

2009-10 Annual Report and Constitution



Annual Report and Constitution 2009/2010

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List of Abbreviations used in the Annual Report

<p>ABPO – Association of Black Probation Officers</p> <p>ACAS – Advisory, Conciliation & Arbitration Service</p> <p>ADP – Anti-Discriminatory Practice</p> <p>AGM – Annual General Meeting</p> <p>AGS – Assistant General Secretary</p> <p>ARO – Anti-Racism Officer</p> <p>ASBO – Anti-Social Behaviour Order</p> <p>AT – Assistive Technology</p> <p>BME – Black and Minority Ethnic</p> <p>Cafcass – Children and Family Court Advisory and Support Service</p> <p>CB – Cross bencher</p> <p>c-NOMIS – computerised National Offender Management Information System</p> <p>Con – Conservatives</p> <p>CPD – Continual Professional Development</p> <p>CRAMS – Case Recording And Management System</p> <p>DCSF – Department for Children, Schools and Families</p> <p>DDA – Disability Discrimination Act</p> <p>DOM – Director of Offender Management</p> <p>Dragon – A software application enabling use of IT for disabled staff</p> <p>DSE – Display Screen Equipment</p> <p>ECUA – Essential Car Users' Allowance</p> <p>EDM – Early Day Motion</p> <p>EHRC – Equality and Human Rights Commission</p> <p>EIA – Equality Impact Assessment</p> <p>e-OASys – Electronic Offender Assessment System</p> <p>ERO – Equal Rights Officer</p> <p>ET – Employment Tribunal</p> <p>FCA – Family Court Adviser</p> <p>FDR – Fast Delivery Report</p> <p>FSW – Family Support Worker</p> <p>GFTU – General Federation of Trade Unions</p> <p>GMB/SCOOP – The union GMB/Society of Chief Officers of Probation</p> <p>GSCC – General Social Care Council</p> <p>H&S – Health & Safety</p> <p>HMCS – Her Majesty's Court Service</p> <p>HMI – Her Majesty's Inspectorate</p> <p>HMP – Her Majesty's Prison</p> <p>HSE – Health and Safety Executive</p> <p>IDAPs – Integrated Desktop Analysis & Planning System</p> <p>Ind – Independent</p> <p>INQUEST – A charity providing a free advice service to bereaved people on contentious deaths and their investigation with a particular focus on deaths in custody.</p> <p>ISOH – Institution of Occupational Safety and Health</p> <p>IT – Information Technology</p> <p>JAWS – A software application screen reader for the visually impaired</p> <p>JNC – Joint Negotiating Committee</p> <p>JUPG – Justice Unions' Parliamentary Group</p> <p>Lab – Labour</p> <p>LAGIP – Lesbians, Gay Men, Bisexuals & Transgendered people in Probation and the Family Courts</p>	<p>LGBT – Lesbian, Gay, Bi-Sexual & Transgender</p> <p>LGPS – Local Government Pension Scheme</p> <p>Lib Dem – Liberal Democrat</p> <p>MP – Member of Parliament</p> <p>MOJ – Ministry of Justice</p> <p>NAAPS – National Association of Asian Probation Staff</p> <p>NAGALRO – National Association of Guardians ad Litem & Reporting Officers</p> <p>NDSN – National Disability Support Network</p> <p>NEC – National Executive Committee</p> <p>NHS – National Health Service</p> <p>NNC – National Negotiating Council</p> <p>NOMS – National Offender Management Service</p> <p>NPC – National Partnership Committee</p> <p>NPS – National Probation Service</p> <p>NVQ – National Vocational Qualification</p> <p>OASys – Offender Assessment System</p> <p>OFSTED – Office for Standards in Education, Children's Services and Skills</p> <p>OLASS – Offender Learning and Skills Service</p> <p>OM – Offender Management/Manager</p> <p>OMNI – Offender Management National Infrastructure</p> <p>PA – Probation Association</p> <p>PC – Plaid Cymru</p> <p>PCA – Probation Chiefs Association</p> <p>PCS – Public and Commercial Services union</p> <p>PO – Probation Officer</p> <p>POA – Prison Officers Association</p> <p>PQF – Probation Qualification Framework</p> <p>PRFD – Principal Registry of the Family Division</p> <p>PSLG – Public Service Liaison Group</p> <p>PSO – Probation Service Officer</p> <p>QC – Queen's Counsel</p> <p>SBC – Specification, Benchmarking, Costings</p> <p>SBL – Society of Black Lawyers</p> <p>SCCOG – Standing Committee for Chief Officer Grades</p> <p>SEC – Section Executive Committee</p> <p>SM – Service Manager</p> <p>SPO – Senior Probation Officer</p> <p>TPO – Trainee Probation Officer</p> <p>TUC – Trades Union Congress</p> <p>TUDA – Trade Union Disability Alliance</p> <p>TUCG – Trade Union Coordinating Group</p> <p>TUO – Trade Union Organisation</p> <p>UCU – University and College Union</p> <p>UHSS – Union Health & Safety Specialists</p> <p>UK – United Kingdom</p> <p>ULR – Union Learning Rep</p> <p>ULF – Union Learning Fund</p> <p>UPW – Unpaid work</p> <p>VISOR – Violent Offender & Sex Offender Register</p> <p>VQ – Vocational Qualifications</p> <p>WID – Windows Interface Device</p> <p>YOT – Youth Offending Team</p>
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Annual Report

August 2009 to August 2010

Introduction

So, what's new? This time last year I was writing about the impact of cuts on the Probation Service and Cafcass, and Napo's fight to protect both services and, as I introduce this year's annual report about the Association's work, that remains the central theme of all our endeavours. And yet, of course, much has changed. The thirteen years of Labour Government ended in May and we are now subject to a coalition of Tories and Liberal Democrats, a new and, thus far, dispiriting experience for all of us working in the public sector. The focus on cutting costs and jobs in public services in order to reduce our national deficit has conveniently airbrushed from history the reason we are enduring the current economic crisis – the recklessness of under regulated banks speculating with people's money. We bailed them out and now we are being made responsible for footing the bill.

Despite the difficulties, Napo's year has demonstrated the success of our collective work on behalf of members. In the Probation Service the monthly meetings we held with the last Labour Justice Secretary, Jack Straw, continued into 2010. In October 2009 we achieved a direct success as a result of these meetings and all our national and local campaigning. The Justice Secretary announced to the House of Commons that he was going to more than halve the planned £50 million cut to the Probation Service budget for 2010/11 and he cited the representations of the trade unions as playing a major part in that decision. The immediate impact was the removal of compulsory redundancy threats in a number of areas and the permanent employment of a good proportion of newly qualified probation officers, a key target for our campaign.

In Cafcass we were not dealing with the immediate risk of a cut in the organisation's budget but the corrosive influence of Ofsted continued to affect the working lives of family court section members. We experienced an unhealthy increase in the number of disciplinary proceedings against staff often prompted by the forensic internal inspection processes initiated by the corporate team heading up Cafcass. Napo was able to utilise extensive media coverage to highlight our concerns about the oppressive culture developing in the organisation and it is encouraging to report that the number of staff in proceedings appears to be falling sharply.

Regrettably, post election we have had to deal with a changing and potentially more threatening world. The Probation Service received an additional £20 million cut for this financial year and this, inevitably, triggered renewed discussion of redundancies, notwithstanding that many areas had already lost a significant number of staff in the spring as a result of a major round of voluntary redundancies and early retirements. The freezing of posts increases the strain on existing staff as they struggle to contain workload pressures and the roll out of the Probation Qualification Framework, which Napo has helped develop, is endangered by the lack of resources in areas to deliver the promised training to staff. The creation of the 35 Trusts in April remains a potentially significant development although they may not achieve the independence they crave in the cuts-focussed environment. Cafcass is still avoiding immediate budget cuts, and is probably best placed remaining in the slightly more protected environment of the Department of Education, but its workloads remain high with insufficient staff available to meet the still increasing demands on child related services. The coalition Government quickly abolished the GSCC. It remains to be seen, however, whether it will accept all the recommendations of the Social Work Taskforce (which reported last year) in relation to future training, career structure and professional standards in social work.

Napo's proposals for the abolition and/or restructuring of NOMS have had considerable success. It is an irony of the new political world we are living in that it is at risk of disappearing as a result of Government

commitments to abolishing 'quangos'. Certainly its responsibility for the organisation of the Prison and Probation services is likely to be reduced but whether this will result in the Probation Service strengthening its role and identity remains to be seen. The future of Ofsted is likewise uncertain but its apparent 'lighter touch' approach to inspections in Cafcass recently is welcome whatever its prospects.

However, we have to be careful what we wish for in these changing times and the spectre of privatisation grows ever stronger. The Government's rehabilitation 'revolution' looks increasingly like a charter for private sector involvement in the delivery of justice with the market orientated notion of 'payment by results' providing the financial incentive. There are other issues that will also cause us grave concern including the pay freeze across the public sector, pension threats and the impact of the cuts on equality and diversity. Napo is fully committed to supporting the staff associations as they battle the threat of devastating reductions in their annual budgets from NOMS.

You will read in this report about the response Napo is making to the threat of cuts and privatisation. We are gearing up for potentially our biggest ever campaign to protect jobs and professional standards. The level of media coverage we have achieved has never been greater. It will also involve local and national lobbying and action and work with a range of partners. In the justice sector we are linking up with our sister unions to promote our concerns and coordinate a response. As a TUC affiliate we are represented on the group planning combined public sector union action ranging from demonstrations to potential industrial action. Napo members have always answered the call to arms when action is needed and I am sure we will see an even greater response if the Spending Review rolls out the sort of draconian cuts promised by the coalition Government.

Our continuing focus on recruitment is proving successful even with the impact of the staff departures I mentioned earlier. Branches have responded positively to Target 10K and the recently issued organising and recruitment guide provides invaluable guidance. We should take great encouragement that though membership has fallen slightly our overall density has increased which places us in an excellent position to strengthen our membership base in the longer term. An important challenge continues to be ensuring that our national and local activists reflect the diversity of our membership. We need to ensure, for example, that women are filling roles in proportion to their percentage of membership and there is much work to be done. At the same time, Napo has to monitor its finances carefully and the slump in interest rates has affected our income. Some necessary savings have been introduced but the commitment of members and staff has helped us remain as effective as ever.

As always I want to place on record an appreciation of all the work done by members, branches, national committees, national reps, national officers and staff. After several years of considerable change at Chivalry Road we have had a quieter year. However, Deb Borgen, National Vice Chair (Probation), stood down in May in order to take up a full time post at HMP Holloway. Deb was an excellent Officer whose commitment to trade union beliefs and professional standards was a constant source of wisdom and inspiration.

Napo is a small union and yet we persistently ensure that our cause is heard and our opinion and values recognised. We share a common aim and, standing in solidarity, we have the drive for the challenge ahead on behalf of the justice system. I will not pretend that the coming months will be easy but with our collective strength, alongside our sisters and brothers across the movement, we can win the battle for properly resourced, professionally trained and state run public services.

Jonathan Ledger, General Secretary

National Executive Committee

<i>Officers:</i>	Tim Wilson (Chair) Paul Bishop, Deb Borgen (resigned May 2010), Dino Peros, Mike Quinn (Vice-Chairs) Keith Stokeld (Treasurer)
<i>Branch Representatives:</i>	Each branch is entitled to send one of its two elected representatives to each NEC meeting
<i>NEC Black Reps:</i>	Pauline Anderson (Greater London Branch) Maureen Vernon (Staffordshire and West Midlands Branch)
<i>Officials:</i>	Jonathan Ledger (General Secretary) Harry Fletcher (Assistant General Secretary) Ian Lawrence (Assistant General Secretary) Cordell Pillay (Assistant General Secretary) Mike McClelland (National Official) Ranjit Singh (National Official)
<i>Administrator:</i>	Chris McGarry

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

2. **Officers.** Napo's officers for the year 2009-2010 were: Tim Wilson (Northumbria) – Chair, Paul Bishop (Family Court Section) Vice Chair, Deb Borgen (Greater London, resigned May 2010), Dino Peros (South Western), Mike Quinn (West Yorkshire) Probation Vice Chairs, and Keith Stokeld (Durham Tees Valley) – Treasurer.

3. **Black NEC representatives.** During the year black representative seats were filled by Pauline Anderson (Greater London) and Maureen Vernon (Staffordshire & West Midlands).

4. **Employers' issues.** In contrast to recent years there has been no change in staffing in the past year.

5. **Finance.** Napo's Treasurer reports regularly to the NEC on Napo's financial position. In accordance with legislative requirements the basic details of the union's income and expenditure during the course of the year are published annually in *Napo News*. The audited accounts for 2009 are included in the annual report.

6. The Treasurer's report includes information about decisions taken by the NEC to address savings costs for the union and includes reference to branches' positive response to a request for support with legal aid/representation costs.

7. **Audit issues.** At the conclusion of their annual audit of Napo's accounts the auditors raised some concerns with the Officers that had arisen during the audit. They referred to the arrangements for the Race for Justice Conference held in December 2009 and related to the approval of Napo's role in its organisation, the processing of monies and the use of ULF grants in connection with the Conference. As a result the auditors, whilst approving the accounts, submitted a qualified report in respect of these specific issues.

8. The Officers reported these concerns to the May meeting of the NEC. Consequently, the NEC formally confirmed Napo's role in the organisation of the Conference and ordered an enquiry into the issues raised by the auditors. An enquiry group was established made up of three NEC members and three Officers. On completion of its enquiries, which included meetings with relevant staff and Officers, it provided a full report to the NEC meeting in September. The group made a series of recommendations, including action to improve Napo's financial procedures and the reporting process for the ULF projects, all of which were adopted by the NEC. This has been reported to the auditors.

9. The Officers will be responsible for ensuring that action is taken to address the recommendations and the NEC will receive regular reports. The outstanding issue relating to the approval of ULF grants for the Conference is being addressed with the projects covering England and Wales.

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

- Avon & Somerset is in dispute over the length of pay protection.
- Chiltern Counties registered a dispute in Bedfordshire over ECUA that was referred to the Joint Secretaries.
- Cumbria had been in dispute over ECUA until an offer from management was accepted by members. Cumbria has two current disputes; one over the local redundancy policy and a reduction in pay protection from 3 years to 12 months; the other over Sickness Absence Management Policy trigger points.
- Essex registered a dispute over OASys Targets which was immediately resolved in the branch's favour. A dispute over PSOs doing FDRs was heard by the board and rejected. A dispute over Casual User Mileage Rates was referred to the Joint Secretaries.
- Hampshire & Isle of Wight is in dispute regarding additional mileage claims and this has been referred to the Joint Secretaries. There is a further dispute regarding Programmes contracts.
- Greater Manchester is in dispute over staff cuts and the process for reducing the number of SPOs.
- Trent has been in a dispute over Workloads. The branch had a 57% turn-out in its ballot for strike action with 85% in favour. Management in Nottinghamshire agreed to look at the problem and to go to the Joint Secretaries. The strike was consequently called off but the dispute continues. A dispute over sickness absence management has been resolved. A formal dispute was also registered over opting out of particular work (with adult male men who commit sex offences) but this was consequently withdrawn.
- Warwickshire was in dispute over Sickness Absence Management Policy and ECUA. The branch has had regular review meetings with the Chief Officer to look at the Absence Management policy. Significant amendments were made which may result in resolution of the dispute. The ECUA dispute ended when the Branch reluctantly accepted a revised offer. A further dispute was registered in May 2010 over peer assessment in annual appraisals. In June the branch registered a further dispute about lack of proper consultation with the unions.

11. **Motions.** During the year the NEC passed motions on the following subjects:

- Developing effective local campaigns
- Unpaid Work groups
- Stop The War Coalition
- The rehabilitation of prisoners
- Branch mergers (Durham Tees Valley, Napo Cymru, Surrey & Sussex and Staffordshire & West Midlands)

12. **Operational Plan and Strategic Objectives.** The November meeting of the NEC agreed Napo's Operational Plan 2009-10 and it was sent to branches in BR64/2009. The plan was set out in line with the five objectives under Napo's strategic aims covering the range of Napo's work.

13. **Inclusion of the Family Court Section.** In response to this resolution passed at the 2009 AGM amendments have been made to branch documents relating to conferences. The invitations to branches to submit motions for the TUC equality conferences requests that where a motion relates to both Probation and Cafcass it is clarified in the wording. Those submitting motions or constitutional amendments to AGM were asked to ensure that the wording of the motion/constitutional amendment, where applicable, clarified whether it is only relevant to Probation or Family Court members or is inclusive of both.

14. The Children's Minister has been invited to address the AGM and speakers addressing all members at Conference will be advised of the two sections that exist within Napo. As is usually the case, one of the two motions submitted in Napo's name to the TUC Congress relates to Family Court issues. Work will continue to maintain and develop the full representation of all Napo members.

15. **Resources and budgets.** Napo's campaign against the cuts in the Probation budget was successful during the latter part of 2009. The then Justice Secretary announced in October that the prospective £50 million cut to the budget for 2010-11 would be reduced to £24 million. In his announcement to Parliament he paid tribute to the representations made by the unions. One direct result of this was the permanent employment of most TPOs completing their studies that autumn, a key aim of our campaign.

16. Since the formation of the coalition Government a further cut in the Probation budget of £20 million has been announced for the current financial year. The Spending Review of all public services on the 20 October is expected to set out the scale of cuts over the next three years which will provide us with greater understanding of the impact on Cafcass and Probation.

17. Napo's renewed cuts campaign will be launched at the 2010 Conference and will bring together our fight on behalf of probation and family court members. The Campaigning Committee section of the annual report contains more information. Napo is also building links with other Justice unions and is represented on the TUC's Public Services Liaison Group which is planning coordinated action by all the public sector unions.

18. **National Disputes.** Napo remains in dispute with the national employers over workloads. Unison has not recorded a dispute on this issue. The 2010-11 pay settlement included a commitment to addressing workload management and is the subject of one of the three working groups established by the NNC. Further information is included in the Probation Negotiating Committee section of the annual report.

19. **Trade Union Co-ordinating Group.** Napo remains a member of the TUCG along with seven other affiliated unions. The TUCG held its first Conference in March and a seminar took place in July to discuss the Group's response to the new administration and its cuts agenda. The TUCG, via its Parliamentary Coordinator, issues briefings and press releases on a range of issues relevant to its members.

20. **Ministerial/Officials Meetings.** Regular meetings take place with representatives of the Cafcass Board of employers and the Chief Executive. The Parliamentary Family Court Group meets regularly and includes meetings with the Minister. Since the formation of the coalition Government Napo's requests to meet with the Children's Minister have not, so far, been successful.

21. Monthly meetings with the Labour Justice Secretary and Prisons and Probation Minister continued until the beginning of 2010. Following the election approaches were made for a meeting with the Prisons and Probation Minister. Initially it was suggested

that such meetings should take place with all the prison and probation unions but, following representations by Napo, Unison and the GMB, the Minister met solely with the probation unions in late July. Further meetings will be arranged. Napo representatives meet regularly with senior officials in NOMS, the PA and PCA. A monthly meeting takes place with the NOMS Chief Executive.

22. **Staff Associations.** In line with the Napo/SAs Protocol regular meetings take place between all parties. The SAs are invited to nominate members to Napo's delegations to TUC conferences.

23. Napo and the SAs are working closely together on a response to a NOMS paper about the future funding of the SAs. We share concerns about the intentions behind this initiative and Napo will continue to support the SAs in their fight to ensure their future and maintain their key role.

24. **General Federation of Trade Unions (GFTU).** Napo is an affiliate of the GFTU and the General Secretary sits on its executive. It is a source of research information and trade union education for members. The current GFTU General Secretary is retiring in 2011 and the process for electing his successor is underway.

25. **Trade Union Congress (TUC).** Congress 2009 took place in Liverpool. Napo's motions entitled 'Probation Job Cuts' and 'Stopping the BNP' were both passed, the latter as part of a composite.

26. Napo's delegation to Congress in addition to the Chair and General Secretary included Keith Stokeld (Durham Tees Valley), Pauline Anderson (Greater London), Shirley Anderson (LAGIP) and Davlin Brydson (ABPO). A full report of the Congress was provided in *Napo News*.

27. 2010 Congress is taking place in Manchester and Napo is submitting motions entitled 'Justice is not a commodity' and 'Reforming Ofsted'.

28. **TUC Women's Conference.** Napo's delegation included Cordell Pillay, Assistant General Secretary, Deb Borgen, Vice Chair, Pat Waterman (Greater London), Christine Beverton (Greater London), Siobhan Foreman (Northumbria) and Shirley Anderson (LAGIP). Napo's motion was entitled 'The impact of public service cuts on justice for women'.

29. **TUC Black Workers Conference.** Napo's delegation included Cordell Pillay, Assistant General Secretary, Pauline Anderson (ABPO), Carol Jones (South Yorkshire), Angela Clarke (Greater London) and Christine Beverton (Greater London). Napo's motion was on opposing the far right. Pauline Anderson was re-elected to the TUC Race Relations Committee.

30. **TUC Disability Conference.** Napo's delegation included David Quarmby (West Yorkshire), Sarah Chapman (NDSN) and Jane Hurst (South Yorkshire). Napo's motion was entitled 'Public Service cuts and Disability rights'. David Quarmby was re-elected to the TUC Disability Committee.

31. **TUC Lesbian Gay Bisexual and Trans Conference (LGBT).** Napo's delegation included Tom Rendón (LAGIP), Lauren Salerno (Napo Cymru), Leon McLoughlin (East Anglia) and Colette Barrie (LAGIP). Napo's motion was entitled 'Stop the homophobic hate laws in Uganda'.

Cafcass Negotiating Committee

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

32. **Pay.** The Committee's report to the AGM last year talked about the successful conclusion of the Strategic Pay Review and the battle to ensure that everyone entitled to progress did so. This was largely achieved. This year we had the last of the three year 2% pay rises agreed within the SPR, which left Family Court Section members in a good position compared to other parts of the public sector in this pay round. Cafcass also honoured the commitment to progress members entitled to target pay this year but will not give a similar commitment for April 2011.

33. Cafcass has a very short pay scale of three increments at the various levels, which means that most Napo members will now be at the top of the pay scale. However new members will rightly expect Napo's support in ensuring they progress as they should. Cafcass has continued to be exempt from the cuts other parts of the public are suffering but this may well change when further announcements are made about Government spending on 20 October.

34. This, current, exemption from cuts makes the deteriorating service provided by Cafcass extremely frustrating for members. Cafcass is doing less and less for children as it spends its money on increasing bureaucracy at the behest of Ofsted.

35. **Workloads.** This has been the major issue for members this year. Practitioner workloads have doubled or more. This was a very live issue during the AGM last year with Napo being involved with negotiations during last year's AGM. This began, and has continued, with London members being at the 'sharp end' of this increase. About 50% of practitioner resource in London is self-employed practitioners which made it very easy for Cafcass to make immediate cuts by simply stopping any allocations to this group. This left an immediate backlog of work, particularly in public family law (care proceedings) which Cafcass resolved by increasing caseloads from 12 to 20. We were told this was to be achieved by practitioners meeting with their Service Managers (immediate line managers) and given detailed instructions about what to do and not do. Napo felt this was an unrealistic expectation of SMs. This pattern has since been repeated in other parts of the country, but the overall picture is patchy, with some areas being more affected than others.

36. During December 2009 Napo agreed a Joint Statement of Intent to develop a Workload Policy. Recent discussions have indicated that the Cafcass national data base (the Case Management System) is now able to give information about what stage a case is at and not simply a number of cases. The amount of work varies at different stages and this will give a much clearer indication of how much work a practitioner has. It will not be exact but it will be a good guide. At the time of writing this report the expectation is that a Workload Agreement will be in place prior to the AGM.

37. **Service Managers.** About three years ago Cafcass increased substantially the numbers of senior and middle managers, including specialist managers. Whilst the stated aim of this increase was to reduce the workload of SMs, it actually had the opposite

effect. They were expected to respond to new initiatives and increased scrutiny. This risks an unbalanced focus on bureaucracy at the expense of work with children and families.

38. **The way forward.** There is widespread criticism of Cafcass throughout the Family Court System. Cafcass has faced the challenge of having to respond to an inordinate increase in demand which it has to meet within existing resources. New ways of working have been introduced which has led to higher caseloads for practitioners. At the same time staff are being told to raise professional standards. The experience of a significant number of members of all grades is that these expectations are being reinforced through a culture of bullying and harassment. Some members have been placed on Action Plans for spurious reasons, causing considerable stress.

39. An Interdisciplinary Alliance from a group of significant organisations within the Family Justice System has recently produced a paper expressing concern about Cafcass' service. It is seeking to work with Ministers to ensure that Cafcass meets its statutory responsibilities. Napo is a member of this Alliance and has played a leading part with other organisations in developing plans for a better Cafcass service.

40. Napo has already had considerable success in promoting its concerns through the media, and the Family Court Unions Parliamentary Group. During the autumn there will be two select committees, a Family Justice Review, a review of bureaucracy in Children's Service, and a National Audit Office Hearing about Cafcass. These will give Napo further forums to raise issues. The new President of the Family Justice Division, Sir Nicholas Wall, has made it clear that he has serious concerns about the Family Justice System. He has also made it clear that he is prepared to speak out about what he sees as its deficiencies.

Campaigning Committee

<i>Members:</i>	Kath Alsop (South Western) Stephen Berry (Sussex and Surrey) Gail Coles (Chiltern Counties) Caroline Cosgrove (South Yorkshire) Jenny Elsmore (Leicestershire) Jane Foster (Lancashire) Iqbal Malik (Napo Cymru) Francis Sanders (Cheshire) Clare Saunders (Hampshire and Isle of Wight)
<i>Officer:</i>	Deb Borgen (Vice-Chair) resigned May 2010
<i>Official:</i>	Harry Fletcher (Assistant General Secretary)
<i>Administrator:</i>	Kath Falcon

Mike Guilfoyle (Greater London) and Mathew Laird (West Yorkshire) were also much valued Committee members for part of the year but resigned during the course of the year; Matthew due to pressure of work and other Napo commitments and Mike because he left the service.

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

42. **Overview.** The year was, once again, dominated by campaigning against budget cuts and increased workloads in both Probation and Cafcass, to secure jobs for qualifying TPOs and for the restructuring of NOMS to ensure the survival of Probation as an entity.

43. **TPO Jobs.** For the latter part of 2009, the focus of Napo's anti-cuts campaign was on the threat to TPO jobs. Information on how budget cuts were affecting the employment prospects of

qualifying TPOs was turned into a briefing for MPs and the press. Napo also raised the issue with MPs and ministers through the Justice Unions' Parliamentary Group (JUPG). Members and the public were urged to contact MPs locally and a 'model' letter was produced. A petition was circulated and branches were encouraged and supported to contact the local media. Napo also organised a delegation of TPOs to meet with the Justice Secretary, Jack Straw, on 27 October 2009.

44. **Cuts Campaign 2009.** The end of October 2009 saw a positive result for Napo's campaign against cuts when the Secretary of State announced that the Probation budget would not be cut by £50 million as previously indicated but would be reduced by £24 million.

45. As part of its campaign Napo had raised the cuts in regional 'evidence' sessions with MPs, lobbied fiercely and issued numerous briefings and press statements on the plight of the service. Branches had also been key in lobbying MPs locally and making use of local media.

46. **Cuts Campaign 2010.** In the run-up to the general election in May 2010, the Committee formulated the next phase of the anti-cuts campaign strategy, anticipating huge cuts whatever the outcome. This was launched after the election when the extent of future cuts became apparent. The focus of the campaign is to argue that cuts to Probation and Cafcass would be counterproductive as they would lead to increased expenditure elsewhere in the departments and that they would adversely impact on the effectiveness of the services.

47. As part of this strategy Napo has commenced the production of a series of briefings for the press and parliamentarians. The first two of these on Sex Offenders and Treatment and Short-term Jail Sentences have been published. The third briefing on the impact of the curtailment of programmes is in the pipeline. Other briefings will be produced at intervals throughout the year. The effectiveness of this strategy relies heavily on members providing Napo head office and the Committee with information.

48. The cuts campaign strategy for the next four years, which will be based on making the economic case for Probation and Cafcass, will be launched at the AGM in October.

49. **Fight to Save the Probation Service.** The campaign for separate operational arms for both Probation and Prisons and a national Probation Directorate and Director was launched at the start of 2010 with the publication of the paper '*Performance of NOMS – the case for restructuring*'. This was sent to all MPs. There was also an important debate in the House of Lords, led by Lord Ramsbotham, on the future of Probation on 21 January. An early day motion (EDM 821) in support of the campaign objectives was tabled and received 79 signatures. The campaign was re-launched following the election with the publication of an updated report on 12 July 2010. Further work on this will be undertaken via the JUPG including the tabling of parliamentary questions, the production of briefings for MPs and approaches to ministers.

50. **Waste and Bureaucracy.** A survey of branches/members was conducted over the summer and autumn of 2009 and the results reported to the November NEC. The findings were translated into a comprehensive paper which was published at the end of December 2010 and received substantial local and national press coverage. This was sent to MPs and also raised with the Ministry of Justice. Since then examples of waste, particularly in relation to the Probation facilities management contracts have continued to pour in from members. A further paper was produced for the JUPG in March 2010. This campaign is ongoing.

51. **Family Court Campaigning Work.** Napo campaigned on Family Court issues producing two reports; Cafcass in Crisis and Cafcass in Meltdown. Work was also done via the Family Court Unions' Parliamentary Group (see Press and Parliamentary section below). Contact was also made with the National Audit Office which, as a result, initiated a 'value for money review' of Cafcass. Napo submitted evidence to this review. The response to the NAO was also publicised in the press and circulated to MPs.

52. **Campaign against the Far Right.** Campaigning Committee addressed a 2009 AGM motion calling for it to devise an effective strategy leading up to the general election to prevent the advancement of the Far Right into government. Napo forged links with a number of anti-fascist campaign groups including Hope Not Hate, Unite Against Fascism and Love Music Hate Racism and encouraged members and branches to become involved in activity to counter the threat of, particularly, the BNP in the general and local elections with bulletins and via the website. The Committee was delighted to be able to note the success of the anti Far Right campaigning work, particularly in Barking and Dagenham, at its June meeting, but noted that the threat had not disappeared and that this work needs to continue.

53. **Developing effective local campaigning.** During the year the Committee has been looking at ways of bolstering effective local campaigning particularly at: the possibility of encouraging branches to appoint 'Campaign Officers': developing a campaigning 'tool-kit' for branches; providing 'resources' on the website; promoting the development of branch newsletters, possibly through the provision of a 'template newsletter'. This work will continue into 2010/11.

PRESS AND PARLIAMENTARY REPORT

54. **Period covered.** This section covers the period 01-07-09 to 30-06-10. The last year has been an intense period dominated by cuts to Probation and the workload pressures for both Cafcass and the Probation Service.

55. **Parliamentary Groups.** The three parliamentary groups of which Napo is a member met on average three to four times during the year. The Justice Unions' Parliamentary Group (JUPG) facilitated access to the Secretary of State and junior ministers on several occasions. The Children's Minister also attended meetings with the Family Court Unions' Parliamentary Group together with members of the Social Work Taskforce. The Drug, Alcohol and Harm Reduction Group also met with ministers to discuss harm reduction and other strategies.

56. During the year a total of 700 parliamentary questions were tabled. The subjects covered budgets, Probation and Cafcass, caseloads, ClearSprings, drugs in prison, prisoner transfers, prisoner inspections, contact time in Probation, veterans in the criminal justice system, C-NOMIS, extremism, Cafcass staffing levels and workloads, staffing in NOMS, secondees, the role of Directors of Offender Management, Cafcass and care proceedings, End of Custody licence, the Sonnex case, MAPPA arrangements, facilities management contracts, bureaucracy, the cost of supervision and crime figures.

57. **Early Day Motions.** During the year 10 Early Day Motions were tabled by MPs from all Parties including ones on NOMS, the Probation Service and cuts, the role of Cafcass, care proceedings, court closures and veterans in the criminal justice system.

58. **Parliamentary Debates.** Napo prepared briefings for a range of debates including ones that covered the armed forces and the criminal justice system, Probation cuts and the future of Probation.

59. **Conservative Opposition Seminars.** Napo organised five seminars for the Conservative Opposition Frontbench on mental health and Probation, what works, extremism, drugs and alcohol and criminal justice, and sentencing. They were attended by MPs, Napo members and other invitees.

60. **Gun, Knife and Gang Related Crime Bill.** The Bill drafted by Napo placing a duty on local authorities to tackle inequality and gang related crime was approved and supported by the Society of Black Lawyers and the National Black Police Association. Diane Abbott MP has agreed to introduce it into the House of Commons during the next parliamentary session.

61. **Parliamentary meetings.** In pursuit of Napo's objectives, meetings were arranged during the year with a range of MPs including: Jack Straw (Lab), Maria Eagle (Lab), Dominic Grieve (Con), Edward Garnier (Con), Cheryl Gillan (Con), John McDonnell (Lab), Neil Gerrard (Lab), Alan Duncan (Con), David Howarth (Lib Dem), Elfyn Lwyd (PC), Gavin Shuker (Lab), Lisa Nandy (Lab), Dominic Rabb (Con), Tim Loughton (Con), Anna Soubry (Con), Mark Hunter (Lib Dem), Gordon Henderson (Con), George Howarth (Lab), David Burrowes (Con), Kevan Jones (Lab) and Diane Abbott (Lab). Meetings also occurred with a small number of Peers including Baroness Gibson (Lab), Baroness Linklater (Lib Dem), Lord Ramsbotham (CB), Baroness Howe (CB), Baroness Stern (CB) and Lord Bradley (Lab).

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

63. **Briefing Papers.** A total of 35 briefing papers were produced over the course of the 12 month period for parliamentarians and the press. These included:

- Probation under stress (June 2009)
- The shape of community penalties (July 2009)
- The future of the Parole Board (consultation) (July 2009)
- End of Custody Licence and domestic violence (August 2009)
- Armed forces and the criminal justice system (September 2009)
- Literacy, language and speech problems among individuals on probation (October 2009)
- Probation budgets (October 2009)
- Cafcass in crisis (December 2009)
- Waste and bureaucracy (December 2009)
- Performance of NOMS – the case for restructuring (January 2010)
- Social Work Taskforce – an initial response (January 2010)
- Future funding of the Probation Service – a briefing for the TUCG (January 2010)
- Cafcass in meltdown (March 2010)
- Early Release (March 2010)
- The future of social work (March 2010)
- Early Release from Prison, Diversion and Reducing Costs (March 2010)

- Waste and Bureaucracy – a briefing for the JUPG (March 2010)
- Sex Offenders and Treatment (May 2010)
- Short-term Jail Sentences – an effective alternative (June 2010)
- Prison Data Shambles (June 2010)
- Response to NAO Review of Cafcass (June 2010)
- Performance of NOMS – the case for restructuring (July 2010)
- Prostitution in the wake of Bradford (July 2010)

Briefing papers were also prepared for the House of Lords debate on the future of Probation on 21 January 2010 and on legislation going through parliament during the period, including the Crime and Policing Act 2009, the Equalities Act 2010 and the proposed Gun, Knife and Gang Related Crime Bill.

64. **Meetings with outside organisations.** There was frequent contact throughout the year with a range of bodies including the Social Work Taskforce, Howard League, Prison Reform Trust, Drug Scope, National Audit Office, TUCG, Birnberg & Co, Police Federation, Family Court Lawyers, NAGALRO, Arts for Offenders, Make Justice Work, National Black Police Association, Ministry of Defence, Criminal Justice Alliance, Conference Consortium, Birkbeck College Department of Psychology, Society of Black Lawyers, Prison Governors Association, NOMS (both official and unofficial), PCS, Parole Board, Centre for Social Cohesion, Quilliam Foundation, Centre for Crime and Justice Studies, Probation Chiefs Association, POA, Metropolitan Police, Kent Police, Nottinghamshire Police, Royal British Legion, Combat Stress and the International Union of Sex Workers.

65. **Press contact.** Napo received more mentions in the press than in any previous year. Mentions are defined as national and regional television, national radio and national newspapers and magazines. There were over 600 mentions in these categories and in addition well over 1,000 on local radio and in the local press. During the period 37 press releases were issued.

66. During the period priority was given to face to face contact with journalists wherever possible and there were hundreds of contacts by phone. Journalists from the following outlets were seen: Private Eye, Daily Mirror, ITN, The Observer, The Sun, The Sunday Times, Sky News, BBC, Channel 4 News, The People, Press Association, Daily Mail, Mail on Sunday, The Times, Guardian, Daily Telegraph, Sunday Telegraph, Daily Express, Sunday Express, Morning Star, Independent and numerous weekly and monthly magazines. In addition to press releases, Napo was quoted in over 150 other stories.

67. **Speaking engagements.** A range of public speaking engagements were also honoured including on themes of protecting the public, Race for Justice, safeguarding children, the Independent Safeguarding Authority, Gun and Knife Crime and former soldiers in the justice system.

68. **Napo News.** 10 issues of *Napo News* were published during the period covering a range of campaigning, professional, trade union and equalities issues.

Editorial Board Probation Journal

<i>Members:</i>	Hindpal Singh Bhui (Greater London) Julian Buchanan (University of Wales) Lol Burke (Merseyside) Editor Emma Cluley (Greater Manchester) Managing Editor Steve Collett (Cheshire) Angela Crawford (South Yorkshire, in-coming) Liz Dixon (Greater London) Hannah Griffith (Napo Cymru) resigned June 2009 Mark Hardy (North Yorkshire) Fergus McNeill (Universities of Glasgow and Strathclyde) Book Reviews Editor Peter Marston (Cumbria) Anisha Mehta (Greater London) Amir Minhas (Merseyside) Marie Sielman (Greater London) Robin Tuddenham (Greater London)
<i>Officer:</i>	Keith Stokeld (Treasurer, ex-officio)

69. **Editorial Arrangements.** The editorial arrangements introduced in 2008 with responsibility shared between Lol Burke (Editor) and Emma Cluley (Managing Editor) continue to be working well. All publication dates have been met and Sage report a high level of satisfaction from contributing authors – 60% of authors rated their overall satisfaction between 75% and 100%. Almost all submissions are now dealt with through the electronic submission system which has increased transparency and accountability by allowing authors to follow the progress of their own submissions.

70. **Sage Partnership.** The relationship with Sage Publications remains positive and regular meetings are held with Sage's production team. 75% of authors rated the communication very good or excellent, and timeliness of SAGE's production services as good. 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 received from Probation Journal was £19,235.

71. **Board Meetings and Board Composition.** The editorial board continues to meet every three months and remains a very strong and highly committed team. Including the editors, the board now comprises five probation practitioners, three senior academics, a member of HMI Prisons, a youth justice manager, a senior research consultant and a chief officer. External academic and professional assessors continue to provide specialist assessment, helping the board to maintain an effective and respected peer review system. Prof Fergus McNeill has responsibility for book reviews. 80% of authors rated the value of peer review comments and feedback as either good, very good or excellent.

72. **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.

73. Over the last year, published articles have been on a wide range of topics, including training, serious further offences, offenders' access to healthcare, unpaid work and public confidence, evaluation and performance. The increasingly international dimension to the Journal has been reflected in the fact that it continues to receive submissions from North America, Australia and across Europe.

74. The 2009 special edition was on 'Women in the Criminal Justice System' for which an excellent range of submissions was received. 'Evidencing sexual assault: Women in the witness box' by Michele Burman, published in the special edition, was subsequently chosen as the best article published in the Journal in 2009. The 2010 special was originally to be entitled, 'Creative Community Justice: Innovations in research, theory and practice' however given the election in June 2010 it was decided instead to focus on New Labour (1997 – 2010). In addition to new submissions, the editorial board commissioned a range of authoritative contributors to reflect on their aspirations for criminal justice under the Labour Government, which were originally published in 1997. The innovations in research, theory and practice' special edition has been rescheduled to 2011. The editorial board is exploring the possibility of holding a one-day professional conference to co-incide with the 2011 edition.

75. **Issues in Community and Criminal Justice.** Over the past 12 months it was decided to distribute new monographs electronically rather than produce hard copies. This has significantly reduced production costs. In January 2010 the eighth monograph in the series was produced entitled 'Effective offender management: continuity, compliance and women offenders' by John Brimley. The ICCJ series has received consistently good reviews and is a firmly established criminal justice publication. All monographs can be purchased at AGM or online at: <http://www.napo.org.uk/iccj.shtml>

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

Equal Rights Committee

<i>Members:</i>	Pauline Anderson (Greater London) Nicola Aqualina (Greater London) Colette Barrie (Avon and Somerset) Ken Boyall (Lincolnshire) Sarah Chapman (Warwickshire) Committee Co-Chair Sharron Culnane (Greater London) Jayde Gerry (South Western) Teena Lashmore (Greater London) Grace Powell (Surrey and Sussex/Retired) Committee Co-Chair Bharti Shaw (Staffordshire and West Midlands) Becky Shepherd (Greater London) Maureen Vernon (Staffordshire and West Midlands)
<i>Officers:</i>	Tim Wilson (Chair) Dino Peros (Vice-Chair)
<i>Official:</i>	Cordell Pillay (Assistant General Secretary)
<i>Administrator:</i>	Shireena Suleman

77. The Committee has operated to full capacity; members have given their full commitment to attend meetings. The Committee met on four occasions since the last AGM. The third meeting of the Committee was used to deliver Equality Impact Assessment Training.

78. The Equal Rights Committee is the Committee with overall responsibility for the implementation and monitoring of Napo's Action Plans and Policy and Strategies on Anti-Racism, Disability, LGBT and Anti-Sexism. As such, the Committee has (with limited resources), worked effectively at all levels to provide support at a national and local level, whilst working to ensure it meets all of its objectives. The Committee's priorities for the year were: training for monitors; equality policy review in line with new legislation, EIA training and development of a template for Napo, combating fascism and support for autonomous groups.

79. The Committee has continued its liaison with Probation Trusts and is pleased to report that areas continue to support Napo's equality and diversity training programmes.

80. **AGM Resolutions 2009.** The Committee has undertaken a good deal of work relating to the following two resolutions:

- **Combating Fascism and the destructive presence of the far right**

The Committee along with the Officers, Officials and Campaigning Committee, has worked effectively to deliver on all the action points contained within the resolution. The Committee intends to re-vamp and publicise Napo's values and develop a mission statement in relation to the far right.

- **Equality Impact Assessments**

The Committee has progressed work on all the action points listed in the resolution. EIA training for ERC members, Officers and Officials was delivered in May 2009 by Alethea McKintosh, former Diversity Manager for NOMS. Napo's EIA template was ratified by the NEC in early 2010. This template will be used to impact assess all Napo's polices and procedures. All Officers and Officials are required to use this when developing polices, procedure and/or guidance.

81. **Training for Monitors.** The one-day training programme for monitors, entitled 'Implementing Napo's Monitoring Guidelines,' is scheduled to take place on the 28 September 2010. The purpose of the course is to clarify the role and responsibilities of monitors in a variety of settings and to develop skills relevant to the tasks in order to establish a pool of confident monitors. The AGS is working closely with the trainer, Sue Vahid, to ensure the training meets the desired outcome. The training over the years has proved to be very effective and useful for the Monitors in undertaking their role at AGM, enabling them to deal with complex and sensitive matters constructively.

82. **Single Equality Act.** Implementation of the Single Equality Act will be a gradual process commencing in October 2010. Each strand of equality is covered collectively under the Act which should help to strengthen each strand. Once the Act has been implemented, all the individual acts of legislation for the equality strands will be replaced. The aim of the Act is:

- to improve protection for disabled people and their carers;
- extend protection for people that may be discriminated against;
- permit employers to take positive action when recruiting or selecting.

ERC will be organising a one day training event on the new ACT involving ERC and Branch Chairs.

83. **Equality Polices and Strategies.** In light of the new Single Equality Act, the Committee is progressing work on pulling together a single equality strategy which will take account of existing polices. All Napo's existing equalities policies contain relevant information and therefore will continue to be used in conjunction with the strategy.

84. **LGBT Training.** The two-day training entitled LGBT Equality and Diversity went ahead as planned and was very successful.

85. **Anti-Racism.** In pursuance of our policies on anti-racism, the Committee continues to liaise with community groups, partnerships, NOMS, training consortia and organisations such as Operation Black Vote and SBL. The Committee through the AGS has also contributed to the NPD Race EIA of the new Probation Qualification Framework. As part of the Committee's responsibility is to monitor the implementation of Napo's Anti-Racism Policy and Strategy, discussions have taken place to find or improve ways in which branches account for their activities. The Committee continues to provide advice and support to branches and individuals about concerns over race discrimination.

86. **Anti-Racism Training.** The annual anti-racism course went ahead as planned, it proved to be very successful, and for the second time, was oversubscribed.

87. **TUC Black Workers Conference.** Pauline Anderson, Greater London Branch Vice Chair and Black NEC Rep was once again elected to the TUC Race Relations Committee.

Anti-Sexism

88. **Women In Napo.** A Women in Napo (WIN) meeting was held in Leicester in May. This was originally planned for in December 2009 but was unable to go ahead in December as no budget had been allocated for this meeting in the 2009 budget. A question was raised at the accountability session at the 2009 AGM about the lack of a WIN Fringe meeting at Conference. In acknowledging this oversight the AGS (Equal Rights) agreed to organise a WIN meeting in the coming Napo year. A budget was allocated for the meeting in the 2010 budget and a successful meeting attended by 35 members took place in May.

89. The meeting reflected on the history of WIN and the importance of women playing a central role at every level in Napo.

90. WIN has been in place for over 20 years, with the objective to empower women and build confidence. Its aim is to make it an integral part of Napo and to have a much stronger focus on all issues raised within Napo.

91. Women members should play a significant role as they represent 68.4% of Napo's membership in comparison to 31.6% for men. Women are therefore the significant financial contributor to Napo, and as such vital to its continued survival. A number of action points were agreed at the meeting including the submission of a motion to AGM.

92. Following the WIN meeting the AGS (Equal Rights) submitted a report to the Officers and Officials meeting in June outlining the main issues including the action points agreed at it. The Officers have since commenced a review of the involvement of women members in branches and committees.

93. **Public Speaking Course for Women.** The public speaking course for WIN went ahead as planned. This course is very popular and each year there is a waiting list. The Committee is considering running two courses per year to meet demand. The course will also be reviewed and amended to reflect professional practice as well as trade union issues.

Family Court Committee

<i>Members:</i>	Martyn Boothroyd (Cafcass North area/Retired) Peter Brooks (Cafcass South area) Eileen Horton (Cafcass Central area) Anna Markowycz (Cafcass North area) Harold Mozley (Cafcass North area) Sharon Walsh (Cafcass South area)
<i>Officer:</i>	Paul Bishop (Vice-Chair Cafcass) Committee Chair
<i>Official:</i>	Harry Fletcher (Assistant General Secretary)
<i>Administrator:</i>	Shireena Suleman

94. **Meetings and Membership.** The Committee has met formally on four occasions during the year, with individuals and small groups carrying on additional work between meetings, not least for the planning of the Family Court Conference. The Committee has been at least four members short of full strength and three members have now come to the end of their five-year membership period. Indication of some members of an intention to join the Committee at the beginning of the year did not materialise; this may be a reflection of the pressures and stresses which are so affecting members' daily working lives, resulting in abnormally high sickness rates in certain areas. There is still a good mix of experience of both Private and Public Law work, an almost equal gender balance but no other change to the diversity make-up of the Committee.

95. **Family Court Conference.** There was a change of venue and timing for this year's Conference – April, in Bristol, to attract more members from the south west region and to avoid problematic winter weather. The Conference achieved both those goals as well as providing a most stimulating exploration of the changes, challenges and innovations for the future of our service. Christina Blacklaws, solicitor and mediator, who appeared on Radio 4's File on 4 programme challenging Cafcass' Chief Executive, was the well-received opening speaker; the entertaining and informative afternoon speaker was a founder of the online Contact Centre "Dads-Space" and workshops focussed on issues of Multi-Agency working, Family Court Consultation, Listening to Children, Sound Safeguarding, and Conflict Theory and the place of Early Dispute Resolution.

96. Cafcass placed a strict, small limit on the numbers able to attend the Conference, clearly beyond the agreed "exigencies of the service", so many more than the 95 members who came would have attended otherwise. Next Year's Conference is due to be held in London, probably on 14 April 2011.

97. The efficient and effective administrative support from Shireena Suleman and Jacqui Paryag was much appreciated and valued by members, as was the presence of Ian Lawrence and Mike McClelland. There is genuine gratitude that Napo officers and staff give so much of their time and effort for members, sometimes well beyond the call of duty. There is no sign that such need will diminish, however.

98. **Family Court Journal.** A new Editor has been put in post for the Journal – Brian Kirby. He has produced a couple of electronic Newsletters which have been particularly well received by members. There have been considerable difficulties collating sufficient material for another Journal, however – factors include overworked members as well as fear of censure from their employer – but it is hoped that a further edition will be forthcoming shortly. The shortage of staff and other resources, as well as the current climate has led the Editor and Board to start a review of the future of the journal.

99. AGM Motions and Campaigning:

- (i) With the skillful help of Harry Fletcher, there has been considerable public exposure of Cafcass' management practices that have resulted in delays in children's proceedings, backlogs of work, a bullied and overworked staff force and inevitable, avoidable risks to children. Of particular note were two features on Radio 4's PM programme and a whole edition of Radio 4's File on Four, referred to above.
- (ii) With regard to the AGM motion regarding members' workload, it has not been possible to effect a meaningful survey because of a lack of resources on this Committee and inadequate responses from members due, almost certainly, to being overloaded and stressed already at work. A revised motion will be put before this year's AGM.

100. **Liaison with Cafcass Management.** Prior to her recent retirement, Jane Booth, Operational Director, met again with the Committee in February 2010. She anticipated that future liaison will be via Bruce Clark, Director of Policy, and he will be invited to come to the March 2011 meeting. Cafcass' CEO, Anthony Douglas, has negotiated a three-year extension to his contract, having been due to retire this autumn. No significant progress towards change by Cafcass has been made through our liaison this year, beyond the exchange of professional views. It has, however, been clear that Cafcass has not appreciated the exposure in the media that Napo has effected.

101. **President of the Family Division.** Following the retirement of Sir Mark Potter, the appointment has been made of Justice Wall who has a distinguished record in Family Justice, specialising in children's cases, and has, on occasion, been forthright and robust in his attitude towards the Government and the authorities. We welcome his appointment.

102. **Continuing Fundamental Issues.** Cafcass' constantly belligerent management style, inconsistent attitude, persistent promulgation of a blame and zero-tolerance culture continues to cause members professional, personal and health dilemmas. For example, in one area, 25 out of 31 members recently signed a joint grievance against senior management; at one stage the sickness level there was at 33%. Napo must continue to confront Cafcass' accountability – it is not currently a safe organisation – either for its employees or the children it is supposed to serve.

Family Court Journal Editorial Board

<i>Members:</i>	Jim Kelly (Cafcass Central area) Philip Kent (Cafcass Central area) Brian Kirby (Editor) Liz Moxham (Cafcass North area) Peter West (Cafcass South area)
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103. A new Editor, Brian Kirby, and Editorial Board are in post for the Journal. The Editorial Board designed and produced two experimental electronic newsletters '*FCj Newsletter*'. The idea was to produce occasional issues that would present a variety of topical issues to members, including matters of immediate interest, shorter newsy items and with an occasional element of humour. It was also hoped they might encourage members to submit items and ideas for the Family Court Journal. Such newsletters are relatively easy to produce and despite an initial difficulty in electronic distribution, feedback showed they have been particularly well received by members. They have not succeeded, though, in attracting any contributions for the Journal.

104. Collating sufficient material for the Family Court Journal re-launch has not been easy, though we are virtually there and an issue will shortly be available. The aim was to obtain a mixture of contributions from practitioners on practice and their experiences and from research and external sources. The Board had an excellent and positive meeting that produced many ideas and possible sources of interest. However, it has proved very difficult to encourage contributions from practitioners. For a long time a journal has not been in the practitioner psyche and folk have many preoccupations, including overwhelming workloads, anxiety over censure from employers and poor morale. The issue of anonymity was discussed and it was felt that at times identities could be concealed if a contributor wished it.

105. With the new Government and proposed public sector cuts, this is a time of renewed interest in Napo and a time for practitioners and their professional associations to share and voice their views loudly towards building a future that better meets the needs of families in private and public law. Taking the overview, however: the relative size of our membership; pressure on resources; the current political climate; and the existence of other professional publications such as NAGALRO's more widely distributed 'Seen and Heard', 'Family Law' etc., the question does emerge as to whether sustaining an independent Family Court Journal is the best way forward. It could be amalgamated with our electronic newsletters and issued perhaps four times a year, or a possible amalgamation might be sought with Seen and Heard. There is still a view that there should be plenty of material available for our own Journal and the matter in hand should be about re-establishing its presence rather than seeking alternatives. For the time being we will pull out all the stops and see what progress can be made but there may need to be further discussion on this in the future.

Health and Safety Committee

<i>Members:</i>	Nigel Courtney (Leicestershire) John Hague (Greater London) Committee Co-Chair Nicki Kenney (Cafcass Central area) Committee Co-Chair Cheryl Lancashire (Wiltshire and Gloucestershire) Penny Lawrence (West Yorkshire) Rod Mitchell (Trent) Francis Sanders (Cheshire) Lynn Stapleton (Northamptonshire)
<i>Officer:</i>	Mike Quinn (Vice Chair)
<i>Official:</i>	Mike McClelland (National Official, Health & Safety)
<i>Administrator:</i>	Margaret Pearce

106. **John Hague.** John has been a member of the Napo H&S committee since its inception and has held the part time post of facilities time on the NPD Forum. He worked tirelessly on safety issues for Napo members and was the TU lead in negotiating the fine detail of the raft of NPS model H&S policies. The employers listened to John's reasoned, balanced approach and without doubt, Napo members have benefitted and have safer working conditions at work as a result. Napo members have also benefitted enormously from his extensive knowledge of Assistive Technology issues which was the focus of his work in the London Probation area until his retirement in March 2010. This Committee will miss John's input greatly although we hope that as a retired professional member, we can still draw on John's expertise. We hope that AGM will join the Committee in thanking John for his tireless efforts in successfully campaigning to improve health and safety at work.

107. **Communication with Health and Safety reps.** We have tried to maintain links with Health and Safety reps in Branches via individual Committee members. We are encouraging reps to use the forum on the Napo website to both seek and share information. Bulletins to safety reps have been well received and have contained advice and information on campaigns with links to appropriate websites. Napo needs to recruit more safety reps and TUC research has shown that workplaces with a union appointed safety rep have fewer accidents and incidents. All Napo H&S reps receive the international journal Hazards, the TUC Hazards manual and Labour Research Department H&S Law.

108. **Training.** Three events were planned for this year. The first addressed H&S and IT issues and two further days are planned for new Family Court Section reps (22 September) and all Napo H&S reps (7 December) on basic/refresher training. There was also a one day training event at the end of 2009 on Fire Risk Assessments.

109. **AGM motions 2009:**

- (i) **Case Management Systems:** We have written to the Chair of the Equality and Human Rights Commission and to the Health & Safety Executive regarding the inaccessibility of CRAMS to staff covered by Disability Discrimination Act.
- (ii) **Lone Working on Home Visits:** Cafcass has returned to consider its personal safety guidance and is looking to agree and re-issue it to staff over the summer. The Committee will issue advice for all Napo members in the form of a leaflet "Lone Working & Personal Safety" which should be available at AGM.
- (iii) **Working Conditions in Courts:** This was not reached at AGM but passed by NEC. Many thanks are due to Mike Cosser who was on the previous year's Committee, who worked on the motion and eventually secured an agreement with NOMS to improve working conditions for court based staff which will be reviewed in 6 months. We very much miss Mike's contribution on the Committee but hope he is enjoying flexible retirement.

110. **Campaigning Events:**

- (a) **Hazards Conference.** The Committee continues to encourage branches and Cafcass Section to support safety reps attending this annual conference and supports places for 2 Committee members. In July 2010 Rod Mitchell and Francis Sanders attended the weekend Conference at Keele University.
- (b) **Worker's Memorial Day 28 April.** We promote an activity to correspond with the international theme for the day such as a workplace inspection and encourage both employers to support H&S reps in carrying out the activity. Using the Bulletin and the Napo poster campaign, we share information with reps about other events including European H&S week, stress network conference, Mesothelioma day, and Repetitive Strain Injury awareness day.

111. Mike McClelland continues to represent Napo at UHSS meetings which lead Trade Union H&S negotiators attend to discuss common themes.

112. **IT.** In Probation the IT forum has just been re-established. Agenda items include – new WID resolutions/screen resolutions/Trust mergers & IT System compatibility; risk assessment of new software; new national IT applications; sight-impaired staff (JAWS not working on provided laptops – OMNI transformation program). In Cafcass, the roll out of the Flex public sector system

continues to bring problems although Cafcass claims much reduced reporting which the Committee believes is under-reporting. In Cafcass the long awaited staff support group for Dragon users is beginning to take form.

113. **DSE Workstation Assessments.** A concern for staff in both Probation and Cafcass. Members are urged to resist self assessments and request full assessment by a trained DSE assessor and to re-request when there has been any change to the work station.

114. **Sickness Absence Policies.** Both employers are seeking to revise policy. The new "fit notes" introduced in April have been the subject of a Napo briefing and we hope to look further at the introduction of these at the AGM H&S fringe meeting. Ian Lawrence AGS with UNISON organised a national event for members.

115. **Health issues.** Reps are advised to raise the three following items at regional meetings:

- (i) **Asbestos.** We urge members to ask to see their workplace inspection for asbestos and ensure that processes for advising contractors are clearly followed. There continue to be incidents where damage to buildings and work by contractors continue to expose staff to asbestos.
- (ii) **Legionella.** Members should campaign for checks to be undertaken on water supplies, particularly where there may be standing water eg in shower heads.
- (iii) **Tuberculosis.** There is no automatic right to vaccinations but members should request these in high risk areas of work.

116. **Swine Flu.** Members were issued with advice on this.

117. **National H&S Negotiations**

Probation Forum:

- (i) Facility time on NOMS Forum is secure until March 2011 and we may have a Committee member able to take the role.
- (ii) Accident/Incident reporting. Consistently poor data is received from Data Warehouse and assurances have been given that data will be cleaned up to be usable. Local data available to reps is sought for comparisons.
- (iii) Branch Mergers. There have been several mergers with the formation of Probation Trusts and branches have been advised to ensure that they formally request the formation of Health and Safety committees under the Brown Book regulations and ensure that there are sufficient numbers of Health and Safety advisors in their area (one per 500 staff).
- (iv) Unpaid Work and High Visibility jackets. Advice has been given to H&S reps in Bulletins. Information needed on incidents reported where jackets are worn, particularly if they occur under single supervision. The joint bid for unpaid work by London Probation Area and SERCO failed.
- (v) Facilities Management. Ongoing problems with contracts. Expensive penalties for withdrawing and Committee has fed information to the national Napo campaign.

- (vi) Approved premises/ hostels. Some areas are seeking to reduce double waking cover. Reps should ensure that this is covered by a full risk assessment.

Cafcass Steering Group:

- (i) Statutory H&S testing has been given to a national contractor as employer felt lots of slippage on statutory testing.
- (ii) Occupational Health. The current providers Atos are on notice to improve. Any change of provider is unlikely to result in a single service provider.
- (iii) The property strategy which included a plan to reduce the number of offices by 25 initially has been put on hold until the budget cuts are known.

The new offices at Chatham came under scrutiny. Initially, as a result of failure to consult on changes, which we are constantly raising, and then with issues around the new design of buildings which leaves reception areas open and staff vulnerable, and the potential for breaches in confidentiality. Towards the end of 2009 there were similar difficulties about poor consultation in the plan to change the Principal Registry and Wells Street offices where staff had expressed concerns about the safety issues inherent in having open plan reception areas.

- (iv) Stress and Workloads.

Cafcass has done several assessments in teams where sickness absence was running high. We await with interest the outcomes of the intervention in terms of its impact on sickness rates.

December 2009 saw the long awaited joint letter on workloads which was the start of ongoing negotiations. Some Cafcass managers have ignored the agreement and the guidance given by higher management about the allocation of work. Sickness absence levels seem to have reduced although we learn that many staff who were off sick are leaving. There is to be a second staff survey following the Social Work Reform Board assessment areas (workloads, wellbeing, IT equipment, tools to do the job, a healthy workplace and effective service delivery). We continue to express concern at the seemingly high turnover of staff in previously settled areas, the number of agency staff used at considerable expense and the low rate of reporting of accidents and incidents at work.

- (v) Following the revised facilities time agreement for convenors with a set number of days to be shared between Napo reps (not H&S reps), Napo has agreed to the old regional H&S Committee meetings taking place in accordance with the new Cafcass structures. There is considerable concern that local issues will be lost with operational area meetings (three) and there is ongoing anxiety about the absence of higher management responsibility for health and safety as the higher management structure is not represented at the national H&S steering group meetings. We will need to review this new structure for local committee meetings in due course.
- (vi) Disability Discrimination Act requires sickness absence figures for those with disability to be recorded separately and we are asking for this along with sickness absence data for staff where reasonable adjustments have not been put in place.

Probation Negotiating Committee

<i>Members:</i>	Dave Bellingham (Leicestershire) Martin Bull (Staffordshire and West Midlands) Cyril Cleary (Greater London) Jan Desquesnes (Chiltern Counties) Judith Gardiner (Greater London) Mona Lim (South Western) Duncan Moss (South Western) Les G Smith (Staffordshire and West Midlands) Nick Smith (East Anglia) Jean Steer (Staffordshire and West Midlands) Chris Winters (Humberside)
<i>Officers:</i>	Tim Wilson (Chair) Committee Chair Keith Stokeld (Treasurer)
<i>Officials:</i>	Jonathan Ledger (General Secretary) Ian Lawrence (Assistant General Secretary)
<i>Administrator:</i>	Annoesjka Valent

118. The Committee has met regularly throughout the year. Its meetings are timed to coincide with the formal, quarterly meetings of the NNC.

119. **Pay settlement 2010-11.** The Committee consulted with branches as part of the process of agreeing the trade union side pay claim to the employers. As the uncertain economic circumstances deteriorated this included consideration of the risks attached to the conclusion of pay negotiations either side of the general election.

120. Following agreement at the November meeting of the NEC, the trade union side claim presented at the December meeting of the NNC included a 2% headline pay increase, pay progression based on the established 3,2,1 arrangements, and rejection of any attempt to introduce performance related pay. This was in line with the performance pay resolution agreed at the 2009 AGM.

121. In line with growing concerns about the possibility of a pay freeze following the election all parties to the pay negotiations agreed to prioritise meetings to reach agreement. Intensive negotiations took place in December and January and a pay offer, which the Committee felt could be recommended to members, was achieved. However, a number of weeks passed whilst we awaited clearance of the pay remit by the Treasury and the branch ratification process did not take place until April. The offer contained the following:

1. Pay progression to revert to 1 April, from 1 October, as follows:
 - 2 pay points to employees who are below the Development Point as at 31 March 2010.
 - 2 pay points to employees who are on the Development Point as at 31 March 2010.
 - 1 pay point to employees who are between the Development Point and the Pay Band maximum as at 31 March 2010.
2. A minimum increase of £325 [pro rata for less than full time employees] which will be non-consolidated but pensionable.
3. London Allowance to be increased to £3,850 pa.
4. The minimum pay for Pay Bands 1, 2, 3, and 4 to be raised by one pay point, after pay progression has taken place, from 1 April 2010.
5. The Probation Service Modernisation Agreement and Pay Deal, reached in 2008, specified that progression after 1 October 2009 would be subject to future negotiation.
6. Terms of Reference have been agreed for the following joint working parties to consider the following pay modernisation issues:
 - Progression Arrangements;

- Workload Management;
- Harmonisation of Working Hours.

7. The NNC to conduct an equal pay audit of national pay policies, including consistency checking in line with EHRC guidelines

122. Members voted to accept the offer by 1,456 to 99. The settlement was implemented in the early summer.

123. **Pay Modernisation.** Discussions of a range of outstanding issues relating to the 2005 and subsequent pay agreements continued in the NNC during the latter part of 2009. Branches were advised of developments via the NEC and Circulars. Progress on these issues was slow and the trade union side ensured that outstanding issues to be addressed were included in the pay settlement.

124. Three NNC working groups have been established made up of trade union, employer, and NOMS representatives. Following a delay relating to the departure of the PA's Employment Relations Manager in April the groups begin meeting in September. The three areas to be addressed are pay progression, workload management, and harmonisation of working hours. Terms of reference are being agreed. The Committee is aware that the pay freeze currently being applied to headline pay but which may be extended to progression will have an impact on these negotiations.

125. An equal pay audit is also to be carried out covering national pay and related structures. The Joint Secretaries will address this.

126. **NNC/SCOOG Review.** The national employers proposed, in the early part of 2010, to conduct a NNC review of the bargaining arrangements for NNC and Chief Officer grades. This was prompted by the creation of Probation Trusts and the Government's decision to grant them non departmental public body status such as applies to Cafcass.

127. The recognised trade unions (Napo, Unison, and GMB) agreed to this proposal on the clear understanding that discussions would not threaten national collective bargaining arrangements. The Review has been delayed to the departure of the Employment Relations Manager referenced above. It is anticipated that the issue will be addressed this autumn.

128. **Management of Change.** A review of the 2009 agreement took place towards the end of the year by the NNC. This resulted in minor changes to the agreement that was reported in a branch circular.

129. The number and scale of national interventions by the Joint Secretaries under the terms of the agreement reduced appreciably following the Justice Secretary's decision, in October 2009, to significantly lessen the anticipated budget cut for the current financial year. Those periods of reflection that have taken place have normally involved very few redundancies and union representatives have achieved some success in avoiding the use of redundancy in many cases.

130. There are some signs following the increase in the Probation budget cut for the current year by the coalition Government of an increase in national referrals. Given the threat posed by the forthcoming spending review of public services the presence of this agreement remains of crucial importance.

131. **Qualifying Training Arrangements.** In early 2010 the PA responded to the trade union side paper on the negotiating issues arising from the PQF, a paper that had been sent to the employers

some 15 months earlier. During discussions of these issues it was clear that the national employers and NOMS were determined to remove as many responsibilities as possible, relating to the PQF, to Trusts for local determination. Trade union representations seeking national agreements were unsuccessful with the PA producing only one document – Managerial Guidelines – for national distribution.

132. The April meeting of the NNC agreed the delineation of responsibilities between the Joint Secretaries and the PQF Implementation Team (on which Napo has representation). The former will address human resource related issues requiring national guidance whilst the Implementation Team will deal with curricula and content issues. Branches were issued with a circular related to these arrangements.

133. The Committee was represented on the PQF Seminar Planning Group, established by Training Committee, and provided input at the two seminars arranged for branches.

134. **Chief Officers.** The work undertaken on behalf of Napo Chief Officer Grade members through the Standing Committee has broadly mirrored that being done at NNC level and has also resulted in agreement on a revised handbook covering terms and conditions. This follows an agreement on the long standing issue of 'standby arrangements'. The previous 2008-2010 pay settlement with GMB/SCOOP in respect of Chief Officer Grades resulted in the formation of Joint Working Groups to review a number of key issues also being addressed by the NNC. These include pay progression, including performance related pay, harmonisation of working hours, and equality impact and proofing.

135. These have still to meet and further work is now on hold as a result of the formation of the coalition Government which has subsequently announced a public sector pay freeze.

136. Despite the extremely narrow period within which negotiations could be concluded prior to this year's general election, it became possible to reach a negotiated one year pay settlement for 2010 which mirrored that achieved through the NNC from 1 April 2010.

137. **Sickness Absence and the introduction of the 'Fit Note'.** Following prolonged discussions a training seminar for Trust managers and Trade Union representatives was held in London in the spring. Whilst there were some unfortunate logistical difficulties the event proved to be an overall success and the invaluable input of the NDSN ensured that the subsequent discussions were extremely well informed.

138. A number of conclusions came from the deliberations of the Trust delegations that attended. These were enhanced by the partnership approach between the Probation Association, Napo and Unison which saw discussions take place within in a collegiate atmosphere and which confirmed a number of weaknesses within the existing policies. These included the need to find a more credible definition between short and long term absences, more training for managers to access policies especially around 'reasonable adjustment' for staff with a disability and for absences attributable to a disability.

139. Further areas that were identified included a forum for sharing best practice between Trusts, clearer instructions around the EIA process and more detailed guidance from the NNC on 'fit-notes' where it was felt that General Practitioners are still not equipped to pronounce upon them accurately. The seminar also raised questions about the need to review and rewrite the policy to take account of this aspect. Overwhelming support also emerged to the effect that there should be a nationally agreed policy on "trigger points".

140. Despite the controversy surrounding this key issue, and the reminders to Napo branches to ensure that engagement with the employers takes place at JNC level, the Committee is aware of only one formal referral for assistance to the NNC Joint Secretaries since last year's AGM. It is acknowledged that talks are ongoing in a

number of trusts but the Committee believes that it is important that local negotiations take place to challenge local trust policies where they are deficient in order to support pressure on the employers at the NNC.

141. The Committee is pleased to note that Napo has made a concerted effort to pursue cases on behalf of members featuring allegations of non-compliance with the Disability Discrimination Act (DDA). Information about these cases is included in the TUO Committee report under the heading 'case trends'.

142. Comprehensive training for National Representatives has been undertaken in partnership with Thompsons in relation to developments in current employment law and a specially structured session on the implications of DDA legislation against the current Sickness Absence Policy. This included excellent input from the NDSN and our appreciation is extended to it for its considerable efforts.

143. **Workloads/Specification, Benchmarking and Costings (SBC).** Progress continues to be frustratingly slow on this key issue. The SBC Project is still working up timings/costings across a range of probation activities and whilst a number of 'specifications' have been released, we have yet to see any more timings/costings beyond what was available this time last year. We know work has been done, but the results have yet to be shared – with the unions at least. We continue to seek disclosure from the Project.

144. One recent development is that a new software application (PREview) has been developed. It is a series of spreadsheets that will enable Areas to apportion actual costs to various activities (a cost attribution approach) – what they actually spend, as opposed to what they should theoretically spend to do the work to a standard. Use of PREview is supposed to be mandatory from July 2010, so it is too early to assess the information that should flow from this – though branches should request that it be divulged to them locally.

145. Other interesting initiatives linked to the SBC Project are a pilot to relax National Standards in Surrey/Sussex and an Offender Engagement Programme aimed at demonstrating the value of face to face contact with service users. Thus far, Napo has had little by way of information with regard to the Surrey/Sussex pilot.

146. Following detailed representations, we have been promised a simplified Workload Measurement Tool (WMT) from the SBC Project, but this has yet to materialise – perhaps unsurprisingly since it appears to be unfunded. Consequently, Trusts that have not been using the existing National WMT have been left to pursue their own initiatives. The Tool in use in London, Manchester and elsewhere appears to be gaining favour. Were it not for the fact that it works with points rather than hours/minutes, Napo would find it more acceptable. Napo's own advice for Probation caseholders on workloads has now been uploaded onto our Website – in a link on the front page. The cross committee working group on workloads was disbanded during the year as part of reduction in costs.

147. The Committee continues to await the promised release of timings/costings from the SBC Project together with a new simple WMT. Without these products positive progress over workloads is prevented.

148. **Pensions.** The Committee is pleased to report that Napo activities around the structure and administration of the Local Government (England and Wales) 2008 Pension Scheme have increased markedly, and the working relationship with the GMB in this area has allowed individual enquiries to be answered quickly and accurately which has helped to increase the internal data base within Napo. Since last year's AGM, where concern was expressed about the complacent attitude of a number of senior probation managers, Napo has played a prominent part in the discussions with NOMS prior to the mergers of some areas. These resulted in the efficient and seamless transition of pension funds between the merging areas.

149. Napo has also, via the TUC Public Service Liaison Group, made a full contribution to various publications which have defended the LGPS and public sector pension provision. This has included 'rebuttal briefings' for members and a recent comprehensive submission to the John Hutton Commission on public sector pension provision which was set up by the incoming Coalition Government. This will be circulated to members prior to the AGM.

150. These developments reflect the earlier commitment to raise the profile of pension issues within Napo, as the union prepares for what may need to be a highly concerted campaign via the TUC to defend public sector pension provision against the attacks being perpetrated by this Government.

151. **IT.** The year has seen the beginnings of fundamental changes to Probation IT, with the first few Trusts migrating all their data to the national Data-Centre, and there have been significant and continuing problems. For those Trusts which will adopt Delius and finally abandon the non-DDA compliant CRAMS, the data migration will be an important step on the way. OASys-R (replacement) is still to be delivered, yet with the new Government's cuts announcement – which will affect Government IT projects – we have no details at the time of writing as to which projects will be allowed to proceed. CRAMS' replacement remains the highest priority.

152. Overall, IT snags remain too prevalent throughout, with consistent reports coming from branches about slow systems which crash, lose work and require replication - all of which adds hugely to members' stress levels. Because of Steria's tight grip on contracts, Trusts themselves still have little power to provide local fixes and while change will be slow.

153. Napo has been meeting with NOMS ICT over the year, but the one difficulty has been to establish continuity, as there have been three directors in twelve months. The latest incumbent seems well disposed to working with Napo and to address with us the health and safety and accessibility issues of Napo members.

154. In relation to IT accessibility, we were very concerned by the abolition of the NOMS Assistive Technology Manager post earlier this year. This step had been initiated by NOMS mainly to cut costs, but there were no plans to invest the knowledge and experience embedded in this post in a replacement. Napo and NDSN have been working to ensure a full Disability EIA is carried out on this change of service delivery, and the findings of the assessment will ensure that NOMS is accountable for adherence to principles of accessibility, so that members are not disadvantaged.

155. **Facilities.** While it has again been possible to work with the employer to encourage attendance at this year's AGM, it has not been possible to reach an over arching agreement on facilities through the NNC. Given the outcome of the general election and the fact that a review of facilities is taking place within NOMS, this is again an area where local JNC discussion will be necessary. The Committee understands that it is intended to re-issue the existing guidelines on facilities to Napo branches together with further advice.

Professional Committee

<i>Members:</i>	Kath Alsop (South Western) Committee Chair Clare Ansdell (London) Ray Burrows (Lancashire) resigned during the year Ralph Coldrick (Staffordshire and West Midlands) Ben Entwistle (Cheshire) Ceris Handley (Avon & Somerset) Pen John (Napo Cymru) Sarah Mair (West Yorkshire) Nick Makin (Staffordshire and West Midlands) Diane Oatley (Wiltshire & Gloucestershire) Andrew Preston (Staffordshire and West Midlands) Tom Rendón (Greater London) Sarah Wake (South Yorkshire)
<i>Officer:</i>	Deborah Borgen (Vice Chair) – resigned in May 2010 Keith Stockeld (Treasurer)
<i>Official:</i>	Cordell Pillay (Assistant General Secretary)
<i>Administrator:</i>	Shireena Suleman

156. The Committee has met on 4 occasions since the last AGM. The Committee met twice in London and twice in Birmingham to save on cost and create easier access for all members of the Committee. During the year we have had a large amount of items to cover with lengthy agendas and a large workload, with priority being given to the 3 AGM resolutions and writing regular short articles for Napo News.

157. **AGM Resolution 2009:**

- **Middle Managers**
Many SPO members express disillusionment as workloads seem to be vast and ever expanding. All work seems to be last minute and mandatory. London has introduced a new supervision template that, if done properly, will take 4-5 hours with each staff member. The Committee is also aware of the requirements under the new PQF and the responsibilities it places on SPOs, which will serve to further increase their workload.

A list of SPO tasks was drawn up and turned into a Napo News article and presented at the Managers' Conference in April 2010. Providing guidance for SPOs is critical and a joint piece of work needs to be undertaken involving Professional and Negotiating committees.
- **Reclaiming the quality of individual relationships**
An article dealing with issues relating to this motion was published in Napo News and a number of responses have been received. The emphasis is on the time needed to see cases and pressures to prioritise process. Office close down days were mentioned as being used to catch up on admin rather than have space for reflection. Face-to-face contact is still reducing under resource models.

The Committee believes that it is possible to push forward this agenda within the changes that are taking place with the new coalition Government.
- **Inappropriate FDRs**
An all branch email was circulated in an attempt to collate evidence from members on the impact of PC06/09 as per the resolution. There was a 60% return. The results will be collated and evaluate and used as the basis for meetings with ministers and the PA. It will also be made available at this AGM.

158. **Work Continuing on AGM Resolutions from 2006:**

Opting In Paper – This paper went to the March NEC and was ratified on the proviso that section 7 on H & S Issues will be re-written. Liaison with H & S Committee is taking place.

Domestic Abuse Policy – The deadline for revision of the outstanding resettlement section of this policy was extended to July 09, work has now being completed on this section.

159. **Work continuing on other AGM Resolutions:**

Professional Standards. The Committee has worked to promote professional standards through the medium of *Napo News*. The Committee recognises the importance of professional standards as it relates to probation practice and Napo as a professional association and trade union. It undertakes to have this as a standing agenda item in its effort to continually promote professional standards.

Good Practice Guidelines. These were originally written 13 years ago and the Committee's intention was to commission an academic to undertake the review of the guidelines. This is, however, not financially viable given the current economic climate. The Committee is still of the view that this piece of work needs to be done, given the changes that have taken place within Probation training and practice. The Committee will continue to review the situation and when resources allow will undertake this piece of work.

160. **Politically Motivated Offenders Motion.** Passed at the July 2008 NEC, the Committee reviewed Napo's Hate Crimes Policy and came to the conclusion that this policy needs updating in light of this resolution. The decision was taken to set up a cross-committee working group to undertake the review of the Hate Crimes Policy. However, due to spending restraint within Napo, cross-committee working groups are not currently viewed as a viable option. This work is currently being addressed by a member in West Yorkshire.

161. **Youth Justice.** The Committee has no direct expertise in the Youth Justice arena so needs YOTS members to inform the Committee as to how the Youth Justice Bill is impacting on their work. The Committee is trying to increase the involvement of YOT members with the work of the Committee.

162. **AGM 2010.** The Committee will be hosting its annual fringe meeting at AGM. The title for the fringe meeting is "Maintaining Professional Integrity?" Two speakers with probation backgrounds have been invited.

Steering Committee

<i>Members:</i>	Carolyn Mack (Trent) Derek Padgett (Greater London) Jeanne Peall (Kent) Committee Chair Ian Sammut-Smith (Northumbria) Andy Stanton (Cafcass Central area) Jo Thompson (Trent)
<i>Officer:</i>	Tim Wilson (Chair)
<i>Official:</i>	Jonathan Ledger (General Secretary)
<i>Administrator:</i>	Annoesjka Valent

163. Steering Committee has a specific remit, which means that its responsibilities rarely vary from year to year and as a result, it operates differently from other Napo committees. The Steering Committee year runs from January to December and it usually has

three meetings outside of AGM. Representatives, including the Committee Chair, also attend the AGM motion "slotting" meeting in August. 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.

164. The 2009 AGM took place in Torquay, a new venue for Napo. This factor, as well as the change of starting day and time presented challenges for the Committee. However, the lack of problems around quoracy meant that we were able to concentrate on the routine of organising the business with which we were presented. The Steering room was located on the floor below the Conference Hall which presented some issues in terms of quick and easy access for members but the facilities provided were of a high standard.

165. Organisationally, it was a very busy AGM. A total of 42 motions were submitted for debate, as well as a constitutional amendment. A significant number of amendments to motions were received – far more than in recent years – but all but one were accepted by the proposers of the relevant motions. 5 potential composite motions were identified prior to AGM, involving a total of 10 motions. These were all agreed becoming composites A to E. Of the remaining motions available for debate, 23 were debated which included composites A, C, D and E. 1 motion was withdrawn and composite B fell due to a lack of proposer and seconder when the motion was called. 20 motions were carried and 3 were lost, one following a ballot. The constitutional amendment was debated and was lost, also following a ballot. A total of 12 motions were not reached.

166. 229 minutes were spent on debating motions, including 24 minutes on the constitutional amendment. A further 208 minutes were spent on general business which includes the Annual Report, accountability session and formal business. Various speakers and sessions not involving motions or formal business totalled 258 minutes and 75 minutes were lost to inquoracy at the start of morning and afternoon sessions.

167. One emergency motion was submitted to the Committee during the course of AGM. It was considered by the Committee to constitute an emergency and was accepted by AGM as such. It took a total of 15 minutes to debate and was carried.

168. Steering Committee was provided with excellent support from the Napo administrative staff working at Torquay and special thanks go to the Chief Steward, the Deputy Chief Steward and the stewards drawn from local branches, whose contribution and hard work helped make things go smoothly throughout AGM.

169. The statistics relating to the race and gender of speakers are collected by a monitoring exercise of all full members and Professional Associate Members (PAMs) registering for AGM, as well as by the Steering Committee timing table. The figures produced from the information collected on the timing table used in the lower table relate to the contributions from all the sessions. The analysis of registrations in terms of percentages remains fairly similar to 2008 although the numbers attending were higher, the only change being a slightly higher percentage of women registering. In terms of contributions, the bias towards men speaking changes if platform contributions are removed. Contributions from the floor were 91 women and 83 men.

Race/Gender	Analysis of Registrations	
	Number	Percentage
Black	52	8%
White	561	87%
Mixed & Other	34	5%
Total	647	100%
Female	372	57.5%
Male	275	42.5%
Total	647	100%
Black female	33	5%
White female	317	49%
Mixed & Other female	22	3.5%
Total	372	57.5%
Black male	19	2.9%
White male	244	37.7%
Mixed & Other male	12	1.9%
Total	275	42.5%

Race/Gender	Analysis of Speakers	
	Contributions	Percentage
Black	21	6%
White	305	94%
Total	326	100%
Female	116	36%
Male	210	64%
Total	326	100%
Black female	18	16%
White female	98	84%
Total	116	100%
Black male	3	1.4%
White male	207	98.6%
Total	210	100%

Trade Union Organisation Committee

Members:	Barry Adams (South Western) Committee Chair Pauline Anderson (Greater London) Shirley Anderson (Northumbria) Andrew Ducker (South Yorkshire) Judith Gardiner (Greater London) Tony Mercer (Cafcass North area) Chris Morris (Greater London) until February 2010
Officer:	Mike Quinn (Vice Chair)
Official:	Ranjit Singh (National Official, Trade Union Organisation)
Administrator:	Cynthia Griffith

170. Subsequently from AGM 2009 a number of objectives were included within Napo's Operational Plan and directed for TUO to address; this report summarises those objectives and other ongoing Committee commitments and reports to AGM on progress made.

171. **Developing Napo's Organising Strategy.** Building on from the success of Napo's Recruitment Action Plan 2008 – 2009, this year's work has focused on developing a three year strategic organising plan, to aid recruitment and encourage activism within the ranks of the membership at all levels. The development of the organising strategy has been drawn up by seeking to consult with all of Napo's national committees.

172. This year saw the Committee launch Napo's national recruitment drive 'Target 10K' with the aim of reaching 10,000 members. Branches have been encouraged to contribute to 'Target 10K' by setting local targets for recruitment and developing local organising strategies.

173. A successful Membership Secretaries meeting was held in November 2009 in conjunction with the TUC Organising Academy. The meeting reviewed the role of the membership secretary and provided tools and ideas for members to take back to their branches and embed organising and recruitment as a priority at branch level.

174. The Committee continues to explore and develop ways to engage all members. Publicity material is being developed to promote Napo to all staff working in Probation and Cafcass. A specific recruitment campaign is planned to target potential members working within Approved Premises.

175. Due to a number of constraints and pressures the planned 'Napo: The Next Generation' event has been postponed and TUO is continuing to look at other ways to promote, to support and encourage new activists to get involved in Napo. A new section in *Napo News* has been established called in the 'Hot Seat' to provide a platform for new activists in Napo.

176. A TUO Paper 25/2009 "Retired Members" has been carried by NEC. The Paper put forward a constitutional amendment to AGM to provide the option for retired members to become Professional Associate Members of Napo. The change will seek to recognise and maximise the experience and skills this group bring to trade union activities.

177. **Probation Trusts.** The development of Probation Trusts and Areas merging to form single Trusts has impacted on our branches' ability to fully function. The Committee has worked closely with those branches affected to support them through this process and support the merging of branches.

178. With the creation of some large geographical areas Trusts and the merger of branches, the existing branch meeting structure was reviewed as it may no longer be fit for purpose for these new branches. The creation of large Trusts could have a negative impact on members' active participation within their branch. To overcome these barriers and to ensure the active participation of members a structure for workplace meetings has been devised and the necessary constitutional amendments have been tabled to accommodate this development. TUO Paper (22/2010) "Workplace Meetings" was passed by NEC in support of these proposed constitutional amendments. They are designed to provide an option and mechanism for branches to meet and function in different ways.

179. **PSO Forum/Conference 2010.** The PSO Forum has met three times this year. Work is being undertaken to review the constitution of the PSO Forum and to encourage PSO reps to attend the meeting. The PSO Forum agreed to cancel this year's PSO Conference due to its close proximity to the Learning and Development Conference which was focussed on concerns for PSO grades regarding the PQF.

180. The professional development of the PSO grade will have an impact on all grades working within Probation Trusts. The impact will undoubtedly have an affect on all our members.

181. **Outstanding work arising from Strategic Review.** The Committee prioritised work towards the review and reform of our NEC. A TUO Paper (43/20010) "NEC Review" was carried by NEC and the work continues by TUO with the assistance of a NEC Working Party. The review and reform is on schedule to deliver a paper to the NEC in March 2011.

182. **Improvements in member service.** Work is ongoing to consolidate links with Branches and meet with branch executive committees to prioritise the development of local organising strategies.

183. **Trade Union Education.** City of Bristol College, Napo's longstanding educational provider was no longer in a position to deliver our education programme. With the aid and support of the TUC/unionlearn another provider has been selected to deliver the programme. Southampton City College was recommended and selected, and has now successfully delivered a number of Napo's courses.

184. **Family Court.** The Committee has discussed ways to ensure that the Family Court Section is consistently represented on TUO and will implement these ideas over the next Napo year. TUO has considered the FCS Executive Committee's proposals for reorganising the Section, which will be put to the Family Court Section AGM on 8th October 2010 and it is exploring ways of linking Napo FCS Family Support Worker members with the PSO Forum and Conference.

185. **National Reps.** The National Representatives Panel is managed by Ian Lawrence AGS. The Panel continues to undertake vital work for Napo members who find themselves in capability and disciplinary situations which threaten their dismissal. The vast majority of cases centre on disciplinary hearings with a smaller number related directly to formal stage 3 capability proceedings (the points at which a National Rep is assigned). National Representatives have also undertaken casework on appeals against ill-health pension provision and the proposed termination of TPO contracts where non-completion of assignments was a key issue.

186. The Officers Group agreed that the National Representative recruitment process, which it had been intended to take place last spring, should be postponed and reviewed after the 2010 AGM. This will allow a considered judgement to be made about the potential impact of the Government cuts programme which may cause some employers to increase their activities in terms of targeting vulnerable staff with a view to redundancy.

187. **Case trends.** Since the 2009 AGM, Napo has made a concerted effort to pursue cases featuring allegations of non-compliance with the Disability Discrimination Act (DDA). Eight cases have attracted Napo support for representation at Employment Tribunal (all of which are ongoing at the time of this report). Of these, five relate to an alleged failure by the employer to make reasonable adjustment under the DDA. Two cases are also currently being pursued on the grounds of race discrimination with one collective action (where race discrimination features in the overall claim) still pending. Unfortunately around 10 cases relating to claims that the employer has failed to make reasonable adjustment for sick leave related to disability, (which have also been the subject of internal grievance processes) have been deemed to not have reasonable prospects by Thompsons, our legal advisors, with one of these eventually attracting a settlement via ACAS after further intervention by Napo.

188. Since last year's AGM report, Leroy Naylor has resigned from the National Representative Panel to allow more time for his private studies. Leroy has contributed massively to the work of the Panel and his efforts on behalf of Napo members over many years are much appreciated.

Training Committee

<i>Members:</i>	Stephen Bradley (Leicestershire) Sue Brooks (Gloucestershire) David Coley (Kent) Paul Jones (Surrey and Sussex) Christine Marsh (Surrey and Sussex) Lesley Morris (Trent) Roger Peel (Lancashire) Peter Raison (Greater London) Vanessa Vaughan (Devon and Cornwall) Lisa West (Greater London)
<i>Officer:</i>	Dino Peros (Vice Chair)
<i>Official:</i>	Cordell Pillay (Assistant General Secretary)
<i>Administrator:</i>	Jeannie Ah Fong
<i>Co-opted:</i>	Marilyn Owens (UL Project Manager, England) Briony Marder (UL Project Manager, England) Aziz Bouleghlimat (UL Project Manager, Wales)

189. The Committee met on three occasions, with the meetings being well attended. It met twice in Birmingham, both to save on costs and to meet the requirements of members, and once in London. Members were involved in work outside of the formal meetings, mainly in connection with the PQF and planning the Learning and Development Conference. This has again been a busy year, with various aspects of the PQF taking up the majority of the Committee's time.

190. **AGM 2009 Resolution.** Two resolutions relating to training were addressed by the Committee as follows:

- "Access to the New Qualifying Arrangements" – the content of this motion has been a part of ongoing negotiations re PQF arrangements. A result of this has been the representation made by the AGS to the PQF Assurance Board re restriction on the number of relevant degrees and the combination degree. The rules for the combination degree have been amended to include a combination of one of the relevant degrees plus any other degree e.g. Community Justice and Sociology. Furthermore, discussions have commenced to extend the list of relevant degrees.
- "Professional Development in Probation" – this resolution contained three specific actions two for the attention of Training committee and the other for the Negotiating Committee as follows:
- "Probation Negotiating Committee to obtain an agreement with the employers to allow staff a certain number of days per annum to access training." This agreement should dovetail with the National Learning Agreement.
- "Training Committee to work with the ULF Project Managers to develop relevant guidance on Continuing Professional Development (CPD) for all grades including those on secondments".
- Training Committee to liaise with the relevant Committees – Equal rights, Professional and TUO in order to disseminate the role and purpose of CPD."

191. Training Committee has addressed most of the last two action points through the work of the ULF Project managers and ongoing work on the PQF and will continue to do so.

192. **Probation Qualification Framework (PQF).** The Committee has worked to support the AGS in the amount of work that has been required to develop the PQF and its implementation. The new PQF was launched on the 1 April 2010. A fundamental aspect of the PQF is the Regulatory Framework which provides the governance for qualification process as it relates to higher education, employers and VQ Assessment Centres. The Committee contributed to the development of the Regulatory Framework which is a lengthy document containing 12 appendices.

193. The PQF contains four separate learning programmes for PSOs; Parts 1, 2, and 3 of the Honours degree and the Graduate diploma. It provides work based pathways to qualify as either a Probation Service Officer or as a Probation Officer. This qualification is in effect a new mandatory qualification for PSOs appointed after 1st April 2010 and is optional for existing PSOs. The PO qualifications replace the DipPS from April 2010.

194. **Existing PSOs.** The Committee has been concerned about existing PSOs who are not required to undertake the new qualification recognising that failure to do so could have an impact on their future career development/mobility.

195. The Committee has endeavoured to encourage as many existing PSOs to undertake the PSO qualifications. To enable PSOs to make an informed decision specific guidance and support have been provided and the Committee will continue to provide up to date guidance.

196. **PQF Briefing Days.** The Committee, via the AGS, has established a PQF Steering Group with representatives from Wales, South, North and Mid England. The group of members are individuals with specific knowledge of probation qualification and the new framework. The Group was also attended by a representative from Probation Negotiating Committee. The task was to put together a guidance pack for members and also to deliver briefing days for Branch Executives, ULRs and staff associations. The PQF briefing days took place in June, one in London and the other in Birmingham. Following the briefing days a Q&A A4 booklet was developed and published. The Q&A provides answers to questions that are likely to arise as members become acquainted with the PQF. The Committee is aware that there is still a lot more work to be done on the PQF and as such a specific email address has been launched: pqf@napo.org.uk for members to submit queries and concerns.

197. **Equality Impact Assessment.** The Committee believe that the PQF has the potential to allow for the recruitment and training of a truly diverse workforce. This is only achievable if there is real commitment to equality & diversity at a national, regional and local level and if, following the Equality Impact Assessment, any identified negative impacts and recommendations are addressed. The Committee, however, remains concerned that EIAs on the implementation of the PQF are either being done in an ad hoc manner by some areas (after recruitment has taken place) or not at all. Neither way is acceptable and ignores diversity and equality principles. The Committee will continue to monitor and through the AGS make representations to the PQF Assurance Board.

198. **Access to the PQF.** The Committee is concerned about the level of access to the PQF and the lack of support and information that has been provided by Areas. The Committee is gathering information on the take up and will provide a report to the NEC.

199. **PSO Development.** The Committee has continued to be involved in current PSO development relating to the core programmes, the achievement of NVQ level 3 and the Certificate in Higher Education. We have begun to look at relevant qualifications for those who deliver learning programmes, e.g. programme tutors, and work will continue on this in the next committee year.

200. **Learning and Development Conference.** The second National learning and Development conference targeted at PSOs, POs, Practice Tutor Assessors/PDAs, HR, HE, Managers and Probation Board members in the Probation Service was held at the Barceló Hinckley island Hotel, 18 – 19 July 2010. The Conference took place slightly later than normal; this was due to a delayed decision about the budget for the Conference and this had an impact on the planning and administration of the event. The theme of the Conference was “*Continuing Professional Development: What is in it for me?*” The concept behind the theme was to explore how CPD can enhance an individual’s practice, contribute to their career progression and continue to do so in a climate of change. We attracted speakers and workshop leaders from a wide range of disciplines, both within the National Probation Service, private and voluntary sector, who helped to inspire practitioners and managers, and explore effectiveness and best practice at work through the use of multi-agency and/or partnership working.

201. **Next L&D Conference.** The Committee has real concerns that this Conference, which has provided members with real development opportunities, provided non-members with insight into the professional arm of Napo, encouraged recruitment and has been a central focus for Napo for over 36 years, will now become a bi-annual event as a result of measures taken to reduce Napo’s costs. The L&D Conference supports qualifying training arrangements and is more relevant now than ever.

202. **Union Learning Fund (ULF) Projects: England.** This Project is in its final year and will conclude in March 2011. It is unlikely that there will be a call for any further bids given the cuts to public sector funding. The project has, however, had a tremendous impact on staff in the Probation Service in relation to CPD and lifelong skills. Virements have been submitted to Unionlearn and approved to take account in changes in the status of the organisations who have seconded the Project managers to the Project. Since becoming Trusts, Devon and Cornwall and Leicestershire and Rutland are now VAT registered and as such have had to pass those costs onto the Project. The total cost of VAT on salaries over the year will be £14,400. The agreed changes to the budget will enable the continuation in post of the Project Managers until the end of the project.

203. **Wales.** Napo was successful in its second bid to the Welsh Assembly. The further funding focuses on sustainability and the continuation of the ALFA project aims which finished on the 31 May 2010. The new project is called Sustainable Learning For All (SALFA), and will be funded until March 2013. Aziz Bouleghlimat continues in post as Project Manager (new title Project Co-ordinator) and works three days per week. Under the ALFA Project three of the areas in Wales had agreed a Learning Agreement. However, since All Wales Probation became a single Trust in April 2010, these agreements will now have to be re-negotiated. SALFA will fund Learning Forums and Seminars, Database and ULR Resource cost, Key and Generic Skills Learning cost; Course cost Level 3 and above; Course Development and Travel and Subsistence.

204. The Project has specific targets to meet which relate to the above budget headings and spends. Quarterly reports and financial reimbursements are submitted to the Welsh Assembly. Each claim goes through a quarterly audit before reimbursements are made. Any changes to budget spend heading can only be done on a written virement on the approved document to the Welsh Assembly Government.

205. The Committee recognises the benefits the projects in England and Wales bring to members and staff working in Probation. It also acknowledges the work undertaken by the AGS and project staff in relation to the overall governance of the projects, particularly the work involved in writing bids and tenders.

206. There are now a total of 100 ULRs recruited and trained in England and Wales.

207. **Skills for Justice.** The Committee continues to work very closely with Skills for Justice (SfJ), responding to consultation documents and the new Qualification Curriculum Framework (QCF). The Committee is represented via the AGS on a number of SfJ committees such as the England Cross Sector Committee Council and Community Justice and Occupational Standards Committee.

208. **Committee Liaison.** The Committee is responding to the requests of national Officers for relevant information from this Committee regarding NEC reorganisation and the three year recruitment plan. The Committee believes it is important to look to recruit female staff, Cafcass and all those undertaking the PQF whether they are existing or new staff. Other liaison includes:

- informing other committees of developments re PQF
- work on 'Opting out' guidance document.

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

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

210. Regular meetings between Napo and the staff associations, collectively and individually, reflect the commitment to support and assistance set out in the Protocol agreed by the union and the staff associations.

211. **Cafcass Negotiating Committee.** The Committee has worked especially hard on a number of cases involving members who have found themselves placed in Capability proceedings and or suspension where disability has been an issue. In contrast to the position at this time last year we currently have a handful of members under suspension as opposed to those that were outstanding in 2009. This follows the earlier success in convincing the employer to reverse its discriminatory policy of not accepting grievances from members under the dignity at work policy.

212. Generally it has been the case that suspensions within Cafcass have been of a much shorter duration than previously, and this is largely attributable to the much appreciated efforts of our Family Court Section activists at all levels.

213. The Committee remains committed to encouraging more Napo members from the recognised diversity strands to play a more prominent and active role in the unions' activities. Further work is in hand in conjunction with Napo officials as part of the general Napo recruitment campaign.

214. **Campaigning Committee.** The gender balance on the Committee remained good with over 50% women membership throughout the year.

215. In pursuit of the equalities agenda there was frequent contact over the period on the treatment of Muslim prisoners with the Centre for Social Cohesion and the Quilliam Foundation.

216. Napo liaised between the Police Federation and the National Black Police Association on policy issues.

217. Napo's draft Bill which aims to reduce inequality and gang related crime was finalised. This will be introduced in the Commons by Diane Abbott MP. It is supported by the Society for Black Lawyers and the National Black Police Association.

218. Focus will be given as part of Napo's campaign against public sector cuts to the fact that budget restrictions will fall disproportionately on women and the black community. A plenary session on the impact of the recession and cuts on diversity issues is being organised at AGM in October as part of the cuts campaign.

219. Napo produced briefings on the impact of punitive legislation on prostitution and the prohibitionist agenda on women sex-workers, particularly in the aftermath of the murder of three women sex workers in Bradford.

220. **Editorial Board – Probation Journal.** The Probation Journal has board members drawn from across England and Scotland. Including the editors, the board now comprises five probation practitioners, one full-time senior probation officer, three academics (one part time), a youth justice manager, a senior research consultant and a chief officer. Including all those who have been on the board during the reporting period, one member has been an Asian woman, five members have been white women, two Asian men, and six white men. Any member of the board would be pleased to speak to anyone interested in joining the team.

221. **Journal Content.** The Journal continues to seek to promote articles and other features on themes addressing discrimination and diversity. The 2009 Special Edition was on the theme of women in the criminal justice system. '*Evidencing sexual assault: Women in the witness box*' by Michele Burman, published in the special edition, was subsequently chosen as the best article published in the Journal in 2009.

222. **Policies and Monitoring.** Every board meeting agenda includes an anti-discriminatory issues slot which gives an opportunity for discussion of issues such as submission patterns and board membership. All article submissions are monitored to identify trends and patterns of discrimination by grade or job title.

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

224. As ever, the editorial board would be pleased to receive comments and suggestions on any aspect of the Journal's content or management.

225. **Equal Rights Committee.** Equal Rights 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 on E&D is reflected in its annual report and as such need not be repeated here. It is however important to state that the Committee has been working to ensure that Napo, in line with the new Equality Act, is working towards becoming an inclusive trade union and professional association. Ensuring that the recently developed EIA Framework is used at every level within Napo is a key example of turning consultation into practice.

226. Committee has worked to ensure the participation and inclusion of Women in Napo who currently represent 68.4% of Napo's membership.

227. Due to competing priorities the Committee has unfortunately not developed a job description for the elected NEC Black Representatives. It will endeavour to prioritise this area of work next year.

228. **Health & Safety Committee.** The Committee has maintained a full complement throughout the year with a gender balance.

229. IT accessibility issues remain, as ever, a focus for the Committee both in Cafcass and Probation. Napo's ability to represent the plight of disabled staff in this respect, within Probation, has been hampered by the continued hiatus over an IT Forum which has met spasmodically. Nevertheless the Committee has sought to maintain pressure on NOMS to address IT shortcomings via the National Health & Safety Forum – and likewise in Cafcass through their Health & Safety Steering Group (HSSG). This was also a significant element within the training day in May which addressed H&S aspects of IT. Finally, following an AGM motion last year on the issue of inaccessible case management systems, the Committee has written to both the HSE and the EHRC seeking their intervention.

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

231. At our training event last December on Fire Risk Assessments and procedures, there was specific consideration given to Personal Emergency Evacuation Plans for disabled staff.

232. Via the H&S Forum and the HSSG, the Committee has also maintained pressure on employers to separate disability related leave and discount it in Absence Management procedures.

233. The Committee continues to promote the importance of making reasonable adjustments both in the context of return to work plans, particularly for members with impairments, and more generally this is also promoted as a central feature in risk assessments within the working environment.

234. **Probation Negotiating Committee.** The Committee has continued to prioritise equality issues in pay negotiations in particular outstanding matters relating to conditions of service such as the harmonisation of working hours. Additionally, it secured agreement as part of this year's pay settlement to a full equality audit of the pay structures which will cover gender and age in particular.

235. A primary focus of ongoing work on sickness absence, including the new 'fit note' regime, has been to address issues relating to reasonable adjustments and the DDA. Members of the National Reps Panel received specific training on this issue which included input from NDSN.

236. In dealing with difficulties engaging NOMS about IT issues close attention was paid to the NOMS' decision to make its Assistive Technology Manager post redundant. Formal representations were made in writing and in meetings and NOMS was reminded of its duty to equality impact assess the implications of this decision. This remains a key issue in IT meetings with NOMS.

237. **Professional Committee.** Professional Committee has worked to ensure that equality and diversity are integral to all aspects of its work. Each agenda item discussed has been done within the context of Napo's equality policies. Our work on developing the Opting Out policy has been underpinned by equality measures and has addressed the impact on staff who are survivors of certain crimes and how this affects them in working within some areas of probation work.

238. The Committee is again concerned that its membership does not reflect Napo's diverse membership base and we will be looking at ways to support and encourage members of ABPO and NAAPS to join the Committee or be co-opted to it.

239. **Steering Committee.** Steering Committee comprises six elected members. The current Committee continues to maintain a gender balance and has members from both the Family Court Section and Probation Branches. There were no black members on the Committee during 2009-10. 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.

240. 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 Steering Committee and Monitors rooms, as well as more generally. The Committee representatives also consider any other factors that could impact on AGM business, including the ability of members to participate.

241. The ordering of business at AGM and ruling on Emergency Motions form two of the Committee's main responsibilities. We work to ensure that the process is as transparent as possible and is carried out in line with Napo policies on anti racism and equal rights. The Committee's decisions are explained and accounted for publicly during AGM sessions and members have the right to challenge those decisions. Part of the Committee's role at AGM is to monitor all spoken contributions to sessions in relation to race and gender. The information gathered is reproduced in the Steering Committee section of the Annual Report. Women now form a majority in terms of members attending AGM. The statistics from AGM in Torquay suggest that the previous imbalance between male and female contributions has become less significant in terms of speakers from the floor. In order to maintain progress in this area, Steering Committee continues to urge the Officers, other committees and branches to pay attention to gender balance when considering the proposers and seconders of their motions. The number of black members attending AGM at Torquay also increased over the previous year – 52 registered at Torquay against 38 at Llandudno.

242. 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.

243. **Training Committee.** The Committee focus on anti-racism and wider equality agenda is evident from the work the Committee has contributed to throughout the year. It has striven to ensure the new PQF is located within an equality and diversity framework and has contributed specific elements to the new VQ units.

244. The Committee has pushed for the Equality Impact Assessment of the PQF at the development and implementation stage and has raised its concerns in relation to equality of access and opportunity.

245. The Committee remains concerned about the significant numbers of TPO/newly qualified officers who are unlikely to be employed once qualified. The Committee is particularly concerned that if this situation is not rectified, it is likely to have an adverse impact on disabled and black trainees.

246. Trade Union Organisation Committee. The Committee has attended regional, executive and annual general meetings of the Staff Associations and continues to facilitate links at a regional level between the Staff Associations and Napo. The aims of these meetings are to share understanding and identify barriers prohibiting member engagement from the different diversity strands.

247. The delivery of the 'building the union' course as part of Napo's trade union courses explores ways to engage members from different backgrounds and how to remove barriers with the aim to develop participation across membership.

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

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

No report on branch work in this area is available for this report

Affiliations for 2009

Abortion Rights

Campaign for Homosexual Equality

Cuba Solidarity Campaign

GFTU – General Federation of Trade Unions

Hope not Hate

Howard League for Penal Reform

IER – The Institute of Employment Rights

Justice for Columbia

Labour Research Department

NPC – National Pensioners Convention

TUC – Trades Union Congress

UAF – Unite Against Fascism

Venezuela Solidarity Campaign

Wales TUC Cymru

Napo

ACCOUNTS

for the year ended 31 December 2009

Report of the Officers

The Officers present their annual report with the accounts of the union for the year ended 31 December 2009.

OFFICERS

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

Name	31 December 2009
T. Wilson	(Chair)
M. Lim	(Acting Treasurer) Appointed January 2009, Completed term October 2009
K. Stokeld	(Treasurer) Appointed October 2009
P. Bishop	(Vice Chair)
D. Peros	(Vice Chair)
M. Quinn	(Vice Chair)
D. Borgen	(Vice Chair)

STATEMENT OF OFFICERS' RESPONSIBILITIES

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

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

Signed, on behalf of the National Executive Committee:

K. STOKELD, *Treasurer*

Approved on 28 May 2010.

Independent Auditors' Report

TO THE MEMBERS OF Napo

We have audited the accounts of Napo for the year ended 31 December 2009, which comprise the Income and Expenditure Account, Balance Sheet, Statement of Total Recognised Gains and Losses and the related notes. These accounts have been prepared under the accounting policies set out therein.

This report is made solely to the company's members. Our audit work has been undertaken so that we might state to napo's members those matters that we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than napo and napo'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

The officers' responsibilities for preparing the accounts in accordance with Trade Union and Labour Relations (Consolidation) Act 1992 and for being satisfied that the accounts give a true and fair view are set out in the statement of Officers' Responsibilities.

Our responsibility is to audit the accounts in accordance with relevant legal and regulatory requirements and International Standards on Auditing (UK and Ireland). In forming our opinion we are also required to comply with the Auditing Practice Board's Ethical Standards.

We report to you our opinion as to whether the accounts have been properly prepared in accordance with the provisions of the Trade Union and Labour Relations (Consolidation) Act 1992, and give a true and fair view. We also report to you whether, in our opinion, the information given in the Report of the Officers is consistent with the accounts.

In addition, we report to you if, in our opinion, napo has not kept adequate accounting records or if we have not received all the information and explanations we require for our audit.

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

BASIS OF AUDIT OPINION

Except as discussed in the following two paragraphs, we conducted our audit in accordance with International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures in the accounts. It also includes an assessment of the significant estimates and judgements made by the officers in the preparation of the accounts, and of whether the accounting policies are appropriate to the company's circumstances, consistently applied and adequately disclosed. We planned and performed our audit so as to obtain all the information and explanations which we considered necessary in order to provide us with sufficient evidence to give reasonable assurance that the accounts are free from material misstatement, whether caused by fraud or other irregularity or error. In forming our opinion we also evaluated the overall adequacy of the presentation of information in the accounts.

- We were not able to obtain adequate information and explanations from the officers to enable us to check the validity of some of the applications for grants made to the Welsh and English Union Learning Funds for amounts expended on training for Union Learning Reps.
- Three payments included in the income and expenditure account were made totalling £58,589 for which we have not received adequate information and explanations.

OPINION

In our opinion, except for the effects of such adjustments, if any, as might have been determined to be necessary had we been able to satisfy ourselves as to the Union Learning Funds claims and expenses payments, the accounts give a true and fair view, in accordance with the provisions of the Trade Union and Labour Relations (Consolidation) Act 1992, of the state of napo's affairs at 31 December 2009 and of its surplus for the year then ended; the accounts have been properly prepared in accordance with Trade Union and Labour Relations (Consolidation) Act 1992; and the information given in the Report of the Officers is consistent with the accounts.

Elizabeth Ridge
Senior Statutory Auditor

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

Income and Expenditure Account

FOR THE YEAR ENDED 31 DECEMBER 2009

		2009		2008	
	Notes	£	£	£	£
Income from Subscriptions			2,156,958		2,131,978
TUC Projects			226,824		105,873
Other Income	2		28,292		85,222
			<u>2,412,074</u>		<u>2,323,073</u>
Staff Costs	3	913,721		947,620	
TUC Projects		226,824		105,873	
Accommodation Costs		60,522		61,739	
Operating Costs		312,748		257,754	
Committee, Conference and Affiliation Costs		470,515		574,413	
Financial and Legal Costs		19,843		12,801	
Branch Expenses		212,503		163,009	
		<u>2,216,676</u>		<u>2,123,209</u>	
			(2,216,676)		(2,123,209)
Surplus for the Year before Taxation			195,398		199,864
Taxation	4		(2,872)		(15,182)
Surplus for the Year after Taxation			192,526		184,682
Transfer to Special Aid Fund	6		(181,218)		(164,327)
Transfer to Action Fund			(5,000)		—
Transfer to Hardship Fund			(2,000)		(2,000)
Amount transferred to Accumulated Fund			<u>4,308</u>		<u>18,355</u>

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

Balance Sheet

AT 31 DECEMBER 2009

		2009		2008	
	Notes	£	£	£	£
FIXED ASSETS	5		153,434		159,351
CURRENT ASSETS					
Sundry Debtors		142,320		114,545	
Cash at Bank and in Hand					
— Branches		148,595		174,270	
— Head Office		<u>1,326,648</u>		<u>1,279,971</u>	
		1,617,563		1,568,786	
CURRENT LIABILITIES					
Sundry Creditors		<u>67,773</u>		<u>37,330</u>	
NET CURRENT ASSETS			<u>1,549,790</u>		<u>1,531,456</u>
TOTAL ASSETS LESS CURRENT LIABILITIES			<u>1,703,224</u>		<u>1,690,807</u>
<i>Represented by:</i>					
ACCUMULATED FUND	6		1,651,764		1,647,456
SPECIAL AID FUND	6		2,308		1,899
ACTION FUND	6		33,790		28,790
HARDSHIP FUND	6		<u>15,362</u>		<u>12,662</u>
			<u>1,703,224</u>		<u>1,690,807</u>

J. Ledger, General Secretary

K. Stokeld, Treasurer

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

Statement of Total Recognised Gains and Losses

FOR THE YEAR ENDED 31 DECEMBER 2009

	<i>Notes</i>	<i>2009</i> £	<i>2008</i> £
Surplus for the financial year after taxation		192,526	184,682
Deficit for the year on Special Aid Fund		(180,809)	(195,223)
Surplus/(Deficit) for the year on Branches Hardship Fund		700	(—)
Surplus for the year on Action Fund		—	601
Total recognised gains since last annual report		<u>12,417</u>	<u>(9,940)</u>

Notes to the Accounts

FOR THE YEAR ENDED 31 DECEMBER 2009

1. ACCOUNTING POLICIES

- (i) The Accounts have been prepared under the historical cost convention.
- (ii) Subscriptions are credited on a received basis.
- (iii) Expenses are written off in the year to which they relate.
- (iv) Rates of Depreciation and Amortisation are provided so as to write off the cost of Fixed Assets in equal instalments over their estimated useful lives.

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

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

	<i>2009</i> £	<i>2008</i> £
2. OTHER INCOME		
Interest Receivable	13,677	72,070
Sundry Income	14,615	13,152
	<u>28,292</u>	<u>85,222</u>

	<i>2009</i> £	<i>2008</i> £
3. STAFF COSTS		
Included in staff costs are:		
Wages and Salaries	706,604	719,464
Social Security Costs	74,951	75,319
Other Pension Costs	70,193	83,654
	<u>851,748</u>	<u>878,437</u>
General Secretary		
Remuneration (Current General Secretary)	61,734	34,939
Remuneration (Outgoing General Secretary)	—	35,237
Social Security Costs (Current General Secretary)	7,190	4,066
Social Security Costs (Outgoing General Secretary)	—	3,485
Pension (Current General Secretary)	10,803	6,697
Pension (Outgoing General Secretary)	—	5,740
	<u>79,727</u>	<u>90,164</u>

4. TAXATION

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

	<i>2009</i> £	<i>2008</i> £
Current Corporation Tax	<u>2,872</u>	<u>15,182</u>

5. FIXED ASSETS

	<i>Freehold Land and Buildings</i> £	<i>Computer Equipment and Software</i> £	<i>Total</i> £
Cost			
At 1 January 2009	205,339	254,519	459,858
Additions	—	3,745	3,745
Disposals	—	—	—
At 31 December 2009	<u>205,339</u>	<u>258,264</u>	<u>463,603</u>
Depreciation			
At 1 January 2009	64,464	236,043	300,507
Charge for the year	4,107	5,555	9,662
Deduct for Disposals	—	—	—
At 31 December 2009	<u>68,571</u>	<u>241,598</u>	<u>310,169</u>
Net Book Value			
At 1 January 2009	<u>140,875</u>	<u>18,476</u>	<u>159,351</u>
At 31 December 2009	<u>136,768</u>	<u>16,666</u>	<u>153,434</u>

6. MOVEMENT OF FUNDS

Accumulated Fund

	£
Balance at 1 January 2009	1,647,456
Surplus for the year	192,526
	<u>1,839,982</u>
Transfer to Special Aid Fund	(181,218)
Transfer to Action Fund	(5,000)
Transfer to Hardship Fund	(2,000)
Balance at 31 December 2009	<u>1,651,764</u>

Special Aid Fund

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

	£
Balance at 1 January 2009	1,899
Disciplinary Expenses	(180,809)
Transfer from Income and Expenditure Account	181,218
Balance at 31 December 2009	<u>2,308</u>

Action Fund

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

	£
Balance at 1 January 2009	28,790
Bank Interest Received	—
Contributions from Members	—
Transfer from Income and Expenditure Account	5,000
Expenses Paid	—
Balance at 31 December 2009	<u>33,790</u>

The Branches Hardship Fund

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

	£
Balance at 1 January 2009	12,662
Addition during the year	1,700
Expenditure	(1,000)
Transfer from Income and Expenditure Account	2,000
Balance at 31 December 2009	<u>15,362</u>

National Office

Detailed Income and Expenditure Account

FOR THE YEAR ENDED 31 DECEMBER 2009

	Schedule	2009		2008	
		£	£	£	£
Membership Subscriptions			2,156,958		2,131,978
Bank Deposit Interest			13,024		66,934
TUC ULR Project			226,824		105,873
Sundry Receipts			1,838		3,284
			<u>2,398,644</u>		<u>2,308,069</u>
Staff Costs					
Salaries, Pensions, National Insurance		851,748		878,437	
Staff Recruitment		—		15,653	
Staff Training		11,552		11,200	
Staff Expenses		50,421		41,982	
Car Leasing Charges		—		348	
		<u>913,721</u>		<u>947,620</u>	
TUC ULR Project		226,824		105,873	
Accommodation Costs					
Rates, Light and Heat		20,196		18,952	
Repairs and Renewals of Building		31,509		34,379	
Insurance		5,359		5,052	
Professional Indemnity Insurance		2,625		2,625	
Sundry		833		731	
		<u>60,522</u>		<u>61,739</u>	
Operating Costs					
Printing, Stationery and Equipment		67,000		56,315	
Reference Books and Papers		1,204		2,452	
Postage		9,255		10,546	
Telephone		7,270		4,808	
		<u>84,729</u>		<u>74,121</u>	
Computer Maintenance and Support		59,247		29,456	
Cost of Publications	1	159,110		143,961	
(Profit)/Loss on disposal		—		(50)	
Depreciation		9,662		10,266	
		<u>312,748</u>		<u>257,754</u>	
Committee, Conference and Branch Costs					
Committee Expenses		152,611		168,295	
Cost of Conferences	2	140,314		165,066	
Branch Grant		135,972		128,836	
Branch Conference Funding		37,394		35,087	
Branch Training		33,315		56,363	
Health & Safety		9,106		—	
Welsh Language Translations		143		286	
Membership Recruitment		18,690		3,309	
Union Learning Fund		10,441		24,819	
Consultancy		—		25,322	
		<u>537,986</u>		<u>607,383</u>	
Subscriptions and Affiliations					
Fees – TUC		21,104		20,861	
Fees – Other		5,190		10,171	
Fees – GFTU		7,064		6,753	
		<u>33,358</u>		<u>37,785</u>	
Donations – Edridge		33,001		30,553	
Donations – Edridge Conscience Clause		—		—	
Donations – Autonomous Groups		10,000		11,000	
Donations – General		2,596		4,549	
		<u>45,597</u>		<u>46,102</u>	
Industrial Action – Campaign		868		589	
Ballot		8,094		24,702	
Political Lobbying/Media		4,319		6,523	
Justice Union Parliamentary Group		11,111		13,813	
Conference Consortium		2,548		1,439	
		<u>643,881</u>		<u>738,336</u>	
Financial Costs					
Audit and Accountancy		11,500		8,500	
Bank Charges		2,102		1,806	
Legal and Professional Fees		6,241		2,495	
		<u>19,843</u>		<u>12,801</u>	
			<u>2,177,539</u>		<u>2,124,123</u>
National Office surplus for year			221,105		183,946
Add: Branch Offices surplus/(deficit)			(25,707)		15,918
Total surplus for year before tax			<u>195,398</u>		<u>199,864</u>

Branches

Detailed Income and Expenditure Account

FOR THE YEAR ENDED 31 DECEMBER 2009

	2009		2008	
	£	£	£	£
Grants from National Office		125,596		128,836
Hardship Grant		1,000		—
Conference Funding from				
National Office		47,770		35,087
Individual Contributions		9,511		5,854
Bank and Building Society Interest		653		5,136
Donations		890		205
Sundry Income		2,376		3,809
		<u>187,796</u>		<u>178,927</u>
Branch Expenses				
Expenses of other Officials	18,409		24,986	
Printing, Postage and Stationery	3,514		4,096	
Branch Meetings	23,692		20,067	
Bank Charges	144		91	
Training	5,231		4,715	
Donations	10,805		9,554	
Net Cost of Annual and				
Branch Conference	143,652		94,813	
Hardship Fund	—		—	
Other Branch Expenses	8,056		4,687	
		<u>213,503</u>		<u>163,009</u>
Surplus of Income over				
Expenditure for the Year before Taxation		<u>(25,707)</u>		<u>15,918</u>
Charged to General Fund		212,503		163,009
Transfer from Hardship Fund		1,000		—
		<u>213,503</u>		<u>163,009</u>

Publications Account

FOR THE YEAR ENDED 31 DECEMBER 2009

Association's Publications	Schedule No. 1			
	2009		2008	
	£	£	£	£
Cost of publications				
Printing — Newsletter		64,326		69,178
— Journal		61,460		60,488
— ICCJ Monographs		—		—
— Changing Lives		—		—
— Cafcass Journal		4,197		2,163
Postage — Newsletter and Journal		51,185		45,703
		<u>181,168</u>		<u>177,532</u>
<i>Less:</i>				
Sales — Journal and Newsletter	—		30	
— ICCJ Monographs	59		49	
Changing Lives	299		1,950	
Inserts — Journal and Newsletter	2,465		2,390	
		<u>2,823</u>		<u>4,419</u>
		<u>178,345</u>		<u>173,113</u>
Income from other publications				
Royalties — Napo journals	19,235		29,152	
Sundry Publications	—		—	
		<u>19,235</u>		<u>29,152</u>
Net cost of publications transferred to				
Income and Expenditure Account		<u>159,110</u>		<u>143,961</u>

Conference Account

FOR THE YEAR ENDED 31 DECEMBER 2009

Conference Account	Schedule No. 2			
	£ 2009	£	£ 2008	£
Cost of Annual Conference	78,995		118,256	
Less: Registration Fees	<u>(17,930)</u>		<u>(14,358)</u>	
Net cost of Annual Conference		61,065		103,898
Trainees Conference Expenditure	43,749		41,167	
Less: Registration Fees	<u>(6,860)</u>		<u>(5,405)</u>	
Net cost of Trainees Conference		36,889		35,762
Family Court Conference Expenditure	7,102		7,492	
Less: Registration Fees	<u>—</u>		<u>(202)</u>	
Net cost of Family Court Conference		7,102		7,290
Professional Conference Expenditure	—		—	
Less: Registration Fees	<u>—</u>		<u>—</u>	
Net cost of Professional Conference		—		—
Women in Napo Conference	8,476		—	
Less: Registration Fees	<u>(372)</u>		<u>(3,000)</u>	
Net cost of Women in Napo Conference		8,104		(3,000)
Race for Justice Conference Expenditure	105,911		—	
Less: ULF contributions	(25,495)		—	
Less: Registration Fees	<u>(77,390)</u>		<u>—</u>	
Net cost of Race for Justice Conference		3,026		—
Cost of Managers Conference		2,414		—
Cost of PSO Conference		12,731		14,417
Cost of Health & Safety Training		530		3,482
Women in Napo		—		—
YOT Seminar		—		232
Hostels Seminar (net)		3,127		2,570
Cost of other Conferences		5,326		415
Total cost of Conferences		<u>140,314</u>		<u>165,066</u>

ACCOUNTS & ANNUAL REPORT

for the year ended 31 December 2009

Administrative Details

Registered Charity No: 803493

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

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

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

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

Report of the Trustees

The Trustees present their annual report with the accounts of the Fund for the year ending 31st December 2009. The accounts have been prepared in accordance with the accounting policies set out in Note 1 to the accounts and comply with the Fund's Trust Deed, the Charities Act 1993 (as amended by the Charities Act 2006), as well as the "Statement of Recommended Practice: Accounting and Reporting by Charities", Charities Commission 2005.

TRUSTEES

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

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

STRUCTURE, GOVERNANCE AND MANAGEMENT

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

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

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

OBJECTS, OBJECTIVES AND PRINCIPAL ACTIVITIES

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

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

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

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

The Edridge Fund of Napo

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

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

ACHIEVEMENTS AND PERFORMANCE

For the second year running we have increased the total amount paid out in grants by approximately 50% over the figure we paid out in 2007, though this year's figure is slightly down on 2008. Again for the second year running we have paid out significantly more than the sum we receive from Napo. This reflects the increasing dependency of the Fund on other fund raising, a significant part of which comes from Napo members and Branches.

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

Administration/Clerical	9	Retired PO	4
Managerial/Supervisory	3	Other Retired Staff	3
PO	55	Unemployed PO	5
PSO	31		
TPO year 1	6		
TPO year 2	11		

Total successful applications 127

Total Applications during the year 157

Applications were refused in 29 applications, and 1 was withdrawn. The applications refused were on the grounds of either ineligibility or because need was not established. These proportions are roughly in line with last year's figures. In many cases advice and support was offered, often by our local Representatives.

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

Designation of Applicant	No. of Applications	No. Refused	Total Amount Paid	Percentage of Total Paid
Napo Member	96	10	£29,420	70.4%
No Union Membership	47	11	£11,276	27.0%
Not Known	5	NIL	£1,100	2.6%
Unison and other Unions	9	9	NIL	N/A
Overall Totals	157	30	£41,796	

In the case of Unison members the Trustees have always followed the practice of referring applicants to the Unison Welfare Fund, but have always been ready to reconsider those applications if Unison have been unable to help.

We had aimed to increase our donations by £10,000 during 2009, but the recession coincided with the efforts we made, so this increase has not materialised. However, this year has seen other Charities experience significant falls in donations, but the donations to the Fund have kept up to the same level as last year. However if the Fund is going to be able to respond appropriately to applications from those eligible for support from the Fund, then we need to increase our income. If all of those eligible to call upon the Fund were to Gift Aid even a small regular donation, then the future of the Fund would seem more secure.

In the course of the year we engaged in promotional activities with the aim of making the fund known to a wider audience. This was associated with the 75th Anniversary celebration, which was used as a launching point for new initiatives. The reception was attended by a number of area Chief Officers, together with Napo Officers, Edridge Representatives, the Head of NOMS, others representing Criminal Justice agencies and Cafcass, as well as Officers from Unison. A good quality promotional leaflet was also produced, explaining the work of the Fund, and indeed we continue to circulate copies of that. The intention was to follow up that event with direct meetings between area Edridge Representatives and Chief Officers to seek and secure their co-operation in promoting the Fund in their respective areas, and also to agree to some financial support for Edridge Trustees by way of travel expenses to Edridge meetings.

The Edridge Fund of Napo

That initiative was a somewhat bold one, and in many areas we have managed to obtain the co-operation we had looked for, and indeed there have been significant local initiatives with Probation management that have raised good sums of money for Edridge. Our contact with the head of NOMS enabled us to later put material onto the NOMS website, though this has not produced a significant increase in donations from Probation staff who are not members of Napo. However, we do feel that our contact with Chief Officers has helped to increase the awareness of Edridge, and a number of them are sympathetic to our cause. The Trustees believe that this has laid a good foundation for further initiatives in the future.

We have relaunched our 50/50 club, and by the end of the year we started to see an increase in the number of people taking part, and this has carried on in a significant way. Our sales of Christmas cards have been good, and the accounts reflect a useful profit. Part of this has been more precise accounting so that expenditure and income from different years is properly differentiated, also our invoicing and payment chasing has been improved. During the year we also resumed the practice of monthly updates of the Fund's activities in *Napo News*.

FINANCIAL REVIEW

The financial position of the Fund is as set out in the accounts, and indicates that we have slightly increased our operating deficit, and reduced the amount of cash carried forward to next year compared with the 2008 accounts, though this is countered by the useful increase there has been in the value of our investments. The Investment Portfolio is professionally managed and the Trustees review the account regularly and have an annual review with our Financial Advisor. The mandate to our Investment Manager is to maintain a medium level of risk and investments to be made on an ethical basis. The policy with the Investments is to leave the income within the portfolio, and to use it as a reserve to cover casflow shortages, and supplement our income as required. It has not been necessary to draw funds from the Investment account this year, but this is a consideration for the future.

We have now taken over all the accounting tasks that were previously carried out by Theresa Boorman in Napo, and to assist this we have purchased accounts software, which is specifically designed for Charities, and will enhance the information the Treasurer can provide to the Trustees.

FUTURE PLANS

Our plans for the next year are:

- There has long been a promise that we were going to revise our website, and this has been seen as a priority for 2010. At the time of writing this report we had commissioned the revision of the website.
- We will be revising our database of donors so that we can start making appeals to our regular donors, and also look at ways of keeping them advised of the work of the Fund.
- We will consider whether we should draw down some of the value in our investments to supplement our income in what is likely to be a difficult year.
- The Fund will continue to find ways of increasing donations by further publicity of the work of the Fund.
- The Fund will seek to encourage younger Napo members to take a more active role in the Fund, particularly to find new Trustees for the future.

DECLARATION

The Trustees declare that they have approved the Trustees Report above

Signed: Richard Martin – Secretary on behalf of the Trustees

Date: 13 August 2010

The Edridge Fund of Napo

CHAIR'S REPORT

On behalf of my fellow Trustees, I present to you the annual accounts for the year ended 31 December 2009. This has been a year in which we made great efforts to advance the cause of the Fund and we celebrated two important anniversaries. However, it was also the year in which economic recession started to affect the lives of those who give to us as well as those who receive from the Fund. We celebrated the 75th Anniversary of the Fund, but we also had the thirtieth anniversary of the appointment of Richard Martin as Secretary. He has been the continuing presence that has kept the fund going through good times and bad with a strong devotion to helping his colleagues in need. This long service was marked by a small presentation last December at Chivalry Road with the Trustees, and Napo Officers and staff.

There are many people we need to thank for their support. We are grateful to our Independent Examiner Gina Alderson, who has assessed the accounts for the third year running, and continued to give helpful advice and support to David Cox, our Treasurer. Whilst Theresa Boorman of Napo has taken a less prominent role in our accounting, she has continued to give valuable advice and assistance. We are also very grateful to the help we receive from other Napo staff, in particular Kath Falcon for her help in many aspects of our public relations. Judy McKnight has continued in an advisory role, despite her being quite busy in her retirement, and we have appreciated her support a great deal.

This year has seen the retirement of Mick Brittain as a Trustee, whose contribution to our work was greatly valued, and we welcomed Liz Bywater from Kent, who began as a Trustee shortly before last year's AGM. We must also thank Sue Martin, who temporarily took over as our Administrator, until we were able to appoint Sarah Byatt, who has fulfilled all the potential we saw at interview. I also want to personally thank all of the Edridge Trustees and staff, who have supported me enormously in my role as Chair, in particular David Cox; he continues to work tirelessly for the Fund. A final vote of thanks has to go to Napo and Thompsons Solicitors who both sponsored our 75th Anniversary Reception at the House of Lords.

How have we done in this momentous year of credit crunch and recession? In 2008 our applications increased by 50% and we dealt with roughly the same number for 2009. For the second year running we have paid out more than £40,000 in grants, a substantial increase over previous years. We still believe that in difficult times we should respond to the inevitable increase in need, rather than reducing grants drastically. Giving out money is our purpose, though we do have the duty to be responsible with our resources. This is a difficult balance to keep, and last year we said that our income had to increase if we were to maintain that level of assistance without making dangerous reductions in our reserves.

Our aim had been to increase our donations by £10,000 during 2009, but the writing was already "on the wall" by the time of the last Napo AGM. Edridge has run against the general tide of reducing donations to charities generally; our income has held up remarkably well in these difficult times. At the end of 2008 we were beginning to despair about the falling value of our investments, but on advice we held on and saw a useful increase in the valuation by year end. This does mean that the Trustees can consider drawing funds from the investments during the coming year. However, we do have to be cautious in the coming year, as there is some indication of income falling during 2010.

There is one simple reason for the ability of the Edridge Fund to swim against the tide of difficult economic circumstances, and that is the solid support we receive from members of Napo and other supporters in the Probation and Cafcass family, as well as our band of faithful and hard working local representatives. Without this support the work of Edridge could not continue, and we thank them all.

Turning to the work of the Fund the pattern of applications has continued much as before, and in the main section of this report we have set down some analysis. Once again the level of applications from TPO's is comparatively high, but this year saw a greater proportion of applications from TPO's in their second year, reflecting the failure of many to obtain posts after qualification. This year there was a greater proportion of applications arising from straight financial hardship, with health reasons coming second, often from work related pressures. Sadly a number of our applicants are also suffering domestic violence. The average grant paid out for reasons other than bereavement was £350, slightly up from last year.

We have been promising a revised website for rather a long time, but we have finally commissioned a total revision, with facilities for making donations on line, and giving more dynamic news about the work of the Fund. At the time of writing I am hopeful that we will be able to demonstrate the new site at this AGM.

There is, however, a matter of some concern. The Trustees and area representatives of Edridge have a high proportion of people either in or near retirement. We desperately need to have younger members come forward to help in the work of the Fund. So this is my final appeal to ask that you come and talk to us; it is a thoroughly worthwhile cause.

Anne King – Chair

August 2010

The Edridge Fund of
Napo

Independent Examiner's Report on the Accounts

Report to the Trustees of The Edridge Fund of Napo

On accounts for the year ended 31/12/2009 **Charity No. 803493**

RESPECTIVE RESPONSIBILITIES OF TRUSTEES AND EXAMINER

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

It is my responsibility to:

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

BASIS OF INDEPENDENT EXAMINER'S STATEMENT

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

INDEPENDENT EXAMINER'S STATEMENT

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

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

Signed: *Gina Alderson* **Date:** 16 August 2010

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

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

Statement of Financial Activities

(incorporating an Income and Expenditure Account)

FOR THE YEAR ENDED 31 DECEMBER 2009

	<i>Notes</i>	2009 £	2008 £
Incoming Resources from Generated Funds			
Voluntary Income			
Regular Donations and Gifts (formerly covenants)		9,668	10,395
Activities for generating funds			
Fund Raising Events		876	2,389
Contribution from Napo		33,001	30,553
Investment and Interest Income			
Investment Income		4,164	5,316
Bank Interest (including Investment Account)		250	1,525
Incoming Resources from Charitable Activities			
Contributions from members, branches and others		11,007	8,149
Net Profit/Loss on Christmas Cards		1,040	998
Total Incoming Resources		<u>60,006</u>	<u>59,325</u>
Resources Expended			
Costs of Generating Funds			
Promotional activities	10	6,648	60
<i>Less sponsorship received for Anniversary Event</i>		(2,500)	—
Investment Management Fees		1,774	1,854
Marathon Fund Raising Expenses		—	71
50/50 Club Prizes		86	237
		<u>6,008</u>	<u>2,222</u>
Net Resources available for Charitable Application		<u>53,998</u>	<u>57,103</u>
Costs of Charitable Activities			
Grants paid	5	41,796	43,957
Management and delivery of the charity's purpose		14,072	13,428
		<u>55,868</u>	<u>57,385</u>
Governance Costs			
Adjustment to Governance costs (only for 2008)		—	(200)
Governance Costs Adjusted	4	2,048	1,363
Net Operating Surplus/(Deficit) for the Year before Gross Transfers		<u>(3,918)</u>	<u>(1,645)</u>
Gross Transfers between Funds		—	5,000
Net Incoming Resources before Gains/(Losses)		(3,918)	(6,645)
Other Recognised Gains/(Losses)			
Realised gains/(losses) on investments		(3,988)	(7,493)
Unrealised gains/(losses) on investments		24,040	(18,204)
Net Movements in Funds		16,134	(32,342)
Total Funds Brought Forward		<u>172,789</u>	<u>205,131</u>
Total Funds Carried Forward		<u>188,923</u>	<u>172,789</u>

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

The Edridge Fund of
Napo

Balance Sheet

AS AT 31 DECEMBER 2009

	Notes	2009		2008	
		£	£	£	£
Fixed Assets					
Tangible (Fixed) Assets	9		98		131
Investments	11		161,427		137,387
			<u>161,525</u>		<u>137,518</u>
Current Assets					
Debtors	8	2,099		2,550	
Cash at Bank and in Hand	6	27,615		33,326	
		<u>29,714</u>		<u>35,876</u>	
Creditors:					
Amounts falling due within one year					
Accruals	7	(2,316)		(605)	
Net Current Assets			<u>27,398</u>		<u>35,271</u>
Total Assets Less Current Liabilities			<u>188,923</u>		<u>172,789</u>
Net Assets			<u>188,923</u>		<u>172,789</u>
Income Fund and Reserve					
General Reserves as at 31 December 2009			<u>188,923</u>		<u>172,789</u>
Total Funds available to the Fund			<u>188,923</u>		<u>172,789</u>

These financial statements were approved by the Trustees on 15 July 2010 and are signed, on their behalf by:

ANNE KING
Chair of the Trustees

DAVID COX
Treasurer/Trustee

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

Notes forming part of the Accounts

FOR THE YEAR ENDED 31 DECEMBER 2009

1. ACCOUNTING POLICIES

(a) Basis of Accounting

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

(b) Cash Flow

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

(c) Taxation

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

(d) Income

Gift Aid income is accounted for on a receivable basis, including income tax recoverable for the year to 5 April following the year end.

(e) Tangible Fixed Assets

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

Office Equipment – 25% on reducing balance.

(f) Independent Examination/Audit

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

(g) Investments

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

2. MANAGEMENT AND DELIVERY OF THE CHARITY'S PURPOSE

		2009	2008
	<i>Notes</i>	£	£
Staff Costs	3	8,264	7,901
Rent		2,880	2,906
Postage, Printing, Stationary and Equipment			
Maintenance		2,242	1,908
Insurance		592	590
Depreciation on Fixed Assets	9	33	44
Bank Charges		61	79
		<u>14,072</u>	<u>13,428</u>

3. TRANSACTIONS WITH RELATED PARTIES

REMUNERATION

	£
Payments to Trustee for Services	864

(a) The payments listed are included in the figure for staff costs and amount to two hours per week.
 (b) The payments were made to the Treasurer, David Cox, for accounting services, which had previously been undertaken by the Administrator. This arrangement started on the retirement of the Administrator in July 2008.

(c) Authority for this is provided in the Charities Act 2006, and the Trustees resolved to adopt this arrangement after consultation with the Charities Commission.

(d) There is nothing in the Fund's Governing Document, which prohibits such payments.

The Edridge Fund of
Napo

4. GOVERNANCE

	2009	2008
	£	£
Staff and Trustees Expenses	1,973	1,396
Independent Examiner's Fee	NIL	(200)
Napo Conference Expenses	75	167
	<u>2,048</u>	<u>1,363</u>

5. GRANTS PAID

	2009	2008
	£	£
Bereavement	900	1,200
Standard Grants	40,846	42,622
Christmas	50	135
	<u>41,796</u>	<u>43,957</u>

6. CASH AT BANK AND IN HAND

	2009
	£
The cash balances at banks are represented by:	
Bank Deposit Accounts	1,540
Bank Current Accounts	16,044
Cash Funds held by Investments Managers	10,031
Total Cash Balances	<u>27,615</u>

7. CREDITORS

	2009
	£
Publicity Expenses	520
Secretarial Wages	1,746
Christmas Grant	50
	<u>2,316</u>

8. DEBTORS

	2009
	£
Gift Aid Tax Refund (estimated)	1,500
Christmas Cards*	599
	<u>2,099</u>

*(based on receipts during 2010 till 31/3/2010)

The Edridge Fund of
Napó

9. FIXED ASSETS

Cost	£
As at 31 December 2008	6,396
Depreciation	
As at 1 January 2009	6,177
Charge for the year	33
<i>Total charges to date</i>	<u>6,210</u>
Net Book Value	
At 31 December 2008	<u>131</u>
At 31 December 2009	<u>98</u>

10. PROMOTIONAL ACTIVITIES

	£	
a. Edridge 75th Anniversary at House of Lords		
Anniversary Event Hospitality	4,057	
Presentation/supporting material for event	449	
<i>Total Gross Cost</i>	<u>4,506</u>	
<i>Less sponsorship from Napó</i>	(1,000)	
<i>Less sponsorship from Thompsons</i>	(1,500)	
Total sponsorship receipts	<u>2,500</u>	
Net cost of Anniversary Event		<u>2,006</u>
b. Promotional Leaflet		
Printing and Design for ongoing use	1,853	
c. Promotional Equipment		
Design and purchase of equipment for	289	
Sub Total Promotional Material		<u>2,142</u>
Total Net Cost of Promotional Activitied		<u>4,148</u>

11. INVESTMENTS

Value of Investments held at 31 December 2009 was as follows:

	2009		2008	
	<i>No. of Shares</i>	<i>£ value</i>	<i>No. of Shares</i>	<i>£ value</i>
Astrazeneca Ords	82	2,387	82	2,302
AVIVA 25p Ords	170	676	170	663
BARCLAYS	380	1,049	380	583
BG Group Ords	201	2,255	201	1,924
BHP BILLITON	114	2,274	114	1,475
BP US \$0.25	940	5,640	940	4,944
B Sky B Ords 50p	155	871	155	744
BT Group Ords	552	745	552	746
Centrica Ords	289	812	289	769
Dexion Absolute	1,754	2,456	1,754	1,491
Diageo Ords	177	1,919	177	1,701
GLAXO SMITH KLEIN 25p Ords	310	4,090	310	3,982
HBOS Ords – Sub shares	—	—	350	—
HBOS Ords – Ord 25p	—	—	253	175

The Edridge Fund of
Napo

		2009		2008
	<i>No. of Shares</i>	<i>£ value</i>	<i>No. of Shares</i>	<i>£ value</i>
HSBC HOLDINGS Ords US \$50	718	5,089	634	4,197
HSBC Corp Bond Income	1,907	3,515	—	—
I Shares IFTSE 100 fund	—	—	89	394
I Shares Index Linked Gilts	278	3,089	—	—
Invesco Perp Corp Bond	5,989	5,585	—	—
Jupiter Unit Trust Ecology Fund	11,560	23,135	11,404	19,776
LLOYDS GROUP – Ords 10p	1,153	584	—	—
LLOYDS TSB GROUP – Sub shares	—	—	142	—
LLOYDS TSB GROUP – Ords 25p	—	—	328	413
Marks & Spencer Ords	149	599	149	320
Marks & Spencer UT Ethical	28,352	23,725	25,480	17,349
M & G Inv Funds Corp Bond	17,501	5,751	—	—
NATIONAL GRID Ords	215	1,460	215	1,471
PRUDENTIAL 5p	181	1,158	181	754
Reckitt Benckiser Ords	47	1,577	47	1,212
Rio Tinto Ords 10	77	2,610	51	760
ROYAL BANK OF SCOTLAND 25p	447	131	447	221
Royal Dutch Eur B shares	149	2,699	149	2,572
Royal Dutch Shell A shares	200	3,764	200	3,610
RSA Insurance Group Ords	542	654	—	—
Sabmiller Com	76	1,388	76	883
Sainsbury J Ords	175	566	175	575
Sarasin Investment Global Fund	179	16,395	166	13,344
Scottish Widows In Property Trust	3,089	2,628	—	—
Standard Chartered Ords US Dollar 0.50 Nil pd	—	—	32	48
Standard Chartered Ords US Dollar 0.50	93	1,465	93	814
TESCO 5p Ords	516	2,208	516	1,858
Thomson Reuters Ords 25p	—	—	13	196
Treasury 5% 2014	£9,956	11,074	£15,027	17,027
Treasury 5.25% 7/06/2012	£1,902	2,064	£3,990	4,383
Treasury 5.75% 2009	—	—	£1,768	1,860
Treasury 8% 2021	£5,840	7,912	£11,532	16,911
Unilever Ords	88	1,755	88	1,390
VODAPHONE GROUP US Dollar	2,555	3,673	2,555	3,550
		<u>161,427</u>		<u>137,387</u>

CONSTITUTION

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

1. Name

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

2. Objects

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

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

3. Political Fund

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

4. Membership

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

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

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

(b) Professional Associate Members shall be:

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

(c) Associate members shall be:

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

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

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

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

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

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

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

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

5. Subscriptions

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

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

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

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

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

6. Conduct of Meetings

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

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

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

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

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

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

7. Voting

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

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

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

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

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

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

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

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

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

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

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

8. President and Vice-Presidents

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

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

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

9. Officers

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

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

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

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

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

or;

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

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

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

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

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

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

10. Trustees

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

(b) The trustees shall not be:

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

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

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

11. Officials and Administrative Staff

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

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

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

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

12. Appointment of Employees

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

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

13. General Meetings

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

14. Annual General Meetings (AGM)

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

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

15. Special General Meetings (SGM)

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

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

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

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

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

16. National Executive Committee

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17. Committees of the NEC

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

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

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

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

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

18. Equal Rights Committee

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

19. Anti-Racism

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

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

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

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

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

20. Negotiating Committees

(a) Probation Negotiating Committee

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

(b) Cafcass Negotiating Committee

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

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

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

21. Branches

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

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

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

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

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

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

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

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

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

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

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

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

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

22. Workplace Meetings

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

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

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

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

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

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

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

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

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

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

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

23. Sections

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

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

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

24. Expenses

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

25. Representation of Members

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

26. Legal Assistance

- (a) The NEC shall maintain a Special Aid Fund. The fund shall be financed by transfer from the general funds of the Association subject to an annual maximum of 7.5% of the subscription income for the previous year.
- (b) The fund may be used for granting legal assistance to members in accordance with this section or for any other purpose that the NEC may from time to time determine.
- (c) Subject to the terms in clause 25(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 26(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 28(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 28(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 28(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 28(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 28(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 28(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 28(l) or 28(m) shall take effect immediately. Any suspension imposed under clause 28(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 28(a) and has been dealt with in accordance with clauses 28(l)(i) or 28(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 28(l)(i) or 28(l)(ii).

(p) A member who has been expelled by the NEC in accordance with clause 28(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 29(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 30(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 30(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 26, 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 26. 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 30(d)(i) and 30(d)(ii) shall be determined by a simple majority voting in the ballot.

APPENDIX A

Standing Orders for the Conduct of General Meetings

1. Order of Business

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

2. Chair – Maintenance of Order

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

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

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

3. Chair's Ruling

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

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

4. Motions and Amendments

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

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

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

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

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

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

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

5. Compositing Motions and Amendments

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

6. Withdrawal of a Motion or Amendment

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

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

7. Emergency Motions

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

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

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

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

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

8. Time-keepers

Time-keepers shall be appointed by the Steering Committee.

9. Speeches

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

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

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

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

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

10. Points of Order and Requests for Information

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

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

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

11. Right of Reply

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

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

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

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

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

12. Reports

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

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

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

13. Voting

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

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

(c) Abstentions shall be disregarded in all votes.

14. Closing the Debate

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

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

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

15. Adjournment

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

16. Rescinding a Resolution

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

17. Suspension of Standing Orders

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

APPENDIX B

Napo Branches/Section as at 1 August 2010

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

Family Court Section

Probation Trusts

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

Cafcass

DISCIPLINARY RULES

Definitions

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

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

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

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

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

General

2.1 These rules have been approved by the National Executive Committee (NEC) for use in all disciplinary action under Section 28 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 28(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 28(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 28(1) namely:
 - either-* impose a written warning as to future conduct,
 - or-* disqualify from office in the Association for up to three years,
 - or-* recommend to the NEC that the member be expelled from the Association. The hearing shall then re-convene and the Chair shall announce the Panel's decision. Any penalty imposed under clause 28(1)(i) or (ii) shall take effect immediately and any suspension imposed on the member shall be withdrawn. If the Panel decides to recommend to the NEC that the member be expelled from the Association under clause 28(1)(iii), any suspension shall remain in force pending the decision of the NEC.
- (j) The Disciplinary Panel shall complete its work within 30 working days of the receipt of information under Rule 6.1.

5.4 POST-HEARING

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

Right of Appeal to NEC

- 6.1 A member who has been deemed by the Disciplinary Panel to have been guilty of conduct as defined in clause 28(a) and has been dealt with in accordance with clause 28(1) may appeal against one or both of those decisions to the NEC.
- 6.2 The appeal will be heard by a panel selected by the General Secretary consisting of five branch NEC representatives who have not been involved in the case.
- 6.3 The appeal hearing will be a re-hearing of the case and new evidence will be admitted from either side.
- 6.4 The procedure of the appeal will be as outlined in Rules 5.2 and 5.3. The powers of the Appeals Panel will be to either dismiss the case or uphold the finding of guilt and either confirm or reduce the penalty imposed.
- 6.5 The findings of the Appeals Panel will be announced by its Chair immediately and then notified in writing within five working days to the member, the Chair of the member's branch and the General Secretary.
- 6.6 The findings of the Appeals Panel shall be final.

Procedure at the NEC when Expulsion is being Considered

- 7.1 The Chair of the Disciplinary Panel shall report to the NEC on the Panel's deliberations, findings and decision. At the conclusion of the report the member and members of the NEC shall be invited to ask questions of the Chair of the Disciplinary Panel.
- 7.2 The member may then address the NEC. At the conclusion of the address members of the NEC shall be invited to ask questions of the member.
- 7.3 The Chair of the Disciplinary Panel and the member shall then withdraw from the meeting.
- 7.4 The NEC shall then debate the question of the expulsion of the member.
- 7.5 The NEC shall have the power to expel the member, impose any of the penalties contained in clause 28(1)(i) or (ii), or dismiss the case. Voting on the issue shall be by a hand vote. A decision to expel must be supported by at least two-thirds of the NEC members hearing the case.
- 7.6 In making a decision under Rule 7.5 any mandate given by a branch to a member of the NEC shall be deemed null and void.
- 7.7 When the NEC has reached a decision the member and the Chair of the Disciplinary Panel shall rejoin the meeting and the Chair of the NEC shall announce the result. Any resulting penalty shall take effect immediately. Any suspension imposed under Rule 3.7 shall be lifted as soon as the case is dismissed or any penalties take effect.

Post – NEC

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

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

Right of Appeal to AGM

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

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

9.3 The member may then address the AGM.

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

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

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

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

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

These Rules for the operation of Napo's Special Aid Fund are made by the NEC under the provisions of clause 16(a) of Napo's Constitution, and clarify the administrative arrangements for the Fund under clause 25(c), (d) and (f) of the Constitution. The Rules are based on Napo's experience of handling members' cases where some form of legal assistance may be appropriate, and of Legal Assistance Appeals Panel hearings when direct legal assistance is initially denied. The Rules are intended to make that decision-making process as transparent as possible, to protect individual members' interests and to clarify Napo's position in relation to what individual members may reasonably expect of the union's resources.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RULES FOR THE CONDUCT OF BALLOTS

1. General Rules

- 1.1 Under clause 7(k) of the Constitution, the NEC has established the following Rules for the Conduct of Ballots. Any ballot conducted under clauses 3(a), 9(b), 9(d), 12(c), 21(g), 21(k), 27(a) and 27(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 27(a) and 27(b) shall be either workplace or postal or a mixture of both as decided by the NEC or by the Officers acting under clause 9(g). In consideration, the following will apply as preferred choice:
 - (a) a ballot for national industrial action will usually be postal;
 - (b) a ballot for local industrial action will usually be workplace;
 - (c) a mixture of these methods, as may be in the best interests of Napo, may be used for either a national or a local ballot.
- 1.7 Ballots for the election of branch officers under clause 21(g) may be postal where the branch operates under clause 22 Workplace Meetings.
- 1.8 The NEC, the Officers, or the Branch Executive as appropriate, shall make or shall cause to be made, such arrangements as are necessary to ensure the following:
 - (a) every member properly entitled to vote shall be allowed to do so without interference from or constraint imposed by Napo, or any of its members, officers, officials or employees;
 - (b) every member properly entitled to vote shall, as far as is reasonably practicable, be allowed to do so without incurring any direct cost to themselves;

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

2.0 Rules for the Conduct of Workplace Ballots

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

3.0 Rules for the Conduct of Postal Ballots

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

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

BRANCH HARDSHIP FUND

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

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

OFFICERS AND STAFF OF THE ASSOCIATION

ELECTED OFFICERS 2009/2010

Chair:	Tim Wilson
Vice Chair (Cafcass):	Paul Bishop
Vice Chairs (Probation):	Deb Borgen (resigned May 2010) Dino Peros Mike Quinn
Treasurer:	Keith Stokeld

STAFF

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

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