASSETS LESS CURRENT LIABILITIES		1,578,231	1,424,050

Represented by:-

GENERAL FUND	10	1,185,296	1,144,759
OFFICE RELOCATION RESERVE FUND	10	250,000	250,000
LEGAL AND REPRESENTATION FUND	10	3,670	(66,362)
ACTION FUND	10	55,530	55,455
NAPO ORGANISING FUND	10	83,735	40,198
		1,578,231	1,424,050

T. I. Lawrence

LAWRENCE  
General Secretary

C PEARSON  
Vice Chair

C. Pearson

25.05.2016

The notes on pages 22 to 27 form part of these accounts.

Napo

Statement of Total Recognised Gains and Losses  
for the Year Ended 31 December 2015

<u>Notes</u>	<u>2015</u>	<u>2014</u>
	£	£
General Fund surplus/(deficit) for the financial year after taxation	196,946	(88,983)
Donation from branches to NAPO Organising Fund	45,737	10,322
Expenditure from NAPO Organising Fund	(2,200)	-
Donation from members to Action Fund	75	911
Expenditure on Action Fund	-	(4,246)
Donations from branches to Legal and Representation Fund	-	-
Expenditure from Legal and Representation Fund	(86,377)	(225,296)
Total recognised gains/(loss) since last annual report	<u>154,181</u>	<u>(307,292)</u>

Notes to the Accounts- 31 December 2015

**1. ACCOUNTING POLICIES**

i) The accounts have been prepared under the historical cost convention and in accordance with UK GAAP for this period of accounts. FRS 102 will apply for the year ended 31 December 2016.

ii) Going concern

The Officers of the union have considered their obligations to prepare these financial statements on an appropriate basis, having regard to the union's net asset position as at 31 December 2015.

The Officers have assessed the impact of the financial budgets in place for 2016 against the working capital available, notably its cash and bank balances. The officers have also considered the impact and the anticipated loss of income due to the withdrawal of payroll deduction "check off" and the reorganisation of the probation service.

As a result, in the opinion of the Officers, the union has sufficient resources to be able to meet its obligations as and when they fall due and accordingly the accounts have been prepared on a going concern basis. The financial statements do not include any adjustments that would result from this basis of preparation being inappropriate.

iii) Income

Incoming subscriptions income includes amounts receivable at the balance sheet date. Income is received from payroll deductions made by the National Probation Service and Community Rehabilitation Companies. It also includes members' direct payments to Napo.

Royalties are accounted for when received.

iv) Expenditure is charged in the year to which it relates.

v) Rates of Depreciation and Amortisation are provided so as to write off the cost of Fixed Assets over their estimated useful lives.

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

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

vi) Pension costs

Contributions in respect of the Association's defined contribution pension scheme are charged to the Income and Expenditure Account for the year in which they are payable to the scheme. Differences between contributions payable and contributions actually paid in the year are shown as either accruals or prepayments at the year end.

vii) Legal and Representation Fund

The NEC maintains a Legal and Representation Fund. The fund shall be financed by transfer from the general funds of the Association in accordance with the Constitution.

Napo

Notes to the Accounts- 31 December 2015 (continued)

viii) Napo Organising Fund

The NEC maintains a Napo Organising Fund which is financed by Branches and from Central funds.

The fund is administered by the Co Chairs, Vice Chair (Finance) and General Secretary along with the Finance Officer in accordance with the NEC's provisions.

ix) Office Relocation Fund

The NEC has established a Relocation Fund to contribute to removal costs.

2. OTHER INCOME

	<u>2015</u>	<u>2014</u>
	£	£
Interest receivable	9,294	10,426
Sundry Income	8,490	13,982
	<u>17,784</u>	<u>24,408</u>

3. STAFF COSTS

Included in staff costs are:-

	<u>2015</u>	<u>2014</u>
	£	£
Wages and Salaries	705,477	718,017
Social Security Costs	76,446	77,279
Other Pension costs	60,312	55,628
	<u>842,235</u>	<u>850,924</u>

General Secretary

	<u>2015</u>	<u>2014</u>
	£	£
	Total	Total
Remuneration, compensation and benefits	70,202	67,102
Social Security Costs	8,574	8,171
Pension	1,500	1,500
	<u>80,276</u>	<u>76,773</u>

Napo

Notes to the Accounts- 31 December 2015 (continued)

**4. TAXATION**

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

	<u>2,015</u>	<u>2,014</u>
	£	£
Current Corporation Tax	<u>1,859</u>	<u>2,085</u>

**5. FIXED ASSETS**

	Freehold	Computer	Total
	Land &	Equipment &	
	<u>Buildings</u>	<u>Software</u>	
Cost			
At 1 January 2015	205,339	284,752	490,091
Additions	-		-
Disposals	-	<u>(9,206)</u>	<u>(9,206)</u>
At 31 December 2015	<u>205,339</u>	<u>275,546</u>	<u>480,885</u>
Depreciation			
At 1 January 2015	89,106	272,911	362,017
Charge for the year	4,107	659	4,766
Deduct for Disposals	-	<u>(9,206)</u>	<u>(9,206)</u>
At 31 December 2015	<u>93,213</u>	<u>264,364</u>	<u>357,577</u>
Net book value			
At 1 January 2015	<u>116,233</u>	<u>11,841</u>	<u>128,074</u>
At 31 December 2015	<u>112,126</u>	<u>11,182</u>	<u>123,308</u>

**6. DEBTORS**

	<u>2015</u>	<u>2014</u>
	£	£
Trade debtors	138,507	130,073
Prepayments	18,179	17,456
Sundry debtors	<u>3,444</u>	<u>9,047</u>
	<u>160,130</u>	<u>156,576</u>

## Notes to the Accounts- 31 December 2015 (continued)

## 7. OTHER CREDITORS

	<u>2015</u>	<u>2014</u>
	£	£
Bank overdraft	-	49,112
Sundry creditors and accruals	82,704	116,837
Taxation	1,859	2,085
	<u>84,563</u>	<u>168,034</u>

## 8. COMMITMENTS

The union operates a defined contribution pension scheme. The assets of the scheme are held separately from those of the union, in an independently administered fund. The pension cost charge represents contributions payable by the union to the fund and amounted to £60,312 (2014 - £55,628). No contributions were due at the year end (2014 £nil).

## 9. MOVEMENT OF FUNDS

Office Relocation Reserve Fund

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

Legal and Representation Fund

The Fund may be used for granting legal assistance on behalf of members or for any other purposes that the Officers of the Association, members of the National Executive Committee or Annual General Meeting may from time to time determine.

The fund was in deficit amounting to £66,362 as at 1 January 2015 due to an increased requirement for assistance from members but was in credit as at 31 December 2015 in the sum of £3,670.

Action Fund

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

Napo

Notes to the Accounts- 31 December 2015 (continued)

Napo Organising Fund

The Organising Fund was established to assist branches in financial difficulty.

General Fund

A reallocation of funds was carried out in the previous year ended 31 December 2014, amounting to £280,000 which was reallocated within the General Fund in order to fund exceptional legal fees. No reallocation has been made in the year ended 31 December 2015.

Movements in the year are disclosed on the summary on page 12.

**10. MOVEMENT OF FUNDS - SUMMARY**

**Napo  
Notes to the Accounts- 31 December 2015 (continued)**

	General Fund £	Office Relocation Reserve £	Legal & Representation Fund £	Action Fund £	Napo Organising Fund £	Total £
Income	1,832,774	-	-	75	45,737	1,878,586
Expenditure	(1,633,969)	-	(86,377)	-	(2,200)	(1,722,546)
Surplus/(deficit) for the year	198,805	-	(86,377)	75	43,537	156,040
Taxation	(1,859)	-	-	-	-	(1,859)
Net surplus/(deficit)	196,946	-	(86,377)	75	43,537	154,181
Transfers between Funds	(156,409)	-	156,409	-	-	-
Net incoming resources	40,537	-	70,032	75	43,537	154,181
Balance at 31 December 2014	1,144,759	250,000	(66,362)	55,455	40,198	1,424,050
Balance at 31 December 2015	<u><u>1,185,296</u></u>	<u><u>250,000</u></u>	<u><u>3,670</u></u>	<u><u>55,530</u></u>	<u><u>83,735</u></u>	<u><u>1,578,231</u></u>

**Napo**  
**National Office Detailed Income and Expenditure Account**  
**for the Year Ended 31 December 2015**

**Schedule**

	<u>2015</u> £	<u>2015</u> £	<u>2014</u> £	<u>2014</u> £
Membership Subscriptions		1,745,743		1,940,353
Bank Deposit Interest		9,294		10,426
TUC ULR Project		69,247		102,723
Sundry Income		969		2,658
		1,825,253		2,056,160
<b>Staff costs</b>				
Salaries, Pension, National Ins	842,235		850,924	
Staff Recruitment	-		989	
Staff Training	9,424		6,587	
Staff Expenses	28,687		35,278	
	880,346		893,778	
TUC ULR Project	69,247		102,723	
<b>Accommodation Costs</b>				
Rates, Light & Heat	25,704		23,755	
Repairs & Renewals of Building	15,321		30,025	
Insurance	6,438		6,485	
Professional Indemnity Insurance	1,825		1,800	
Sundry	2,062		1,970	
	51,350		64,035	
<b>Operating Costs</b>				
Print, Stationery & Equipment	35,731		49,234	
Reference Books & Papers	456		97	
Postage	10,609		9,063	
Telephone	7,388		8,628	
	54,184		67,022	
Computer Maint. & Support & Website	118,153		72,215	
Cost of Publications	1	43,884		42,225
Depreciation	4,766		8,054	
	166,803		122,494	
Carried Forward	1,221,930	1,825,253	1,250,052	2,056,160

Napo  
National Office Detailed Income and Expenditure Account  
for the Year Ended 31 December 2015

Schedule		<u>2015</u>		<u>2014</u>
	£	£	£	£
Brought Forward	1,221,930	1,825,253	1,250,052	2,056,160
<b><u>Committee, Conference &amp; Branch Costs</u></b>				
Committee Expenses	82,502		113,774	
Cost of Conferences	2	79,244		94,464
Branch Grant		66,499		119,028
Branch Conference funding		28,826		37,382
Branch Training		4,030		20,388
Health & Safety		2,268		1,150
Consultancy		450		11,654
Membership Recruitment		15,601		20,780
Union Learning Fund	36			-
	<u>279,456</u>		<u>418,620</u>	
<b><u>Subscriptions &amp; Affiliations</u></b>				
Fees - TUC	20,016		21,688	
Fees - Other	2,167		2,858	
Fees - GFTU	6,770		7,473	
	<u>28,953</u>		<u>32,019</u>	
Donations - Edridge	20,150		26,917	
Donations- Autonomous Groups	-		11,000	
Autonomous Groups	(23,050)			-
Donations - Palladin	-			-
Donations- General	50		766	
	<u>(2,850)</u>		<u>38,683</u>	
Ballots	8,100		10,747	
Political lobbying/Media	11,276		52,452	
Women Strategy	-			-
Health & Safety	-			-
Tribunal Expenditure	9,491		28,399	
	<u>334,426</u>		<u>580,920</u>	
<b><u>Financial Costs</u></b>				
Audit & Accountancy	10,500		9,900	
Bank Charges	1,796		1,806	
Legal & Professional Fees	6,094		284,494	
	<u>18,390</u>	<u>1,574,746</u>	<u>296,200</u>	<u>2,127,172</u>
National office surplus/ (deficit) for year		250,507		(71,012)
Less: Branch offices deficit		<u>(51,702)</u>		<u>(15,884)</u>
Total surplus/(deficit) for year before tax		<u>198,805</u>		<u>(86,896)</u>

## Napo

## Branches- Detailed Income and Expenditure Account

for the Year Ended 31 December 2015

	Schedule	£	2015 £	£	2014 £
Grants from National Office			66,499		119,028
Hardship Grant			2,200		-
Conference funding from National Office			28,826		37,382
Individual contributions			7,521		-
Bank & Building Society Interest			-		-
Donations			-		1,466
Sundry Income			-		9,858
			105,046		167,734

Branch Expenses

Expenses of other Officials	13,588	17,114
Printing, Postage & Stationery	625	1,029
Branch Meetings	9,682	19,414
Bank Charges	22	44
Training	4,454	7,501
Donations	2,575	2,472
Net Cost of Annual & Branch Conference	75,757	105,360
Napo Organising Fund	42,150	10,322
Other Branch Expenses	7,895	20,362
	156,748	183,618
(Deficit) of Income over Expenditure for the year before Taxation	<u>(51,702)</u>	<u>(15,884)</u>
Charged to General Fund	154,548	183,618
Charged to Hardship Fund	-	-
Transfer from NAPO Organising Fund	2,200	-
	156,748	183,618

## Napo

## Publications Account

for the Year Ended 31 December 2015  
Association's Publications  
Schedule No 1

	<u>2015</u>	£	<u>2014</u>	£
<b>Cost of publications</b>				
Printing - Newsletter	16,378		22,925	
- Journal	61,774		57,631	
- CAFCASS Journal	4,808		-	
Postage - Newsletter & Journal	<u>1,949</u>		<u>1,987</u>	
	84,909		82,543	
<b>Less:</b>				
Sales - ICCJ Monographs	-		-	
Inserts- Journal & Newsletter	<u>-</u>	<u>25</u>	<u>-</u>	
	0		25	
	<u>84,909</u>		<u>82,518</u>	
Income from other publications	285		-	
Royalties - Napo journals	40,740		40,293	
Sundry Publications	<u>-</u>	<u>41,025</u>	<u>-</u>	<u>40,293</u>
<b>Net cost of publications transferred to Income and Expenditure Account</b>	<u>43,884</u>		<u>42,225</u>	

Napo  
 Conference Account  
 for the Year Ended 31 December 2015  
Conference Account  
Schedule No 2

	2015	£	2014	£
Cost of Annual Conference	69,640		97,057	
Less: Registration fees	<u>(15,391)</u>		<u>(18,864)</u>	
Net cost of Annual Conference	54,249			78,193
Trainees conference Expenditure	-		-	
Less: Registration fees	<u>-</u>		<u>-</u>	
Net cost of Trainees Conference	0			0
Family court conference Expenditure	7,081		7,826	
Less: Registration fees	<u>-</u>		<u>-</u>	
Net cost of Family Court Conference	7,081			7,826
Professional conference Expenditure	-		-	
Less: Registration fees	<u>-</u>		<u>-</u>	
Net cost of Professional Conference	0			0
Women in Napo Conference	4,933		-	
Less: Registration Fees	<u>(1,630)</u>		<u>-</u>	
Net cost-Women in Napo conference	3,303			0
Cost of Managers Conference	1,656		-	
Less: Registration fees	<u>-</u>		<u>-</u>	
Net cost of Managers Conference	1,656			0
Cost of PSO Conference	4,157		3,586	
Less: Registration fees	<u>-</u>		<u>-</u>	
Net cost of PSO Conference	4,157			3,586
TUC Conferences	6,899		-	
Health & Safety Forum/Conference	2,172		5,286	
Other conference	641		1,590	
Other project income	<u>(914)</u>		<u>(2,017)</u>	
Total cost of conferences	<u>79,244</u>		<u>94,464</u>	

**ACCOUNTS & ANNUAL REPORT**  
for the year ended 31 December 2015

**ABBREVIATED VERSION**

**Administrative Details**

Full name: The Edridge Fund of Napo the Trade Union and Professional Association for Family Court and Probation Staff  
Registered Charity No: 803493  
Registered Office: 4 Chivalry Road, Battersea, London SW11 1HT  
Bankers: Unity Trust Bank plc. Nine Brindley Place, Birmingham B1 2HB  
HSBC plc. 240 Lavender Hill, Battersea, LONDON SW11  
Investment Managers: HSBC Trust Company (UK) Ltd, PO Box 880, Southampton, SO15 1WP  
Independent Examiner: Gina Alderson, Felden Lodge, Felden Lane, Hemel Hempstead, HP3 0BL

**Report of the Trustees**

**Trustees**

The Trustees who held office during the year were as follows

Anne King (Western)	Appointed as Trustee September 2006, re-appointed in 2011
Doug Stevenson (London)	Appointed July 2012
Charlotte Dunkley (East Midlands)	Appointed November 2013
Beverley Palmer (South Western)	Appointed September 2014, resigned March 2015
David Stevens (Mercia)	Appointed November 2014
Morna Mensah-Dankwah (London)	Appointed September 2015

Anne King was appointed as Chair of Trustees in October 2008. Doug Stevenson was appointed Vice Chair in September 2013. Both have been re-appointed annually since their initial appointment.

**Staff**

Karl Deakin	Secretary to Trustees – resigned September 2015
Cherry Bushell	Secretary to Trustees – appointed September 2015
Jeanne Peall	Honorary Treasurer – appointed May 2015
David Cox	Business Officer & Financial Administrator
Sarah Byatt	Administrator

**Chair's Report**

**Introduction**

I present this Report and the Accounts for the year ended 31 December 2015 on behalf of the Trustees.

This is an abbreviated version of the Annual Report. The Accounts presented are the full version, prepared in accordance with Charity Commission guidelines and requirements. The full Annual Report and Accounts will be available before the Napo AGM in September 2016.

**Trustee & Staff Changes**

In the course of 2015 there were a number changes in both our Trustees and Staff. Beverley Palmer resigned as a Trustee, and we thank her for the enthusiastic work for the Fund during her term. We welcomed a new Trustee, Morna Mensah-Dankwah. Our Secretary Karl Deakin resigned in September 2015, having greatly assisted us in reviewing and updating our procedures during his 3 years in office. We appointed a new Secretary, Cherry Bushell, who has a substantial background in Charity Governance.

We reported last year that the Trustees had undertaken a review of financial controls, and as a result we appointed Jeanne Peall as our Honorary Treasurer. Jeanne Peall is a former Honorary National Treasurer for Napo. As a result, David Cox stood down as our Honorary Treasurer, but he continues in the roles of Business Officer and Financial Administrator.

## The Edridge Fund of Napo

### **Donations and Fund Raising**

This has once again been a mixed year for Edridge. Regular donations have decreased, though the indications are that the reduction has been from long standing donors, who are an ageing population. On the other hand, some current donors have increased their monthly payments. Against this background it is pleasing to see a substantial increase in one off donations and fund raising from branches, and individual one off donations, more than doubling the figure for the previous year. Of particular note is the donation of £1,820 from the Worker's Beer Company, which arises from Napo members working at Festivals and donating their wages to Edridge. There are many other examples of members and others working hard to raise money for us, and we are grateful for this income in these difficult times. We have also seen a respectable increase in participation in our 50/50 Lottery.

The Edridge Fund has once again received a donation from the Civil Service Insurance Society ( CSiS) a not for profit organisation which supports other charities working with people in the Public Sector. We are therefore very pleased to report that CSiS increased their grant to £15,000 for 2015. This is the third year that we have been assisted by CSiS, which has provided a very welcome additional source of income at a time when our grant from Napo for 2015 has decreased by 25%. Given the date of publication of this report, it is appropriate to also confirm that CSiS has continued to support the Edridge Fund with a further grant of £10,000 during 2016. Again, we are very grateful for this.

### **Administration**

The level of expenditure by the Fund on Governance and Administration has marginally decreased by £161 in total, compared with the previous year. However, the total expenditure, including our main charitable activity of grant giving, has reduced by £6,709, which is almost totally accounted for by the reduction in the level of grants paid for the current year. Some reduction was achieved in our administration costs in terms of meeting costs, partly because some Trustee expenses were covered from other sources, and also Trustees have now replaced one meeting a year with a Teleconference.

### **Edridge Investments**

The value of the investments in our Portfolio has increased by a comparatively small amount over the year, but at year end we had more in cash within the Portfolio, compared with the start of the year. Although we had withdrawn funds from the Portfolio in the past, we have not needed to do this during 2015. The "realised" and "un realised" gains in our Investment Accounts are roughly equal, and make no significant effect on our deficit of £4,867. However, our cash position at year end was such that the Trustees decided to withdraw £15,000 from our portfolio, which was received during 2016.

The Trustees have undertaken a review of investments and risk policy during the course of 2015 with our Investment Managers. As indicated in previous reports our Portfolio is managed on a medium risk basis, with investments in an ethical framework, but the Trustees have now decided that the portfolio should be managed on a low risk basis. The Trustees intend to consider alternative investment management options during 2016.

### **Governance**

As a result of work done in the previous year, to consider ways of improving the Fund's response to modern circumstances, during 2015 the Trustees signed a new amending Trust Deed, and also compiled a consolidated document to reflect the provisions in the latest Trust Deed and all previous Deeds. Part of this was also to ensure that the "Transforming Rehabilitation" changes did not affect eligibility for staff to apply for assistance from the Fund.

The main focus of the Trustees during 2015, in terms of governance was in reviewing and revising policies, and also to develop a strategic plan for the future.

### **Applications for Assistance**

The level of applications during 2015 reduced by 14% over the previous year, and this continues a trend from the previous year when there had been a fall of 8.9%. This is contrary to the Trustees expectations that there would be an increase in need. The amount paid in grants reduced by £6,670 – a reduction of 12.84% - compared with 2014, but the average grant paid was about the same as the previous year. The Trustees have continued to target the amount paid to reflect the immediate needs of the applicant, the range of amounts paid is quite wide. The reasons for applications seem to follow the pattern of previous years.

## The Edridge Fund of Napo

We will be publishing tables giving a breakdown of applications received in our full report, but we can confirm that the major proportion of grants paid has been to Napo members, being 64% of the total grants payments, and once again we have paid to Napo members more than we received in the Napo grant by nearly £9,000. The number of applications received was 142, and of these 23 applications were refused or withdrawn, usually on grounds that the applicants were not eligible, and 22 applicants were referred to the other Union Welfare Funds. In 8 of those cases we did eventually provide grants totalling £2,730, which is an increase over previous years. In all cases the applications were dealt with on their individual merit. These figures reflect the overall pattern in the last few years.

Last year we reported on the connections we have made with the Charity for Civil Servants, "For you By you" formerly the Civil Service Benevolent Fund. We are now advising all staff employed by the NPS that as Civil Servants they can now apply to that fund, as an additional resource for assistance.

We have been collecting diversity information from our applications for more than a year now, and will be collating this information in the near future, in order to inform the Trustees decision making. Further information will be provided in our full Report, available later this year.

### **Final Thoughts**

This will be my last report to the members of Napo, as my term of office as a Trustee ends in 2016. In 2015 the Edridge Fund Trustees and staff worked hard to ensure that our operation was efficient and focussed on the purpose of the Fund - to assist colleagues in need. However, as 2015 came to an end we were aware of significant issues facing the Fund, not least of which was the question of how we could achieve our aims against a background of a serious reduction in our income.

As ever, we are grateful to Napo for the support provided by its staff, as well as technical facilities, without which we would struggle. However, the reality is that the Napo Grant for 2016 has been reduced by 50%, and for this reason we withdrew £15,000 from our Investments in January 2016. Without this and the grant from CSiS, we would not have been able to continue our operations as we had previously. The Trustees will need to consider how the Fund operates in the future, but once again our situation underlines the fact that unless we can improve our income streams the future will be uncertain. The best way to achieve this would be for many more people to consider making comparatively small monthly donations. We also need to reach out to non Napo members for this kind of support, given that we pay out significant sums to those non Napo members.

Another major difficulty we have faced is that despite a core of active Napo Area Representatives, the restructuring of Napo Branches has left us with many areas that are not properly covered. This is important in so many ways, and in 2016 we will be making further efforts to improve this.

We had intended to improve our website, but the majority of this significant piece of work we plan to complete in 2016. This could be an important factor in our efforts to reach out to our stakeholders in a more positive way. As always, the more help and support we receive, the more we can pass on to those who apply to the Fund. There is enormous pressure on our staff, and the Trustees, so I urge members to consider devoting some time to helping us. Just call or email us to talk about it, and we welcome ideas as to how we can improve the service we provide.

I have already mentioned the support of Napo staff and officers, and in particular Kath Falcon is a stalwart friend to us. I wish to thank all of my fellow Trustees, staff and local representatives, as well as all the members across the country, who contribute so much to help the Fund. It has been a privilege and pleasure to work with you.

Finally, my best wishes to Edridge; whilst not underestimating the challenges ahead, the Fund remains in very safe hands.  
Anne King – Chair of Trustees  
July 2016

### ***Independent Examination of Accounts***

The Accounts were presented to the Trustees at their meeting on 19 May 2016, and accepted, subject to a satisfactory Independent Examination, in accordance with Charity Commission Guidance. That report will be available in the full version of our Annual Report, which will be available at the Napo AGM in September 2016.

Jeanne Peall – Honorary Treasurer  
August 2016

The Edridge Fund of Napo

**STATEMENT OF FINANCIAL ACTIVITIES** (incorporating an Income and Expenditure Account)  
**FOR THE YEAR ENDED 31 DECEMBER 2015**

	Notes	2015 £	2014 £
<b>INCOME</b>			
<b>Voluntary Income</b>			
Regular Donations		9,473	10,299
Contribution from Napo		20,162	26,917
Bequests		nil	nil
Corporate Charity Donation	10	15,000	10,000
<b>Activities for generating funds</b>			
Fund Raising (including 50/50 Club subscriptions)	6	3,593	3,051
Sale of merchandise		307	56
<b>Investment &amp; Interest Income</b>			
Investment Income		4,716	4,174
Bank Interest (including Investment Account)		nil	nil
<b>Incoming Resources from Charitable Activities</b>			
Contributions from members, branches and others		6,821	3,023
Net Profit(Loss) on Christmas Cards		835	874
<b>Total Incoming Resources</b>		<u>60,907</u>	<u>58,394</u>
<b>EXPENDITURE</b>			
<b>Costs of Generating Funds</b>			
Promotional / Fund Raising activities		256	236
Investment Management Fees		3,026	3,328
Website Expenses		504	504
50/50 Club Prizes		1,441	1,217
Purchase of Merchandise		180	nil
	<i>subtotal</i>	<u>5,407</u>	<u>5,285</u>
<b>Net Resources available for Charitable Application</b>		<u>55,500</u>	<u>53,109</u>
<b>Costs of Charitable Activities</b>			
Grants paid		45,254	51,924
Management & delivery of the charity's purpose	2	13,047	12,375
Governance Costs	4	867	1,700
<b>Total Resources expended</b>		<u>64,575</u>	<u>71,284</u>
<b>Net Operating Surplus/(Deficit) for the Year</b>			
<b>Before Gross transfers</b>		<u>(3,668)</u>	<u>(12,890)</u>
<b>Gross Transfers between Funds</b>		NIL	NIL
<b>Net Incoming Resources before Gains &amp; (Losses)</b>		(3,668)	(12,890)
<b>Other Recognised gains (losses)</b>			
Realised gains/(losses) on investments		(8,971)	5,485
Unrealised gains/(losses) on investments		7,772	2,877
<b>Net Movements in Funds</b>		<u>(4,867)</u>	<u>(4,528)</u>
<b>Total funds brought forward</b>		202,357	206,885
<b>Total Funds Carried Forward (Reconciliation)</b>		<u>197,490</u>	<u>202,357</u>

# The Edridge Fund of Napo

## BALANCE SHEET

As at 31st December 2015

	Notes	2015 £	2014 £
<b>FIXED ASSETS</b>			
Tangible Assets	3	Nil	Nil
Investments	9	178,957	171,185
<b>CURRENT ASSETS</b>			
Debtors	7a & 8	5,921	5,531
Cash at Bank and in Hand		19,165	28,465
		25,086	33,996
<b>Creditors</b>			
Amounts falling due within one year			
Accruals	5	-6,553	-2,824
<b>Net Current Assets</b>		18,533	31,172
<b>Total Assets Less Current Liabilities</b>		197,490	202,357
<b>Net Assets</b>		<u>197,490</u>	<u>202,357</u>
<b>Income Fund and Reserve</b>			
General Reserve as at 31st December 2015		<u>197,490</u>	<u>202,357</u>
<b>Total Funds available to the Fund</b>		<u>197,490</u>	<u>202,357</u>

These financial statements were submitted to the Trustees on 19 May 2016, and were approved subject to a satisfactory Independent Examination.

Anne King – Chair of the Trustees  
August 2016

*The notes below, and on the following page, form part of the accounts.*

## Notes forming part of the Accounts FOR THE YEAR ENDED 31 DECEMBER 2015

### 1. ACCOUNTING POLICIES

The accounts have been prepared using the same policies published in previous Annual Reports, but with some alterations to take account of revised Charity Commission guidelines. A full explanation of this will be set out in our full Report, which will be available for the Napo AGM in September.

### 2. MANAGEMENT & DELIVERY OF THE CHARITY'S PURPOSE

	Notes	2015 £	2014 £
Staff Salaries	2a	10,664	10,015
Office Services including rent		612	600
General Office costs /equipment maintenance		1,040	1,047
Equipment purchase		nil	nil
Insurance		644	624
Bank Charges		87	89
Depreciation of Fixed Assets	3	<u>nil</u>	<u>nil</u>
		<u>13,047</u>	<u>12,375</u>

- a. The figure for staff salaries increased because the Trustees reviewed rates of pay with effect from 2012 and thus the figure includes arrears of pay from previous years, reflecting the new rates of pay.

# The Edridge Fund of Napo

## 3. TANGIBLE ASSETS

The Trustees have once again concluded that our stocks of goods for sale, and operational equipment, is at a level where it would not be appropriate to account for depreciation, as this would not have any material effect on the accounts.

## 4. GOVERNANCE

	<i>Notes</i>	2015	2014
		£	£
Staff & Trustees Expenses	4a	784	1,569
Independent Examiner's Fee		Nil	Nil
Napo Conference Expenses		83	131
Trustees Training		<u>Nil</u>	<u>Nil</u>
		<u>867</u>	<u>1,700</u>

- a. Expenses paid to Staff and Trustees were for travel to meetings and associated costs, including refreshments. No fees were incurred for use of meeting rooms, which were provided by Napo and the London Probation Service. Expenses were reduced by 50% because of reduced travelling costs, and two of the Trustees were assisted with expenses from other sources.

## 5. CREDITORS

	£
Website charges for 4 <sup>th</sup> quarter	126
Office rent for 4 <sup>th</sup> quarter	153
Staff Salaries to be paid to Napo	5,210
Cost to Napo for mail forwarding	36
Grants authorised in 2015, paid in 2016	900
50/50 Club Prize for December, paid in 2016	<u>128</u>
	<u>6,553</u>

## 6. FUND RAISING

	£
Fund Raising & Sponsored events	677
50/50 Lottery Club subscriptions *	<u>2,916</u>
	<u>3,593</u>

\*This means that the net benefits to the Fund from the 50/50 Club is £1,475 for the current year, compared with £1,003 for the previous year.

## 7. GIFT AID

### Gift Aid Claims carried forward from 2014 accounts as debtors and updated for current tax year

	<i>Notes</i>	£
Gift Aid claims for tax years ending April 2012, 2013, 2014		5,400
<i>(Stated in 2014 accounts as debtors - estimated)</i>		
Less Actual refund for 2011/2012 received in 2015		1,973
	<i>Subtotal</i>	<u>3,427</u>
Add Gift Aid Claim (estimated) for tax year 2014/2015		<u>1,800</u>
<b>Balance of estimated Gift Aid carried as Debtors</b>	<b>7a</b>	<b><u>5,227</u></b>

- a. Last year we reported that we were trying to get our claims up to date, and also commented that we completed one claim during 2015. We can report that we have made further progress during 2016, and have already received £2,067 recently. We have streamlined our process for compiling Gift Aid returns, and are hopeful that we can be reasonably up to date by year end 2016.

## 8. DEBTORS

	<i>Notes</i>	£
Gift Aid payable (estimated)	7a	5,227
Donation promised from Workers Beer Company		504
Christmas Cards (based on actual receipts in 2016)		<u>190</u>
		<u>5,921</u>

## 9. INVESTMENTS

The figure for investments is the valuation made by our Investment Managers at year end.

## 10. VOLUNTARY INCOME – Corporate Charitable Donation

CSiS Charity Fund	15,000
a. See "Donations & Fund Raising" section in Chair's report	

# CONSTITUTION

(Formulated by the 1956 AGM; last amended by the 2016 AGM)

## 1. Name

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

## 2. Objects

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

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

## 3. Political Fund

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

## 4. Membership Eligibility

- (a) The following persons in England, Wales and Northern Ireland shall be eligible to be full members of the Association:
  - (i) *Persons paid on a salary scale drawn from those which the Association is involved in negotiating and employed by an organisation delivering probation, rehabilitative or family court services.*
  - (ii) *Those intending to seek employment as defined in clause 4(a)(i) and undertaking a course of training leading to an appropriate qualification for such an appointment.*
  - (iii) *Those who have been made redundant from employment as defined in clause 4(a)(i) and wish to return to such employment.*
  - (iv) *Those unemployed persons who have been employed as defined in clause 4(a)(i) who are seeking to return to such employment following resignation within the previous year or such longer period as the NEC may allow in individual cases.*
  - (v) *Those who wish to find employment as defined in clause 4(a)(i) and have obtained an appropriate qualification but who have never found such employment.*

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

(vii) *Those employed by agencies though working in an organisation delivering probation or family court services.*

(b) Professional Associate Members shall be:

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

(c) Associate members shall be:

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

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

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

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

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

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

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

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

## 5. Subscriptions

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

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

- (c) Subscriptions of associate members shall fall due on 1 January and shall be paid annually except by special arrangement with the General Secretary.
- (d) The General Secretary shall have power to remit payment of the whole or part of any annual subscription in individual cases.
- (e) Full members who are unemployed or on maternity leave shall be exempted from payment of subscriptions.

## **6. Conduct of Meetings**

- (a) Minutes shall be kept of all General Meetings, committee meetings, sub-committee meetings and meetings of branches and their committees.
- (b) A formal monitoring process shall apply to all General Meetings, Committee Meetings, Sub-Committee Meetings and meetings of branches and their committees.
- (c) General Meetings shall be conducted in accordance with the Standing Orders set out in Appendix A of this constitution.
- (d) NEC meetings shall be conducted in accordance with standing orders determined by the NEC.
- (e) With the permission of the Chair associate members may speak at any meeting of the Association.
- (f) Professional Associate Members may speak and vote at any meeting of the Association, except on a motion relating to salaries or conditions of service.

## **7. Voting**

- (a) All full members, and professional associate members, subject to clause 6(f), shall be entitled to one vote each in every division of any General Meeting at which they are present.
- (b) All full members, and professional associate members subject to clause 6(f), shall be entitled to one vote each in every division of any meeting of their branches at which they are present.
- (c) Except as provided for in clause 7(d) all full members shall be entitled to one vote each in every ballot of the Association or of their branches.
- (d) In all ballots under Section 28 on disputes any members who will be called on to act in the industrial action in question shall be entitled to one vote, but no other members shall be entitled to vote.
- (e) Except as provided for in clauses 6(f), 16(e), 16(f), 28(m) and 28(p), all elected members of a committee of the Association shall be entitled to one vote each in every division of any meeting at which they are present.
- (f) Except as provided for in clause 29(e) associate members shall not be entitled to vote.
- (g) Ex-officio members of committees shall not be entitled to vote.
- (h) Except as provided elsewhere in this constitution, decisions of meetings shall be by a majority vote.
- (i) In the event of a tie in any division of a meeting or committee, the chair shall have a casting vote.
- (j) In the event of a tie at the end of the agreed voting procedure in any election for an office, the decision shall be made by the casting of lots.
- (k) The NEC shall make rules for the conduct of ballots specified in clauses 9(b), 9(d), 12(c), 16(c), 21(g), 21(k), 27(a), 27(b), 29(e) and 30(a). Such rules shall be binding on the Association and all branches.

## **8. President and Vice-Presidents**

- (a) A President and Vice-Presidents may be appointed annually.
- (b) A candidate for President or Vice-President shall be proposed and seconded by full members of the Association with the written consent of the candidate and shall be appointed by a majority decision of an AGM.
- (c) A President or Vice-President shall take no part in the Association's decision-making processes.

## **9. Officers**

- (a) The officers of the Association shall be 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.
- (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.
- (c) Candidates for election as an officer shall be nominated in writing by branches with the consent of the nominee. Nominations shall be delivered to the General Secretary not less than three calendar months before the date of the AGM.
- (d) Should an officer for any reason cease to hold the office to which she or he has been elected before the period of office expires, the NEC shall be empowered to fill the vacancy by:
  - (i) the appointment of an acting Chair or Vice-Chair, or;
  - (ii) inviting nominations for the vacant post and conducting an election by secret ballot of all full members.
- (e) An officer acting or elected in accordance with clause 9(d) shall serve until the completion of the term originally to be served by the officer they have replaced. The period of office shall be deemed to be a full term if it exceeds twelve months; any shorter period shall be disregarded for the purposes of clause 9(b).
- (f) The Chair shall preside at General Meetings and NEC meetings at which she or he is present. The Chair shall have discretion to invite a Vice-Chair to preside.
- (g) The officers shall have the power to act between meetings of the NEC in the interests of the Association. They shall report to the next meeting of the NEC on all such actions and decisions taken.
- (h) The officers shall act as employers on behalf of the NEC. They shall report to the next NEC on all such actions and decisions taken.
- (i) The officers shall act as trustees on behalf of the Association in accordance with Section 10. They shall report to the next NEC on all such actions and decisions taken.

## **10. Trustees**

- (a) The trustees of any property owned or leased by the Association shall be the officers of the Association.
- (b) The trustees shall not be:
  - (i) liable for any involuntary loss suffered by them nor for any damage done by any other person to the property;
  - (ii) accountable for more money than comes to their hands; or
  - (iii) responsible for the repair and upkeep of the property, except to the extent of funds available or supplied to them for that purpose.

## **11. Officials and Administrative Staff**

- (a) The officials shall be the General Secretary, the Assistant General Secretaries, National Officials and such other posts as the NEC shall decide. All other employees shall be the administrative staff. All staff shall be employed by the NEC.
- (b) The General Secretary shall manage the affairs of the Association and act as chief negotiator as directed by the NEC. The General Secretary shall be responsible for the officials and the administrative staff.
- (c) Officials and administrative staff shall be responsible to the General Secretary.

(d) Except in special circumstances the General Secretary shall be present at each General Meeting and each meeting of the NEC.

(e) Except in special circumstances the other officials shall be present at each General Meeting. They may be required to attend particular meetings of the NEC for the purpose of providing factual information or technical or professional advice in respect of matters which the NEC needs to take into account in carrying out its functions.

(f) The General Secretary shall have the right to speak on any business at all meetings and committees.

(g) The officials shall not be entitled to vote.

(h) The General Secretary shall arrange for a report on any actions taken on behalf of the Association to be presented to the next NEC.

(i) It shall be the responsibility of the General Secretary to arrange that minutes are taken of each General Meeting and of meetings of the NEC.

(j) Except as specified in clauses 11(b), (c) and (d), any reference to the General Secretary in this constitution includes an Assistant General Secretary acting on her or his behalf.

## 12. Appointment of Employees

(a) The NEC shall be responsible for the appointment of all employees and shall have the power to delegate under clause 12(b) the authority to appoint employees. All appointments shall be in accordance with the Association's equal opportunities policy.

(b) If it is necessary to appoint an official other than the General Secretary, the NEC shall convene a staffing sub-committee consisting of no less than four and no more than five members of the NEC, usually including the Chair and a Vice Chair. The General Secretary may be appointed to the staffing sub-committee ex-officio.

(c) The General Secretary shall be elected by secret ballot of full members every five years. The election shall be held at a convenient time prior to the five year period elapsing. She or he shall be eligible for re-election.

(d) Nominations to the election for the post of General Secretary shall be governed by procedures agreed from time to time by the NEC. Applicants for election will be considered by a staffing sub-committee of the NEC, consisting of no less than four and no more than five members of the NEC, usually including the Chair and 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.

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

(i) The appointment of an acting General Secretary who may be an Assistant General Secretary. Such an appointment shall not be for longer than one year.

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

(f) A staffing sub-committee appointed under clause 12(b) shall co-opt without power to vote an employee who is a member of the recognised trade union if requested to do so by the representative of that trade union.

(g) If it is necessary to appoint an administrative employee, there shall be a staffing panel comprising not less than one officer, the General Secretary and an employee who is a member of the recognised trade union.

(h) A staffing sub-committee or panel shall report to the next meeting of the NEC on all actions and decisions taken.

(i) There shall be a union recognition agreement between the Association and the employees. The NEC shall have the power to delegate to the officers the authority to act on its behalf in negotiations with the union. The officers shall report to the next meeting of the NEC on all such actions and decisions taken.

(j) All employees shall be entitled to be members of and to take part in the affairs of the recognised trade union.

(k) The terms and conditions of service for all employees shall be determined by agreement between the NEC and the recognised trade union.

## 13. General Meetings

(a) A General Meeting shall be the supreme policy making body of the Association.

(b) All members may attend General Meetings. Only full and professional associate members may take part in debate except by permission of the chair.

(c) A General Meeting shall be quorate when 150 full and professional associate members and representation from at least 15 branches are registered not later than a date fixed by the NEC. Sessions of General Meetings shall be quorate when 150 full and professional associate members are present in the hall.

(d) There shall be a Steering Committee for General Meetings comprising six members who shall serve for three years, two retiring each year. Vacancies shall be filled annually from branch nominees elected by a secret ballot of full members. Retiring members of the committee shall be eligible for re-election. A maximum of three men may be elected to the committee. The NEC shall fill any casual vacancies by appointment for the remainder of that term. The General Secretary, the Chair and the immediate past Chair shall be members of the Steering Committee ex-officio. The immediate past Chair shall remain a member until the AGM following that at which she or he ceases to hold office.

(e) The press shall be invited to all sessions of the General Meetings but may be excluded at the ruling of the chair of the meeting during discussion of confidential matters.

## 14. Annual General Meetings (AGM)

(a) There shall be an AGM in each year.

(b) Notice of the AGM, giving the proposed date and place of the meeting and the particulars of the nature of the business to be transacted, shall be circulated to all members entitled to attend not less than six calendar months before the proposed date of the meeting.

(c) The Annual Report and the audited statement of accounts shall be presented for approval to the AGM.

(d) An auditor or auditors shall be appointed by the AGM, shall serve until the next AGM and shall be eligible for re-appointment.

(e) The AGM shall consider any motion of which notice has been given in writing to the General Secretary by the NEC or any of its committees, a branch, the PSO Forum, or two full or professional associate members, not less than eight weeks before the date of the AGM. The General Secretary shall circulate to the NEC, its committees, branches and full and professional associate members details of all such motions not less than six weeks before the date of the AGM.

(f) Notice of proposed amendments to motions shall be given in writing to the General Secretary by the NEC, any of its committees, a branch, the PSO Forum, or two full or professional associate members not less than two weeks before the date of the AGM. Details of the proposed amendments shall be available at the AGM.

(g) In exceptional circumstances if it is deemed necessary in the interests of the furtherance of the objects of the Association, the NEC, or the Officers acting between meetings of the NEC, may vary the deadlines in clauses (b), (e) and (f) above.

(h) Subject to Standing Order 7 the AGM shall also consider any emergency motion of which notice has been given in writing to the General Secretary, or at the AGM to the chair of the Steering Committee acting on behalf of the General Secretary, by the NEC, any of its committees, a branch or two full or professional associate members.

(i) The Steering Committee shall arrange the order of business and the detailed arrangements, including the timetable, for each session of the AGM.

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

#### 15. Special General Meetings (SGM)

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

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

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

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

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

#### 16. National Executive Committee

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

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

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

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

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

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

(g) A quorum of the NEC shall consist of 2/3rds of voting members.

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

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

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

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

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

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

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

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

#### 17. Committees of the NEC

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

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

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

(d) The Chair of the Association shall be a member of all committees ex-officio. She or he shall have discretion to delegate a Vice-Chair to attend instead.

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

(f) The NEC shall delegate the election of a Family Court Committee, which shall have responsibility for all professional, campaigning and training issues that are relevant to the Family Court Section, to the Family Court Section AGM.

(g) Where the business of a committee concerns the interests of all members as defined in Section 4(a)(i), one place shall be reserved for a member of the Family Court Section.

#### 18. Equal Rights Committee

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

#### 19. Anti-Racism

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

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

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

(d) Branch Officers shall inform the Anti-Racism Monitoring

Committee of any complaints from members concerning racism specifying the nature of the complaint, the action being taken and the eventual outcome.

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

## 20. Negotiating Committees

### (a) Probation Negotiating Committee

(i) The NEC shall have power to appoint a Negotiating Committee which shall elect the Napo members of the Trade Union Side of the National Negotiating Council of the Probation Service. No member of the Committee shall be elected as a full member for more than five years in succession. The NEC shall ensure that each grade of employee for which the Association negotiates is adequately represented.

(ii) The Chair of the Association shall preside at meetings of the Negotiating Committee but shall have a casting vote only.

(iii) Each elected member of the Negotiating Committee shall have one vote in divisions within the Committee, and decisions within the Committee shall be taken on the basis of a simple majority vote. Should the Committee thus take a decision which a majority of the representatives of any grade represented considers to be seriously prejudicial to the interests of that grade, an objection may be recorded to that decision. Where such an objection is recorded the decision shall be referred to the NEC. No action shall be taken on that decision until the NEC has decided the issue after considering the majority view of the Negotiating Committee and the view of the grade representatives who recorded an objection. The decision of the NEC shall be binding on the Negotiating Committee.

(iv) The Negotiating Committee is a sub-committee of the NEC and shall act within the policy of the Association. In annual salary negotiations the claim to be submitted to the employers shall first be presented to the NEC for ratification. The Negotiating Committee shall report regularly and in detail to members of the NEC and to branches on the progress of negotiations. At any point during the negotiations a special meeting of the NEC shall be held within 14 days if requested by the Negotiating Committee or by one quarter of the NEC representatives in writing to the General Secretary.

(v) Any provisional agreement made by representatives of the Association about salaries shall be referred to branches for ratification. The Negotiating Committee shall also have the discretion to refer any offer on national salary scales to branches for a decision.

(vi) When a referral is made under clause 20(a)(v) each branch shall be instructed to hold a meeting or meetings within twenty-eight days to consider the question referred. The agreement or offer shall be ratified if a majority of full members present and voting at branch meetings supports it. The General Secretary shall inform Branch Secretaries in writing of the details of the voting of all the branches. Meetings of the branch for the purpose of pay ratification only, need not be quorate.

### (b) Cafcass Negotiating Committee

(i) The NEC shall have the power to appoint a Negotiating Committee which shall elect the Napo members of the Trade Union Side of the Cafcass National Partnership Committee. The NEC shall delegate the election of a Negotiating Committee to the Family Court Section AGM. No member of the Committee shall be elected as a full member for more than five years in succession. The Family Court Section AGM shall ensure that each grade of employee for which the Association negotiates is adequately represented.

(ii) The Vice-Chair (Cafcass) shall preside at meetings of the Cafcass Negotiating Committee but shall have a casting vote only.

(iii) The composition, procedures and standing orders of the Cafcass Negotiating Committee shall be set out in the constitution of the Family Court Section.

(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 an e-ballot of all members of the Section within twenty-eight days to consider the question referred. The agreement or offer shall be ratified if a majority of full members supports it. The General Secretary shall confirm with the Section the details of the voting.

## 21. Branches

(a) Branches of the Association are constituted by warrant and listed in Appendix B to this constitution. The NEC shall have the power to create additional branches.

(b) Except as provided in clause 21(c) branches shall consist of:

(i) All members as defined under 4(a)(i) employed in the area of the branch;

(ii) Any member as defined under 4(a)(ii), who may choose which branch to join;

(iii) All other members who reside in the area of the branch. Where a member's normal place of residence falls outside all branch areas, that member shall be a member of the branch of her or his choice.

(c) In exceptional circumstances the NEC may allow a member to belong to the branch of her or his choice.

(d) The objects of the Association shall be the objects of each branch.

(e) The constitution of each branch and any alteration thereto shall be subject to approval by the NEC which may delegate authority for approval to the Chair. The Chair shall report any decisions to the next meeting of the NEC. Any amendment to the national constitution which consequentially amends the branch constitution shall do so immediately.

(f) Each branch shall bear the expenses of its own business. Branches are entitled to grants from funds of the Association proportionate to branch membership at levels to be determined by the NEC.

(g) Each branch shall elect its own officers and committees. Branch officers (as determined by the branch constitution) can be elected by a secret ballot of full members of the branch, to be held at a convenient time prior to the branch AGM or by show of hands at

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

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

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

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

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

(k) Each branch shall elect bi-annually by secret ballot two representatives to the NEC. Where two people are elected, at least one shall be a woman. Neither may hold the post for more than four years in succession. Only one representative per branch can attend, speak and vote at any meeting of the NEC. Observers may attend, with prior permission of the Chair, at the expense of the branch.

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

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

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

- (i) The NEC must discuss allegations that a branch of the Association has acted outside the objects of the Association in a manner which seriously prejudices the interests of the Association and must pass a resolution that such allegations require further investigation.
  - (ii) Within 30 days of such a resolution the NEC shall meet to allow the officers and NEC representative of that branch an opportunity to answer the allegations made against the branch.
  - (iii) The NEC shall then discuss and vote on a motion to suspend all activities of the branch.
  - (iv) A General Meeting held within 90 days of the date of suspension shall discuss and decide upon dissolution of the branch by a vote of all full members present and entitled to vote.
  - (v) Any decision made under any of these sub-clauses must be supported by a two-thirds majority of those voting at each meeting.
- (o) Should a branch be dissolved under clause 21(p), all branch assets shall be returned to the NEC. The NEC shall ensure that members of the former branch shall be allocated membership of another branch or other branches. At a later date it may consider an application from full members of the former branch to create a new branch in that area under clause 21(a).

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

## 22. Workplace Meetings

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

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

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

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

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

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

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

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

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

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

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

## 23. Sections

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

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

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

## 24. Expenses

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

## **25. Representation of Members**

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

## **26. Legal Assistance**

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

## **27. Benevolent Funds**

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

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

- (c) In exercising its power under the preceding clause the NEC shall specify such terms of appointment as it may consider to be appropriate having due regard for the interests of the beneficiaries of the fund.
- (d) The NEC shall have the power to set up and maintain other benevolent funds to assist those in need who are present or former probation staff or their dependants or those eligible for membership of the Association or their dependants.

## **28. Disputes Procedure**

### **(a) NATIONAL**

- (i) A General Meeting or the NEC may resolve that the Association is in dispute with the employers nationally and shall decide what action is appropriate. The General Secretary shall send to every branch and every full member written details of the dispute and conduct a secret ballot in accordance with rules made under clause 7(k).
- (ii) The Association shall not be committed to national industrial action unless this is supported by a majority of those members voting who are entitled to vote in accordance with clause 7(d).

### **(b) LOCAL**

- (i) In any dispute which arises between a branch and a local employer in connection with any employment practice or condition of service and which the branch has failed to settle by representation or negotiation, the branch chair shall convene a meeting of the branch to consider the matter within 15 working days.
- (ii) If representation or negotiation has failed and the branch decides that industrial action should be considered, the branch chair shall report the whole facts to the General Secretary who shall endeavour to secure a settlement of the dispute. If the General Secretary fails to settle the dispute, she or he shall report the whole facts to the officers who shall if necessary submit the matter to the next meeting of the NEC.
- (iii) The NEC, or the officers, having satisfied themselves that the action proposed is not contrary to Association policy or prejudicial to the interests of the Association, shall instruct the branch chair to conduct a secret ballot in accordance with the rules made under clause 7(k) of this constitution. The Association shall not be committed to supporting such action unless this is supported by a majority of those branch members voting who are entitled to vote in accordance with clause 7(d).

- (c) Members of the Association will be expected to take part in industrial action taken by the Association in accordance with the Disputes Procedure.

## **29. Disciplinary Action**

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

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

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

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

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

(i) the full disciplinary procedure shall consist of:

- (i) *an investigation;*
- (ii) *a hearing;*
- (iii) *an appeal by the member concerned.*

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

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

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

- (i) *impose a written warning as to future conduct;*
- (ii) *disqualify from office in the Association for up to three years;*
- (iii) *recommend to the NEC that the member be expelled from the Association.*

The General Secretary shall be informed of the decision.

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

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

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

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

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

### 30. Amendments

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

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

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

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

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

### 31. Dissolution

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

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

AND

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

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

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

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

EITHER

- (i) be realised and divided among all full and retired full members in proportion to their respective lengths of membership;
  - OR
  - (ii) be given or transferred to some other institution or institutions having objects similar to the objects of the Association, such institutions to be determined by the NEC, or to the Edridge Benevolent Fund or other fund set up under Section 27. These institutions shall be stated on the ballot paper and the funds and assets shall be shared between them in proportion to the wishes of the members expressed on the ballot papers.
- (e) The choice between clauses 31(d)(i) and 31(d)(ii) shall be determined by a simple majority voting in the ballot.

## **APPENDIX A**

### **Standing Orders for the Conduct of General Meetings**

#### **1. Order of Business**

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

#### **2. Chair – Maintenance of Order**

- (a) Before speaking members must be recognised by the Chair, who shall decide the order of the speakers.
- (b) If the Chair calls a member to order, or for any other reason intervenes in the proceedings, no-one shall speak until the Chair permits.
- (c) If a member refuses to obey the Chair when called to order, the Chair may cause her or him to be expelled from the meeting. That member shall not be allowed to take any further part in the meeting until the meeting has been given a satisfactory apology.

#### **3. Chair's Ruling**

- (a) The ruling of the Chair on any question under Standing Orders or on points of order shall be final unless a challenge is made by at least four full members and supported by a two-thirds majority.
- (b) If a ruling by the Chair is successfully challenged but the Chair refuses to accept this challenge, the Steering Committee shall nominate someone else to Chair the remainder of that session.

#### **4. Motions and Amendments**

- (a) Unless a majority of full members present and voting agree otherwise, a motion or amendment must be proposed and seconded in person by the two members who placed it on the agenda or by two full members of the branch or committee which did so.
- (b) The motion on any particular subject is referred to as the 'original' motion; all succeeding motions on that subject are referred to as 'amendments'. If a motion is amended the resulting motion is known as the 'substantive' motion.
- (c) Before beginning the proposal speech the mover of the original motion may indicate that she or he accepts one or more amendments. If a majority of the meeting agrees, the motion shall be amended without debate.
- (d) Any remaining amendments will be debated in turn after the original motion has been proposed and seconded. When an amendment has been proposed, no further amendment may be discussed until the current amendment has been dealt with.
- (e) If an amendment is carried, the original motion is amended accordingly and any further proposed amendments apply to that new substantive motion.
- (f) After all the proposed amendments have been dealt with, the resulting substantive motion is open to debate and becomes the resolution of the meeting if it is carried.
- (g) The proposer of a motion which has been omitted from the agenda may appeal through the Steering Committee for its inclusion. The meeting shall decide without discussion.

#### **5. Compositing Motions and Amendments**

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

#### **6. Withdrawal of a Motion or Amendment**

- (a) The proposer of a motion or amendment who wishes to withdraw it before it is put to the meeting must notify the Steering Committee as soon as possible after coming to that intention. The Steering Committee will advise her or him at what point in the meeting to inform the membership of her or his decision.
- (b) No motion or amendment which has been properly proposed and seconded shall be withdrawn unless a simple majority of the meeting agrees.

#### **7. Emergency Motions**

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

- (i) which have arisen since the closing date for motions;
  - (ii) which cannot be dealt with in any other way, and
  - (iii) which are of such gravity as to justify rearrangement of business.
- (b) (i) If the emergency nature of the motion is accepted by the Steering Committee and approved by the meeting, the motion shall be placed on the agenda.
  - (ii) If the emergency nature of the motion is not accepted by the Steering Committee, the proposer of the motion shall have the right to challenge the Steering Committee's ruling by explaining in not more than two minutes the emergency nature of the motion. The ruling shall then be put to the meeting for decision without debate.
  - (iii) It shall not be possible to amend emergency motions.

#### **8. Time-keepers**

Time-keepers shall be appointed by the Steering Committee.

#### **9. Speeches**

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

- (i) a proposer has a right of reply in accordance with Standing Order 11;
  - (ii) someone may raise a point of order or request information despite having spoken in the debate;
  - (iii) anyone may speak once on any amendment despite having already spoken on the original motion or previous amendments.
- (b) Someone may formally second a motion or amendment but reserve the right to speak until later in the debate.
  - (c) The maximum time allowed for speeches shall take account of interruptions for points of order or seeking information and shall be:
    - (i) six minutes for the proposer of a motion;
    - (ii) three minutes for the seconder and subsequent speakers;
    - (iii) three minutes for any speaker on an amendment including the proposer;
    - (iv) three minutes for any right of reply.

#### **10. Points of Order and Requests for Information**

- (a) Members wishing to raise points of order or seek information must first obtain the permission of the Chair at an appropriate juncture.
- (b) A member raising a **point of order** should quote the Standing Order, or the section of the constitution under which the point of order is raised. All other business shall cease until the point of order is dealt with.
- (c) A member may, with the permission of the Chair, interrupt the debate in order to **seek information**, but will not be permitted to give information at this juncture.

## 11. Right of Reply

- (a) The 'right of reply' entitles the speaker to reply to the debate but no new matter may be introduced.
- (b) *If no amendment is passed*, the proposer of the original motion shall have the right to reply at the close of the debate on that motion.
- (c) *If an amendment is moved*, the proposer of the original motion may speak during the debate on the amendment, but may also reply to that debate at the end. The proposer of the amendment shall not have a right of reply.
- (d) *When an amendment is accepted by the proposer of the original motion*, she or he shall retain the right to reply to the debate on the substantive motion.
- (e) *When an amendment is not accepted by the proposer of the original motion, but is carried*, the right of reply to the debate on the substantive motion passes to the proposer of the amendment (unless she or he waives that right in favour of the proposer of the original motion).

## 12. Reports

- (a) A statement or report presented to the meeting shall be assumed to be on a motion that the meeting adopts the statement or report and Standing Orders 2 to 11 apply, except that a chair or deputy in presenting a main committee report for adoption shall be allowed a maximum of fifteen minutes to present that report.
- (b) Where it is proposed that a report or other statement be adopted by the meeting a speaker may move a procedural amendment that the report or statement or certain defined paragraphs of the report or statement be referred back or referred back for specific alterations to be made. Such a procedural amendment may be debated as though it were an amendment to a motion and Standing Orders 2 to 9 shall apply.
- (c) Following a resolution to refer back a report or statement, there shall be no further discussion or vote and the meeting shall move to next business. Resolutions to refer back a section of the report or statement shall have the effect of excluding that section.

## 13. Voting

- (a) All decisions shall be made by a simple majority except where the Constitution or Standing Orders require a two-thirds majority.
- (b) Voting shall be on a show of hands, but that shall be followed by a ballot at the Chair's discretion or on a request supported by at least fifty voting members.
- (c) Abstentions shall be disregarded in all votes.

## 14. Closing the Debate

- (a) A call for '**the closure**' or for '**next business**' may be proposed and seconded only by members who have not spoken at any time in the debate. No speeches are allowed on such calls.
- (b) If a call for '**the closure**' is carried the meeting shall move immediately to the right of reply followed by a vote.
- (c) If a call for '**next business**' is carried the meeting shall move immediately to the next item of business without any further speeches or a vote on the original motion or any amendments.

## 15. Adjournment

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

## 16. Rescinding a Resolution

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

## 17. Suspension of Standing Orders

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

## **APPENDIX B**

### **Napo Branches/Section as at 1 August 2016**

CHESHIRE & GREATER MANCHESTER

CUMBRIA & LANCASHIRE

DURHAM TEES VALLEY

EAST ANGLIA

EAST COAST

EAST MIDLANDS

ESSEX

HAMPSHIRE & ISLE OF WIGHT

KENT, SURRY & SUSSEX

LONDON

MERSEYSIDE

Napo CYMRU

NORTHERN IRELAND

NORTHUMBRIA

SOUTH YORKSHIRE

STAFFORDSHIRE & WEST MIDLANDS

THAMES VALLEY

THE FOUR SHIRES

THE MERCIA

WESTERN

WEST YORKSHIRE

SOUTH SOUTHWESTERN

FAMILY COURT SECTION

### **NPS / CRC / Employer**

North West / Cheshire and Greater Manchester

North West / Cumbria & Lancashire

North East / Durham Tees Valley

South East / Norfolk and Suffolk

North East / Humberside, Lincolnshire and North Yorkshire

Midlands / Derbyshire, Leicestershire, Nottinghamshire and Rutland

South East / Essex

South West / Hampshire and Isle of Wight

South East / Kent, Surrey and Sussex

London / London

North West / Merseyside

Wales / Wales

Northern Ireland Probation Board

North East / Northumbria

North East / South Yorkshire

Midlands / Staffordshire and West Midlands

South West / Thames Valley

South East / Bedfordshire, Cambridgeshire, Hertfordshire and Northamptonshire

Midlands / Warwickshire and West Mercia

South West / Bristol, Gloucestershire, Somerset and Wiltshire

North East / West Yorkshire

South West / Dorset and Devon & Cornwall

**Cafcass**

# **DISCIPLINARY RULES**

## **Definitions**

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

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

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

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

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

## **General**

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

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

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

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

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

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

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

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

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

## **Preliminary Stages**

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

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

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

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

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

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

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

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

## **Investigation**

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

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

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

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

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

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

## **Disciplinary Hearing**

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

## 5.2 PRE-HEARING

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

## 5.3 THE HEARING

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

## 5.4 POST-HEARING

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

## **Right of Appeal to NEC**

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

6.6 The findings of the Appeals Panel shall be final.

## **Procedure at the NEC when Expulsion is being Considered**

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

## **Post – NEC**

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

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

## **Right of Appeal to AGM**

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

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

9.3 The member may then address the AGM.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **RULES FOR THE CONDUCT OF BALLOTS**

### **1. General Rules**

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

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

### **2.0 Rules for the Conduct of Workplace Ballots**

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

### **3.0 Rules for the Conduct of Postal Ballots**

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

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

## **NAPO ORGANISING FUND**

The NEC established the Fund in 1995. It was reviewed and amended by the NEC in September 2001. The NEC renamed and updated the remit of the fund in 2013.

The arrangements for the Fund are as follows:

1. The Fund will comprise monies provided by Branches and from central funds under the provisions set out below.
2. The Finance Sub Committee comprising the Chair, Treasurer and General Secretary along with the Finance Officer will administer the Fund. The primary purpose of the fund will be to support members to pay for Employment Tribunal Fees. Members will be able to access monies from the fund in line with guidelines established by the NEC for the funding of claims made to an Employment Tribunal.
3. In addition, branches will be able to access the fund for organising activities. Account will be taken of the state of cash flow through Branch accounts when claims are made and notably the impact of Branch grants claimed and due to be claimed. Branches may be asked to submit a copy of their accounts in support of their claim.
4. Branches are required to pay to the Fund by 1 May, half of any surplus held in the Branch account(s) on 31 December the previous year, in excess of the previous year's eligible Grant, e.g. Branch A's allocated Grant was £1,000. At 31 December that year the Branch had funds of £1,400. The Branch pays £200 to the Fund on 1 May the following year (i.e. half the difference).
5. 50% of unclaimed Branch Grants (Annual not AGM) from the preceding year will be placed in the Fund.
6. Any monies remaining in the Fund will be carried forward to the Fund in the following year. If, at the time when the budget is set, the size of the Fund is deemed to be sufficient to meet potential calls upon it during the year, then a decision may be taken by the Finance Sub Committee to recommend to the NEC not to trigger transfers under Points 4 and 5.
7. The maximum cumulative amount that can be claimed by a branch for organising activities will be one-third of the annual grant, or £500, whichever is the greater.
8. Branches intending to submit a claim should do so stating the amount requested, how the grant is to be used and the Branch Account/s current balance/s.
9. The ability to meet claims on the Fund for organising activity, in whole or in part, will be subject to monies available in the Fund.

## Notes

## Notes

## Notes

# **OFFICERS AND STAFF OF THE ASSOCIATION**

---

## **ELECTED OFFICERS 2015-16**

Co-Chairs:	Chris Winters Yvonne Pattison
Vice-Chair (Cafcass):	Jay Barlow
Vice Chairs (Probation):	Dave Adams Chas Berry Katie Lomas
Vice-Chair (Finance):	Chris Pearson

---

## **STAFF**

General Secretary:	Ian Lawrence
Assistant General Secretary:	Dean Rogers
National Officials:	Tania Bassett (Press, Parliamentary, Campaigns) Sarah Friday (Health and Safety) Mike McClelland (Professional, Training) ) – retired May 2016 Ranjit Singh (Trade Union Organisation)
ULR Manager (Wales):	Aziz Bouleghlimat
Finance Officer:	Theresa Boorman
Finance Assistant:	Liz Manville
Office Manager:	Keith Waldron
Administrators:	Anne Burbidge Annoesjka Valent Cynthia Griffith Jacqui Paryag Kath Falcon Margaret Pearce Shireena Suleman Taytula Burke

Napo  
4 Chilvalry Road  
Battersea  
London SW11 1HT