

# **Annual Report and Constitution 2014/2015**

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

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## List of Abbreviations used in the Annual Report

ABPO	– Association of Black Probation Officers	NAO	– National Audit Office
ACAS	– Advisory, Conciliation and Arbitration Service	NBN	– Napo Black Network
AGM	– Annual General Meeting	nDelius	– National DELIUS (Delivering Information to Users)
AGS	– Assistant General Secretary	NDSN	– National Disabled Staff Network
APL	– Accreditation of Prior Learning	NEC	– National Executive Committee
ARO	– Anti-Racism Officer	NILE	– National Institute of Leadership and Empowerment
AT	– Assistive Technology	NNC	– National Negotiating Council
BAME	– Black Asian and Minority Ethnic	NOMS	– National Offender Management Service
CA	– Constitutional Amendment	NPC	– National Partnership Committee
Cafcass	– Children and Family Court Advisory and Support Service	NPS	– National Probation Service
CB	– Cross bencher	NVQ	– National Vocational Qualification
CCC	– Children Contact Centre	OASys-R	– Offender Assessment System-Revised
CEO	– Chief Executive Officer	OFF	– Officer
CJS	– Criminal Justice System	OFSTED	– Office for Standards in Education, Children's Services and Skills
CNC	– Cafcass Negotiating Committee	OM	– Offender Management/Manager
COSOP	– Cabinet Office Statement of Practice (on staff transfers in the Public Sector)	ORA	– Offender Rehabilitation Act
CPD	– Continuing Professional Development	PA	– Probation Association
CRC	– Community Rehabilitation Company	PAM	– Professional Associate Member
CP	– Child Protection	PbR	– Payment by Results
DD	– Deputy Director	PCA	– Probation Chiefs Association
DfE	– Department for Education	PCC	– Police and Crime Commissioner
DV	– Domestic Violence	PCF	– Probation Consultative Forum
ECMS	– Electronic Case Management System	PCS	– Public and Commercial Services union
EDM	– Early Day Motion	PI	– Probation Institute
EHRC	– Equality and Human Rights Commission	PI	– Probation Instruction
EIA	– Equality Impact Assessment	PO	– Probation Officer
EM	– Electronic Monitoring	POA	– Prison Officers Association
ERO	– Equal Rights Officer	PQAB	– Probation Qualifications Assurance Board
FCA	– Family Court Adviser	PQF	– Probation Qualifications Framework
FCC	– Family Court Committee	PSLG	– Public Service Liaison Group
FCJ	– Family Court Journal	PSO	– Probation Service Officer
FCUPG	– Family Court Unions' Parliamentary Group	PSQAP	– Professional Standards and Qualifications Advisory Panel
FSC	– Family Court Section	PSR	– Pre-Sentence Report
FSW	– Family Support Worker	PTLA	– Pathways to Learning for All
FTE	– Full Time Equivalent	RAR	– Rehabilitation Activity Requirement
G4S	– Group 4 Securicor, private company	RSR	– Risk of Serious Recidivism (risk assessment tool)
GFTU	– General Federation of Trade Unions	SA	– Staff Association
GMB/SCOOP	– The union GMB / Society of Chief Officers of Probation	SAGM	– Section Annual General Meeting
GSCC	– General Social Care Council	SALFA	– Sustainable Access to Learning For All
GPS	– Global Positioning System	SARS	– Specified Activity Requirements
H&S	– Health & Safety	SCCOG	– Standing Committee for Chief Officer Grades
HCPC	– Health and Care Professions Council	SEC	– Section Executive Committee
HEI	– Higher Education Institutions	SEED	– Skills for Effective Engagement Development
HMCS	– Her Majesty's Court Service	SFO	– Serious Further Offence
HMIP	– Her Majesty's Inspectorate of Probation	SGM	– Special General Meeting
HR	– Human Resources	SM	– Service Manager
HSE	– Health and Safety Executive	SMT	– Senior Management Team
HSSG	– Health & Safety Steering Group	SPO	– Senior Probation Officer
IAG	– Information, Advice and Guidance	SPOC	– Single Point of Contact
ICCJ	– Issues in Community and Criminal Justice	SW	– Social Work
ICT	– Information and Communication Technology	TOM	– Target Operating Model
IDC	– Interdisciplinary Alliance for Children	TR	– Transforming Rehabilitation
IOM	– Integrated Offender Management	TRCF	– Transforming Rehabilitation Consultative Forum
IT	– Information Technology	T&S	– Travel and Subsistence
JARI	– Joint Action Research Initiative	TUC	– Trades Union Congress
JNC	– Joint Negotiating Committee	TUCG	– Trade Union Coordinating Group
JNCC	– Joint Negotiating Consultation Committee	TUPE	– Transfer of Undertakings (Protection of Employment)
JSC	– Justice Select Committee	TUO	– Trade Union Organisation
JUPG	– Justice Unions' Parliamentary Group	UHSS	– Union Health & Safety Specialists
LA	– Learning Agreement	UK	– United Kingdom
LAGIP	– Lesbians, Gay Men, Bisexuals & Transgendered people in Probation and the Family Courts	ULR	– Union Learning Rep
LDU	– Local Delivery Unit	ULF	– Union Learning Fund
LGB&T	– Lesbian, Gay, Bi-Sexual & Transgender	US	– United States of America
LGPS	– Local Government Pension Scheme	VQ3/5	– Vocational Qualification Level 3/5
LPC	– Learning Partnership Committee	WiN	– Women in Napo
LtP	– Licence to Practice	WSW	– Women Safety Worker
MIAM	– mediation information and assessment meetings	WULF	– Wales Union Learning Fund
MP	– Member of Parliament	YTD	– Year To Date
MoJ	– Ministry of Justice		
NAAPS	– National Association of Asian Probation Staff		

# Annual Report

## August 2014 – August 2015

### Introduction

#### **Unprecedented challenges for Napo**

Another extremely tough year for Napo and its members; during which our main operational focus has been directed on the ideologically driven Transforming Rehabilitation agenda. This included the Judicial Review (JR) campaign, which was a last-ditch attempt to persuade the Judiciary that the share sale of the 21 Community Rehabilitation Companies prior to the General Election was unsafe and untested and therefore not in the public interest.

The deep disappointment that the action had to be withdrawn on the basis of legal advice was shared by all of your staff and the elected leadership group. Whilst there were never any guarantees that this route would have been successful, we well understood the emotional energy and hope that members had invested in this strategy, but the overriding priority of continuing to try and defend our member's interest's meant that we had little opportunity for introspection.

The ink had hardly dried on the CRC contracts when Napo entered its first dispute with the CRC's owned by Sodexo, over the company's cynical disregard of the protections afforded to redundant staff under national agreements, and at the time of writing we await a response from the Secretary of State to our latest representations.

#### **Napo's future**

Napo lost many local volunteers and Representatives during the TR process, with many leaving the service or taking on new roles. It is already clear that the newly outsourced probation environment will present Napo with new challenges which is why we have regularly reviewed our negotiating strategies and priorities and the future training that we will be providing for new Napo representatives.

Alongside the huge difficulties being faced by our members across the NPS and CRCs, is the spectre of the Government's systemic attack on Trade Union organisation. The Trade Union Bill is the most concerted attack on unions for over 30 years and cannot be viewed in isolation from the spiteful decision by the previous Secretary of State to withdraw the facility for the deduction of Union Subscriptions at source. This is a decision which poses real difficulties to Napo's future capacity to fund our activities and our ability to challenge Government decisions.

It is of credit to Michael Gove that he was persuaded by our powerful argument that we required a further three months' relief on the removal of 'Check Off' on the basis of our unique democratic structures. Nevertheless, the task of securing sign up to Direct Debit, initially across our NPS membership, is no less daunting and represents a major test for Napo.

Our pragmatic and dynamic approach to this development forms a major part of our strategic planning for the future. At the time of writing we are on schedule to achieve the initial target of encouraging all our members within the NPS to make the switch to Direct Debit subscriptions. We also expect to bring innovative proposals to the AGM for new subscription rates which will benefit all of our members in Probation and the Family Court Service.

#### **Professional values**

As always, it has been Napo who has led the way in trying to maintain

and promote professional standards within Probation and Cafcass. Indeed, our members within the Family Courts, whilst witnessing the chaos caused by TR, are under no illusions that a Government, so obsessed with the concept of privatisation, will not at some stage turn their attention to who should provide children's' services or seek to utilise willing but dangerously unqualified volunteers in the complex area of Family Court proceedings. The achievements of our members within Cafcass, who in spite of unreasonable workloads and cuts in Government spending, still produce remarkable results cannot be allowed to be viewed with complacency by Ministers. Last year saw the welcome election of Jay Barlow as one of Napo's Vice-Chairs and her involvement and enthusiasm has meant that our members in the Family Court Section have rightfully regained their voice within Napo's leadership group.

#### **Northern Ireland - a part of the Napo family**

The impact of the previous (and this current) Government's austerity agenda, has been brought into sharp focus for our Probation members in Northern Ireland. Here, Napo members' voices in the public service union's campaign against the cuts helped to secure a revision to the original spending plans, but that campaign continues as we bring the lessons of the disastrous TR programme to the attention of politicians in and outside of Stormont.

#### **Black Members' Network**

This year saw Napo hold two massively successful and inspirational events in the form of Women in Napo (WiN) and the Family Court Committee's Professional Conference. I was proud to be able to join with BAME Napo members at the inaugural launch of the Black Members' Network this summer. I believe it will be a forum that will add much to Napo's wider diversity agenda and provide a support mechanism for this traditionally under represented group to gain the confidence to challenge for a greater share in the leadership structures of our union.

#### **Appreciation**

Napo's work could not be undertaken without the efforts of your employees at Chivalry Road and we were sorry to see the departure of Alison Bonner who left us to take up a new post with her local NHS Trust. We are grateful for her work with us and wish her and her family well for the future.

Keith Stokeld, National Treasurer, has completed his term after 6 years. Our sincere thanks go to him for his hard work in a demanding and at times thankless role.

Napo's panel of National Representatives undertake sterling work for our members who face difficult situations, and I want to pay tribute to long serving panel members Dave Rogan and Peter Robinson for their tremendous efforts over many years.

Finally, my personal appreciation to all Napo members and their representatives for sticking with their trade union and professional association during such difficult (and for all too many, very demoralising) times.

Solidarity and common purpose are as important now as they ever were as we look ahead to the work that this AGM will set for us next year.

**Ian Lawrence**, General Secretary

## National Executive Committee

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

1. **Meetings.** The NEC has met five times since the last annual report was written: in September and November of 2014 and February, April, July of 2015. The NEC oversees the work of all Napo's standing committees and receives regular reports from them. Much of the business conducted by the NEC is therefore reported in other sections of the Annual Report.

2. **Officers.** Napo's officers for the year 2014-15 were: Yvonne Pattison and Chris Winters (East Coast) National Co-Chairs, Katie Lomas (West Yorkshire), Dave Adams (The Mercia) and Chas Berry (Kent Surrey and Sussex) Vice-Chairs (Probation), Jay Barlow (Family Court Section) Cafcass Vice-Chair elected at the November 2014 NEC and Keith Stokeld (Durham Tees Valley) Treasurer.

3. **NEC Black Representatives.** Black representative seats were filled for the 2-year period 2015-2017 by Maureen Vernon (Staffordshire and West Midlands) and Ikki Bhogal (West Yorkshire).

4. **Employers' issues.** Alison Bonner (Administrator NEC & Officers) left Napo's employment in February 2015 having obtained alternative employment.

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 2014 are included in the annual report.

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

- **Cumbria and Lancashire** – over the Enhanced Voluntary Redundancy (EVR) scheme and over the change to compulsory redundancy payments in CRC with Sodexo.
- **East Anglia** – over the Enhanced Voluntary Redundancy (EVR) scheme in CRC with Sodexo.
- **East Midlands** – remains in dispute over Workloads.
- **Essex** – over the Enhanced Voluntary Redundancy (EVR) scheme in CRC with Sodexo.
- **Family Court Section** – remained in an ongoing dispute over Workloads.
- **Northumbria** – over the Enhanced Voluntary Redundancy (EVR) scheme and over the change to compulsory redundancy payments in CRC with Sodexo.

- **South Yorkshire:** in dispute over Workloads in CRCs and NPS. Over the Enhanced Voluntary Redundancy (EVR) scheme and over the change of pay date in CRC with Sodexo.
- **Staffordshire and West Midlands** remains in dispute within CRC over Workloads.
- **The Four Shires** – over the Enhanced Voluntary Redundancy (EVR) scheme in CRC with Sodexo.

7. **Motions.** During the year the NEC passed Category C motions, which became Napo policy, on the following:-

- i) Support for the Civilians of Gaza
- ii) Crisis in British prisons
- iii) Continued support for the 'No more Page 3 Campaign'

8. **Operational Plan and Strategic Objectives.** The November meeting of the NEC agreed Napo's operational Plan 2014-15 and it was sent to branches in BR135/2014. The plan was set out in line with the five objectives set out under Napo's strategic aims covering the range of Napo's work.

9. **Transforming Rehabilitation and Judicial Review.** The main focus of the NEC's attention over the last year was the national dispute on TR and Napo's efforts to try and secure a legal ruling to prevent the share sale of the 21 Community Rehabilitation Companies.

10. The NEC, in closed session, continued to be updated in respect of the progress of the Judicial Review application. Unfortunately at a late stage in the proceedings the General Secretary and Officers' Group unanimously concluded that the legal advice from Slater and Gordon and Helen Mountfield QC, gave them no option other than to discontinue the challenge.

11. All key decisions about the ongoing process and the decision to discontinue were taken by the whole of the elected Officers' Group plus the General Secretary by a secret ballot. Unfortunately the High Court ruled that much of the evidence disclosed to Napo from the MoJ was subject to a strict confidentiality order in addition to the usual restrictions placed on the use of evidence in public law proceedings.

12. Any breach of that order could have led to prosecution of individuals and/or Napo for contempt of Court. In some circumstances this could have resulted in imprisonment and, for elected officers, loss of employment. At a special meeting of Branch Chairs attended by Edward Cooper of Slater and Gordon later in December, it was explained that the eventual decision to discontinue the legal challenge was not financially driven. Some financial assistance from sister unions towards the lodging of the JR application amounted to £23,000 in total.

13. Although there was no agreement for any further contributions from these or any other source, Napo was in a position to bear any costs associated with the JR application without jeopardising the future of the Union.

14. Following discontinuation of the JR Application, Napo attended a costs hearing on 12th December during which two orders for costs were made; disclosure costs were to be met by the MoJ and other costs by Napo. The Officers' Group subsequently decided to instruct Slater and Gordon to appeal this ruling at the Court of Appeal and we expect that a date for this hearing will be set to take place early in 2016. Despite this disappointment, the Officers and Officials have continued to press the issues arising from TR within NOMs and the CRCs, the

media, Parliament and professional forums at every opportunity. The union has also provided evidence to the National Audit Office post TR review and has met with HM Inspector of Probation and made written submissions to Ministers.

15. **Contact with Ministers.** Following the General Election a new Secretary of State for Justice was appointed and some changes made to the Justice team. Following an initial telephone conference with the Secretary of State, there has subsequently been a meeting with Michael Gove and Andrew Selous in mid-July which was attended by the General Secretary and one of the Co-Chairs along with colleagues from other probation unions. Contact with Ministers is ongoing and has featured the difficulties between the unions and Sodexo over the contractual issues arising from the breach of the National Staff Transfer Agreement and the failure to pay the full terms of the Enhanced Voluntary Redundancy scheme (EVR).

16. At the time of writing, Napo were awaiting a date for a Ministerial meeting to discuss issues pertaining to our members within Cafcass.

17. **Public Service Liaison Group.** The TUC holds regular meetings of the PSLG which are attended by senior officials of all public service unions. Napo is represented by the General Secretary and/or Assistant General Secretary. The PSLG enables the unions to hold regular discussions about issues of common concern including cuts to jobs and services and privatisation threats.

18. **Trade Union Coordinating Group.** The TUCG represents the views and concerns of 10 trade unions including Napo. It organises a range of seminars and events including two fringe meetings at TUC Congress. Napo continues to receive regular support and briefings from the Parliamentary Coordinator for the TUCG.

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

20. **Trade Union Congress (TUC).** Congress 2014 took place in Liverpool. Napo's motions entitled 'Probation Service privatisation is unsafe' and 'Oppose the privatisation of Children's services' were carried.

21. Napo's delegation to Congress in addition to the National Co-Chair Yvonne Pattison and General Secretary Ian Lawrence included Deb Borgen and Nizam Salyani (London) and Joanne Perkins (The Mercia). A full report of the Congress was provided in Napo News.

22. 2015 Congress is taking place in Brighton and Napo is submitting motions entitled 'Child Sexual Exploitation – campaign to provide services' and 'Electoral Reform'.

23. **TUC Women's Conference.** Napo's delegation included Yvonne Pattison, Katie Lomas (National Vice-Chair), Ikki Bhogal (West Yorkshire), Frances Mason (Essex) and Tamzin Yates (East Midlands). Napo's motion was entitled 'Restoring services for women in the criminal justice system'.

24. **TUC Black Workers Conference.** Napo's delegation included Ikki Bhogal (West Yorkshire), Urfan Amar (Thames Valley), Arlene Simms (Staffordshire and West Midlands) and Anselm Ubaka (Durham Tees Valley). Napo's motion was entitled 'Stereotyping and its effect on young black and/or Muslim men in the Criminal Justice System (CJS)'.

25. **TUC Disabled Workers' Conference.** Napo's delegation included Ikki Bhogal (West Yorkshire) and Ranjna Sharma (East Midlands). Napo's motion was entitled 'Privatisation/Outsourcing and the Equality Duty'.

26. **TUC Lesbian Gay Bisexual and Trans Conference (LGB&T).** Napo's delegation included Shirley Anderson, Debbie Saddington (Northumbria) and Megan Key (Staffordshire and West Midlands). Napo's motion was entitled 'Gender Recognition Legislation in the EU'.

## **Cafcass Negotiating Committee**

*Members:* Peter Brooks (Cafcass London)  
Christine Dyson (Cafcass South area)  
Sue Hassall (Cafcass East Midlands)  
Steve Hornby (Cafcass North area) FCS Co-Chair  
Nicola Kenney (Cafcass Central area) FCS  
Co-Chair  
*Service manager rep – Vacancy*  
*Lay member rep – Vacancy*

*Officer:* Jay Barlow (Vice-Chair Cafcass)  
*Official:* Dean Rogers (Assistant General Secretary)  
*Administrator:* Cynthia Griffith

27. **Membership.** In accordance with the Napo Constitution the Cafcass Negotiating Committee was elected at the Family Court Section AGM which was held immediately before the Scarborough National Napo AGM Conference on 9 October 2014. The membership of the Committee is set out in the FCS Constitution. It has not been possible to fill the Service Manager Representative position or one of the lay reps this year. Jay Barlow was nominated as National Vice-Chair at the last AGM and has been re-nominated for 2015–2016.

28. **Meetings.** The Committee has met on three occasions in November, January and June. These meetings have been shared with the Section Executive Committee and one with Family Court Committee to save on travel costs and to share information. We have held National Partnership meetings with Cafcass Management on three occasions in September, February and July.

29. **2014 AGM Resolutions.** Some progress was made about the complaints motion and it has been agreed that only complaints where there was a learning point for the practitioner were to be recorded on Itrent. This has reduced the number recorded by about a third. Our negotiations to have workload weighting recorded for time spent on complaints was not successful as management did not regard these as statistically significant. We still have concerns about the level of priority that senior management give to the Health and Safety Steering Group which is still not operating in accordance with the Safety Reps and Safety Committees Regulations 1977 (Brown Book). This is an ongoing matter for the Section Exec and the Committee.

30. **Workloads.** There was a time and workload measurement study undertaken by Cafcass involving 1000 practitioners and 1000 cases, both private and public law. We have only just received the report of the findings. This included a recognition of the "goodwill of practitioners, who work over and above their contracted hours", and that this has "contributed to Cafcass continuing to meet all of its targets and demonstrating continuous improvement". Discussions about this are scheduled for September. It remains a massive concern of members that the measure is still not an accurate reflection of the work that people are doing. Members have expressed concern about the impact on workloads of some of the Cafcass pilot schemes, for example, filing private law reports in six weeks. The Workload sub-committee is due to meet again on 7th September.

31. **Litigants in Person.** This issue has continued to cause significant extra work and difficulties for practitioners, with extra enquiries from parties and time at court. The Family Court Committee are reviewing the guidance to members about this.

32. **Review of Human Resources Policies.**

- Management of Organisational Change policy – Work is ongoing on this policy, which is to bring together the three previous policies that it is replacing ie. Restructuring and Redundancy policy; Relocation Policy and Management of Organisational Change.
- Employee Relations Policy - This is now in place and has been operating for nearly a year.

33. **Cafcass Budget 2013-2014.** Further budget cuts by the Ministry of Justice are anticipated and more information will be known later this year.

34. **Pay Claim 2014-2015.** The Enhanced Practitioner role has now been incorporated into the pay structure with a properly formulated job description. This has been sought for some years. Our claim for over 3% was rejected and we received a consolidated 1%. Negotiations around the Advanced Social Worker grade stalled. There is a question around whether this can realistically be achieved within current budget restraints without impacting on the pay to other staff.

35. **Student Social Workers/Newly Qualified Social Workers.** The placement arrangement whereby there could be an exchange between Cafcass and local authorities to provide placements has collapsed and local authority placements have not been available for NQSWs.

36. **Office Closures.** There are no plans for wholesale office closures. However we have to be mindful of the MoJ property strategy which could impact on Cafcass. There is a rationalisation of resources resulting in some small offices closing.

37. **IT.** The outage of the ECMS system caused major disruptions and difficulty during March/April. This was acknowledged by management. Operational staff have now been issued with new smart phones.

## Campaigning Committee

*Members:* Deborah Borgen (London)  
Megan Elliott (Northumbria) resigned  
November 2014  
Su McConnel (Napo Cymru/Retired)  
Jaclyn McGlasson (London)  
Jill Narin (South Southwestern)  
Joanne Perkins (The Mercia)  
Guy Tilbury (Kent Surrey Sussex)  
Committee Chair

*National Officer:* Chas Berry (Vice-Chair)  
*National Official:* Tania Bassett (National Official)  
*Administrator:* Kath Falcon

38. **Membership.** Thanks are recorded to all members of the Committee including the Link Officer and Official. The Committee started the year with seven members and during the course of the year one of the members retired from the committee. As in previous years not all members were able to attend all three meetings. It was necessary to postpone the final meeting of the year with the result that it will take place after the deadline for reports to be submitted for inclusion in the Annual Report.

39. **Overview.** During the first part of the year the major focus of the committee and of Napo's campaigning was to continue to resist the privatisation of the Probation Service and to draw the attention of parliament, the press and the nation to the risks inherent in the Coalition Government's Transforming Rehabilitation Agenda.

40. After the former Secretary of State rushed through the split and sell off it was felt that the committee should focus on protecting the interests of members while at the same time continuing to draw the attention of parliament, the press and the nation to the considerable risks to the public and to service users posed by the Coalition Government's ill conceived, unproven and poorly executed Transforming Rehabilitation (TR) Agenda and the subsequent privatisation of much of the Service.

41. Campaigning Committee remains committed to working towards a unified public probation service and to the protection of the safety of the public and service users together with protecting the safety, welfare and terms and the conditions of all grades of staff working in Probation and the Family Courts.

42. Other issues have been addressed throughout the year as mentioned below.

43. **AGM Resolutions.** Campaigning Committee was allocated three motions from AGM and took action as follows:

### No Sale to CRC Bidders at Any Price

It was agreed by the Committee that Campaigning Committee would assist in collating information on the preferred bidders and that branches would also be asked:

- to assist especially in relation to information on smaller local bidders.
- to contact their CRC directly to raise the issues of concern noted in the resolution and to ask for assurances.

It was noted that Napo Officers and Officials were still discussing how Napo should approach the bidders, in terms of maintaining future relations. It was decided that advice would be given on this in a circular.

Branches would also be asked to contact the Justice Select Committee about their local CRC concerns and would be advised on how to do this.

A 'delegation' to each of the bidders head offices was also suggested to leaflet and seek discussion rather than to 'protest'. It was decided that this would be raised with Officers and Officials group for discussion.

### Chris Grayling's Conduct in Office

It was agreed at the first meeting of the committee that the timing was not appropriate to discuss action on this resolution. At the next meeting of the committee it was agreed to highlight the Secretary of State's appalling record in office in the run up to the general election.

### Rape in Custody

Campaigning Committee was instructed to draw attention to the refusal of the Secretary of State to investigate the incidence of rape in custody and to campaign for this decision to be reversed. It was agreed in the first instance to send the motion to the Howard League and the Prison Reform Trust together with other appropriate campaign organisations with a view to progressing joint working on the campaign. A meeting took place between Tania Bassett, Guy Tilbury and Sadiq Khan's Senior Political Advisor Nick Bowes, about this issue in the hope that it would be raised in Parliament. Napo was able to share a copy of a Bill that had been passed in the US on this issue with a view of it being used as a base for potential legislation in the UK. Napo will continue to work with other organisations to campaign for this.

44. **Anti-TR Campaign.** Briefings on workloads, staff shortages, concerns regarding the suitability of the bidders, and the impact of TR on diversity and health and safety were presented to the Justice Select Committee before the sitting on the 2nd December in which the JSC questioned the Secretary of State Chris Grayling.

45. A media campaign has been continuous throughout the last 12 months and has resulted in Napo getting more coverage than has ever been previously recorded. Tania Bassett and Kath Falcon have monitored the coverage through Napo's media monitoring service and produced reports highlighting coverage to NEC. This has also been broken down into regions to identify which branches received the most coverage and which ones needed assistance in increasing their local profile. This has also been supplemented by media masterclass articles and guidance in Napo News. TR and the risks it poses to the public, staff and service users has been covered both Nationally and locally via radio, television and newspapers and the committee is grateful for the hard work of those who have campaigned both locally and nationally.

46. **PSO Campaign.** The PSO Forum members identified the need to challenge the restrictive range of 'relevant degrees' that limited PSO entry into the PQF. The committee agreed to liaise with the Training and Professional Committees on the best way to take this forward.

47. Concerns were reported to the committee over the changes in the working practices in prisons and how this would affect PSOs in the NPS. Further concerns were reported regarding role boundaries in the CRCs with the prospect of PSOs being asked to cover work previously undertaken by POs in return for bonus payments.

48. **The General Election and Parliamentary Campaigning.** Napo met with the Shadow Justice Team and Shadow Justice Minister Jenny Chapman as part of the TUC Speak Up For Justice group. Two main points had been noted: (a) Justice was not an election issue with parties focusing on NHS, immigration and cost of living and (b) Labour had realised that they were very limited as to what commitments they could make with regard to reversing TR because of the tightness of the contracts. They had however made commitments to investigate what could be done legally e.g. in terms of the Golden Share and reviewing service delivery; and they had agreed to review the proposed operational models put forward by CRCs to look for flaws and risk issues. Since the election Napo has sent out introductory letters to new members of the Justice Select Committee with a view to meeting them in the new term of parliament. Tania Bassett will also be meeting the new Shadow Justice Team when parliament returns. The Justice Unions Parliamentary Group also has new members and Napo will continue to raise our concerns through briefings at these meetings.

49. The committee considered the figures published showing the drop in the number of voters on the electoral register and considered it imperative that it encouraged members to vote and get involved with the election by the following means: Napo News would run a 'have you registered to vote' campaign. Branches would be encouraged to attend local hustings with pre set questions to ask PPCs and to try to get justice as an election issue albeit locally.

50. **Other Campaigning.** The committee was concerned about the increased likelihood of the use of sessional working and zero hours contracts in the new CRCs and agreed to publicise the TUC Decent Jobs Week campaign in December.

51. The Relay for Rights and Not the Global Law Summit protests 21-23 February had been well attended and received good press coverage.

## **Editorial Board Probation Journal**

*Members:* Lol Burke (Merseyside) Editor  
Emma Cluley (Cheshire & Greater Manchester)  
Managing Editor  
Nicola Carr (Belfast Queens University)  
Steve Collett (Merseyside/Retired)  
Liz Dixon (London) Resigned June 2015  
Eleanor Fellowes (London)  
Olivia Henry (Western)  
Peter Marston (Cumbria & Lancashire)  
Book Editor  
Kerry McCarthy (London)  
Fergus McNeill (Universities of Glasgow and Strathclyde)  
David Raho (London)  
Robin Tuddenham (London)  
Shelly-Anne McDermott (London)  
*Officer:* Keith Stokeld (Treasurer, ex-officio)

52. **Editorial Arrangements.** Oversight of the editorial process is shared between Lol Burke (Editor) and Emma Cluley (Managing Editor), backed by an experienced and committed board membership. The Editor chairs the board meetings, provides the written feedback to authors regarding publication decisions, and copy edits articles for production. The Managing Editor oversees the submission of articles, deals with general enquiries, organises the board meetings and liaises with the publishers and authors during the publication process.

### 53. Usage

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

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

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

54. **Sage Partnership.** The relationship with Sage Publications remains extremely positive and regular meetings are held with Sage's production team. Sage actively promotes the Journal both nationally and internationally and has given it access to markets which it would be difficult to reach without an internationally respected publisher. It is already read in more than two dozen countries worldwide, and the income and profile of the Journal has continued to increase as a result of Sage's international marketing. The royalty earned by Probation Journal was **£40,293**. The institutional price for the journal increased in 2014 due to the bundle with European Journal of Probation. The royalty is therefore based on higher revenues driven by the 25% price increase.

55. **Board Meetings and Board Composition.** The editorial board continues to meet every three months and remains a very strong and highly committed team. There is a decent geographical spread in terms of probation representation and the location of board meetings is scheduled to reflect this. Including the editors, the board now comprises probation practitioner's senior manager and treatment manager, senior academics, a senior research consultant and a former Chief Officer. External academic and professional assessors continue to provide specialist assessment, helping the board to maintain an effective and

respected peer review system. Peter Marston has responsibility for book reviews. Although there is a good gender balance amongst the board members, the racial composition of the membership is entirely white which is of concern.

56. **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.

57. The Journal aims to produce articles of the highest academic quality whilst retaining their relevance to probation practitioners. This sets it apart from other criminal justice related publications. Over the last year, published articles have covered a wide range of topics, including, reflective practice, multi-agency work, working with individuals with learning difficulties, desistance theory, therapeutic communities, electronic monitoring, restorative justice, victim awareness, sexual offending, mentoring. The Journal has also provided a critical commentary of the government's Transforming Rehabilitation agenda.

58. The best paper prize was awarded to Dr Beth Weaver for her paper *Control or Change? Developing dialogues between desistance research and public protection practices.*

59. The 2014 special edition entitled was extremely well received and attracted a high quality of submissions. The edition was strongly promoted by Sage via social media sites.

60. The special edition for 2014 was published in December, entitled *Probation and Relationships Who is in the Room?* This edition explores the multitude of relationships that influence and impact upon the dynamics of supervision, interventions and desistance from crime.

61. The 2015 special edition is entitled *Sexual offending and abuse: Past injustice and present risks?* The aim of this special edition is to capture the broad range of practice issues linked with sexual offending and sexually abusive behaviours. We want to explore topics ranging from working with historical sexual offending to the role of social media and sexually abusive behaviours.

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

63. **Issues in Community and Criminal Justice.** We have re-launched the ICCJ series and restructured the editorial arrangements to mirror that of the PJ Board. ICCJ 9 was successful published in July 2014 entitled *Justice with Reason: Rethinking the Economics of Crime and Justice* by Kevin Albertston and Chris Fox. The ICCJ is planned to be launched at Manchester Metropolitan University in Sept 2015. This is a timely publication that explores the influence of economic ideas on criminal justice policy and considers the implications for practice and policy. The monographs are published on line and in hard copy and are available via the Napo website.

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

The editorial board welcomes comments, suggestions and submissions, and is always willing to discuss submissions with potential authors.

## Equal Rights Committee

<i>Members:</i>	Urfan Amar (Thames Valley) Committee Co-Chair Iqbal Bhogal (West Yorkshire) Committee Co-Chair Ken Boyall (East Coast) Lindsay Morrison (London) Nizam Salyani (London) Sohail Mohammed (Staffordshire & West Midlands) Chris Biggs (East Coast)
<i>Officer:</i>	Katie Lomas
<i>Official:</i>	Ranjit Singh (National Official)
<i>Administrator:</i>	Shireena Suleman

65. The Committee has held three meetings this year, which have all been very well attended. A number of new activists have joined the Committee for the first time and we had elected two Co-Chairs with one of the Co-Chairs new to the Committee. The Committee has worked well together, despite a number of new Committee members, and we have worked hard to deliver on our priorities for this Committee year.

66. **Resolutions from AGM 2014.** We were allocated three motions from AGM 2014: 1) to look at the issue of Social class as a factor in disadvantage and discrimination. 2) Disability related absences/ reasonable adjustments. 3) Equality Impact Assessments.

67. **Social Class as a factor in disadvantage.** This motion called on Equal Rights Committee to consider the issue of social class discrimination in liaison with sister trade unions and to report back to AGM on how social class discrimination operates and how it can be mitigated and redressed. This was a huge undertaking for the Committee and the Committee felt a better understanding of the motives of the drafters of the motion was required in order to deliver its aims. A number of unsuccessful attempts were made to speak with the drafters of the motion.

68. The link official has worked with the TUC Equalities department to find out what activity has been carried out by other trade unions. An email was sent out to all equalities officers in the TUC affiliated unions, of those unions that responded to the request; it was only the teaching Unions that have explored the issue in any great depth. Specifically the NUT has a strong focus on the issue of child poverty and inequality: both issues intrinsically linked to Social Class.

69. In addition, the link official, alongside the TUC, has met with representatives of the Equal Rights Trust, and discussed the work that they have initiated to secure a change in class-based policies and practices and to highlight the gap in equality legislation and the protection against discrimination on the grounds of class/ economic status.

70. Finally, the link official has met with a leading academic in the field of discrimination law from the University of London, Professor Colm O'Conneide. The discussion focussed on the impact of Social Class discrimination and if it can be litigated against, it is hoped a report will be available for members in early 2016 that will bring together all the different aspects of this research.

71. **Disability related absences/reasonable adjustments.** To deliver the aims of this motion the link officer to the Committee has been collating all the legacy policies from the former Probation Trusts,

this work is still ongoing. The Committee also conducted a survey of all members; the survey received over 500 returns and one of the headline figures shows that over 70 % of members with reasonable adjustment plans fail to get them fully implemented, another headline statistic shows that 40% of members who responded felt they have been bullied/ victimised/ harassed because of their disability.

72. The Committee has shared with the branches the TUC Social Model of Disability, the Committee believes that this should be used as a model of good practice for the branches to use in discussions with their employers.

73. **Equality Impact Assessments.** The Committee through the link official has been involved in a major piece of research carried out in partnership with the National Institute of Leadership and Empowerment (NILE) and the Association of Black Probation Staff (ABPO). This research titled the Joint Action Research Initiative (JARI) set out to investigate the disproportionate impact on Black, Asian and Minority Ethnic (BAME) staff of the Transforming Rehabilitation sifting process, which was carried out in order to split staff into the CRC and NPS. Based on the findings of the report the following 4 recommendations have been made:

1. HM Inspectorate of Probation conduct or commission a timely and thorough independent investigation into the implementation of the Staff Assignment Process in each of the 35 former Probation Trusts in order (a) to identify any breaches of the provisions of the National Framework and/ or the Equality Act 2010, and (b) to determine any remedial action which may be required.
2. Napo, ABPO and the leadership of the NOMS/MoJ agree and implement a programme of BAME staff engagement forums across all NPS regions and CRCs for the specific purposes of (a) identifying and addressing the concerns of BAME staff, and (b) rebuilding their trust and confidence in the Service and improving their morale.
3. The leadership of NOMS/MoJ work with NAPO, ABPO and other trade unions and staff associations to conduct an urgent review of all employment policies, procedures and processes that involve an element of staff selection e.g. access to training, coaching, secondment, and promotion (both temporary/acting - up and permanent); transfer; and redundancy.
4. Napo, ABPO and the leadership of the NOMS/MoJ agree and implement practical and effective measures across the NPS and all CRCs –(a) To provide rapid, transparent and effective responses to incidents of alleged racial bias in selection processes and other employment – related matters; and (b) To identify, address and monitor any racial disparities in the employment, retention and progression of staff, including promotions, the allocation of Acting – up opportunities, and the provision of training and coaching.

74. Once the JARI report is formally published and distributed it will be used as an opportunity to remind the employers both CRC and NPS the need to carry out timely and effective Equality Impact Assessments, in order to identify discrimination and discriminatory practices before they have an impact.

75. **Monitoring.** The Monitors training had to be cancelled for this year due to the number of low registrations for the training. A major factor for this was the new system of branches paying for members travel costs to attending the training. A business case has been prepared and submitted that will create a budget to pay for members travel to monitors training from a central budget. It is hoped that we will secure this resource, as Monitoring is an important part of Napo's structure and demonstrates our commitment to Equal Rights. Trained

Monitors are required for each of the NEC meetings and the AGM and their work benefits all the union.

76. **Race.** The Co-Chairs of the Committee and the link official worked together to set up the Napo Black Network (NBN). The NBN held a successful inaugural meeting in July and at that meeting it developed a Manifesto that will guide its future work. NBN will be a self-organised network that will act as a peer support group. In addition, it will also be a vehicle to raise the voice BAME members with the structures of Napo and encourage and develop BAME activists within the union.

77. Napo also sent a strong delegation and a motion to the TUC Black Workers' Conference which was reported on in Napo News.

78. **Disability.** A major survey of members was carried out to better understand their experiences of working in Probation and Family Courts with a disability. The Committee have spent time looking at the results and the findings will help guide further work of the Committee when it considers disability related issues. A Napo delegation also attended the TUC Disabled Members' Conference.

79. **LGB and T.** Napo's motion to this year's TUC LGB and T conference was on the issue of highlighting the issue of countries with discriminatory gender recognition laws in Europe. One of the Napo delegates also co-chaired a fringe meeting for TransWorkersUK which was very successful, attracting trans identified union members and HR managers alike and was a valuable opportunity for networking.

80. **Women.** The biennial Women in Napo (WiN) conference was held in York on 18th June 2015. The link officer for Equal Rights Committee was closely involved with organising the conference, as was the West Yorkshire Branch and we would like to thank them for their role in helping to make the he conference a huge success with nearly 100 women in attendance. The issue of how WiN can attract women members from across probation and Cafcass grades was discussed as was how Napo can reach out and improve its appeal across all the equality strands to women members.

81. The regular series of interviews of women in Napo branch activists has continued. The interviews highlight the reason why women become active in the Napo and what we can do to recruit more women activists.

82. Tania Bassett, National Official, attended the National Centre for the Study and Prevention of Violence and Abuse on International Women's Day conference on gender, sexuality and gender based violence.

## Family Court Committee

Members: Olivia Fitch (East Midlands) Committee Co-Chair  
Tim Kilsby (South) Committee Co-Chair, resigned July 2015  
Margaret Burns (East Midlands)\*  
Ruth Fields (West Midlands)  
Sheila Mosley (East Midlands)  
Nicola Ebong Taylor (North West)  
Brian Kirby (Eastern/Retired) Co-Editor Family Court Journal  
John Mallinson (South West) Co-Editor Family Court Journal  
Officer: Jay Barlow (National Vice-Chair)  
Official: Sarah Friday (National Official)  
Administrator: Jacqui Paryag

\* denotes member of Editorial Board (further Board members to be added)

83 **Membership.** The Committee has had a surge of new blood following the retirement of long serving members Andy Stanton and Tony Mercer. The Co-Chairs are Tim Kilsby and Olivia Fitch, who until very recently were both full time FCAs. Unfortunately for us but not for him Tim has now taken early retirement from Cafcass so we would like to wish him well and thank him for all his hard work on behalf of Napo.

84. **Meetings.** The Committee has met three times this year on 27/11/14, 21/4/2015 and 11/8/15. We have also held joint meetings with the SEC and CNC in November 2014 and June 2015.

85. **Family Court Professional Conference.** We held another very successful Family Court Committee Conference on 18th June 2015 at the Thistle Hotel, Birmingham, entitled "Children, Changes and Family Law Proceedings." The speakers were Sian Griffith, former Napo Vice-Chair, Independent Social Worker and report author on the Child Sexual Abuse Cases in Rochdale, DJ Martin Dancey on Judicial Conciliation, Elizabeth Coe on Child Contact Centres and Ian Lawrence, Napo General Secretary. Workshops included sessions on the Public Law Outline, Mediation, Transparency in the Family Justice System and New Developments in Private Law. The conference was well attended and received very positive feedback from participants. Planning is soon to commence on next year's professional conference.

86. **Motions from SAGM 2014.** A survey has been circulated to all section members on their supervision needs following a motion at SAGM 2014. The results of the survey are due to be collated and circulated and will be available for SAGM 2015.

87. **Family Court Unions Parliamentary Group.** Dean Rogers and Ian Lawrence are regular attenders of this group. Vice-Chair, Jay Barlow, and Steve Hornby SEC Co Chair and Sheila Moseley (FCC) have all attended a meeting this year. There is a new group of MPs after the election, and the new Chair is Lord Ponsonby. The FJUPG is trying to arrange a meeting with the new Minister, Michael Gove to discuss cuts in legal funding. There are plans for an Early Day Motion on McKenzie Friends. Infrastructure issues around contact centres are also up for debate.

88. **FCC Campaigns.** The Committee is reviewing the Napo and Cafcass guidance on litigants in person. The impact of legal aid reforms on our members' workloads remains a standing issue. FCC will also be looking at the potentially harmful impact of this on children and families when there are no legal representatives involved.

89. **Family Court Journal.** The Committee is delighted that retiring FCA John Mallinson has agreed to take up the editorship of the journal and that Brian Kirby, former Editor, has agreed to co-edit for the immediate future. We look forward to a new issue of the journal towards the end of the year. The Editorial Board is always open to ideas for articles so please forward your ideas to John and Brian.

90. **New Members needed:** The Committee is the professional voice of Cafcass workers in Napo. The work undertaken is vital to the development of good professional practice and policy formation for Cafcass and Napo. There have been vacancies on the committee during the last year and this reduces the amount of work we are able to undertake. We would very much welcome nominations from any member who is interested in becoming part of this Committee. Please contact Olivia for more information.

## Health & Safety Committee

<i>Members:</i>	Amanda Fisher (West Yorkshire) Committee Co-Chair Brendon Flint (East Midlands) Adele Hill (Essex) Nicola Kenney (Family Court Section) Committee Co-Chair Michelle Leighton (London) Morna Mensah-Dankwah (London) Sue O'Mahoney (Kent, Surrey and Sussex) Tony Sturch (Essex)
<i>Officer:</i>	Dave Adams (National Vice-Chair)
<i>Official:</i>	Sarah Friday (National Official)
<i>Administrator:</i>	Margaret Pearce

91. The Committee met in November, March and August. It has seven members working in Probation (both NPS and CRC) and one in the Family Court Section.

### 92. **AGM motions.**

- i) Promoting a Positive Health & Safety culture. Attention has focussed on recruiting more safety reps and on sharing Health & Safety issues and advice to members with articles in every edition of Napo News.
- ii) Transforming Rehabilitation and work-related stress. Following the response to the stress survey run at the Napo AGM 2014 when 48% of working members present completed the survey and the AGM motion on Transforming Rehabilitation and stress, the stress survey was re-run with Branches. We wrote to them in November and again in early 2015. Eleven branches responded. Worryingly some staff felt unable to respond in writing and some particularly individual worrying responses (relating to the impact of the share sale) were followed up by personal contact from the Co-Chairs and the General Secretary. Essex Branch ran an amended survey and secured a 75% response and felt armed to challenge management supported by absence management data in the CRC. Several branches continue to use the survey and the Committee encourages branches to use this as a tool to gather information locally and to support negotiations at safety Committee level. Napo has issued guidance on seeking risk assessments and on how to keep the issue of stress on the agenda for discussion with management. The common themes relating to stress recurred amongst CRC and NPS members alike and across all grades of staff. Chivalry Road staff produced an eye catching poster for noticeboards reporting on the AGM stress survey results and guidance was sent to workplaces. (See [www.napo.org.uk/stress-work](http://www.napo.org.uk/stress-work) and [www.hse.gov.uk/stress](http://www.hse.gov.uk/stress)). There have been regular features in Napo News throughout the year about Napo's campaign against stress at work.

93. **Training.** The budget for this is subsumed into Napo education budget. Sarah Friday and Dave Adams ran training for probation Health & Safety reps on dealing with stress at work in February. 30 reps attended to learn about the impact of stress, legislation and risk assessment. The Senior H&S advisor in NOMS attended and has used the findings of the Napo AGM stress survey on stress for raising the awareness of his NPS advisors. Sarah Friday ran a series of two day specially tailored training courses for new probation safety reps in Birmingham, Mercia, Bury St Edmunds and in the North West. This training has been successful in recruiting 20 new Napo safety reps.

94. **Communication with Members.** The Napo website has been updated with a clear section for Health & Safety There have been health and safety articles in every edition of Napo News. Safety reps are provided the Labour Research Department Health & Safety

law publication and the Hazards Manual, an invaluable resource for reps. Napo continues to support the National Hazards Campaign and supports the annual Hazards conference where safety reps from public and private sectors meet to hear a range of key note speakers and workshops over a weekend. Last year the H&S official and three Napo Safety reps attended the conference and a Napo rep will attend this year also. Napo safety reps receive the quarterly Hazards journal. The Committee supports members in attending the annual National Stress Network annual conference and last year the H&S National Official and the Committee Co-Chair attended the conference.

#### 95. Employers Health & Safety Committees.

- i) The Cafcass Health & Safety Steering Group has met three times this year. One of the key areas for discussion has been stress anxiety and depression which amongst members in the Family Court Section, continues to be by far the biggest reason for sickness absence. This is despite a health and wellbeing plan which includes the benefits of a health care plan which provides for the reimbursement of a range of treatment services designed to support staff in staying in work or their early return. Attention is turning now to measuring and strengthening resilience. Members in the Family Court Section report feeling pressured to declare whether their stress is work or non-work related to fit new recording categories of mental health work related and mental health non-work related. Currently two third absences for mental health is recorded as non work-related. Members do not feel supported to report work related stress direct to their line manager although the introduction of one day stress interventions with brief assessments conducted by telephone have brought positive outcomes for some. In many areas work is allocated without any discussion. It immediately becomes the responsibility of the member who is responsible for assessing safeguarding factors and meeting various deadlines under the recording policy. Members have reported being allocated new work as they go on leave and whilst on leave. A huge time recording exercise relating to a range of cases involving all practitioners finished in December 2014 and Napo is still waiting for the results first promised 7 months ago. The Committee fears that this will have produced evidence of the vastly under-estimated hours spent on case work.

Other items for discussion included sickness absence (6.5 days for social work grades), accidents and incidents (verbal abuse and threats of violence are by far the largest category reported), mobile phones, use of hire cars, the development of MySkills online training for staff on Display Screen equipment, risk assessment and manual handling. Cafcass is about to have the first Ministry of Justice assurance audit.

- ii) The National Probation Service Safety Committee has met quarterly this year. Meetings are attended by the Co-Chair, Link Officer and Official for the Committee and reps from the Committee. One of the most contentious discussion items has been around NOMS refusal to provide the Committee with regular detailed sickness absence statistics. The Committee have fed comments into Napo response documents to NOMS draft health and safety Probation Instructions – including health and safety arrangements for monitoring and measurement for health and safety performance and management, also arrangements for display screen equipment, reporting of violence and aggression, first aid, risk assessments, home visits and NOMS stress action plan for NPS settings.
- iii) Community Rehabilitation Company Safety Committees: each CRC should have its own H&S Committee and we understand that most (but not all of these Committees) are

meeting. Where they are not safety reps should request that the employer establish a Safety Committee.

96. The Committee is concerned that NOMS are not sufficiently focused on the interlink between the CRC and NPS, for instance in connection with shared premises, and that consequently necessary focus on safety related issues may be lost. This Committee will therefore monitor this in the coming year and take action where necessary.

97. **Trade union related health and safety Committees.** TUC Health and Safety Specialists meetings: Sarah Friday continues to represent Napo at these forums. Sarah also attends a sub-group of this Committee – gender and occupational health and safety and meetings of Partnership on work-related violence (a HSE sub-Committee).

### Probation Negotiating Committee

<i>Members:</i>	Jenny Aston (Staffordshire West Midlands) Ikki Bhogal (West Yorkshire) Martin Bull (Staffordshire West Midlands) Siobhan Foreman (Northumbria) Gill Gardner (Durham Tees Valley) resigned February 2015 Carolyn MacDonald (East Anglia) Chris Pearson (Essex) Mike Quinn (Northumbria) Mike Rayfield (Kent Surrey & Sussex) Pat Waterman (Greater London)
<i>Officers:</i>	Chris Winters (National Co-Chair) Keith Stokeld (Treasurer)
<i>Officials:</i>	Ian Lawrence (General Secretary) Dean Rogers (Assistant General Secretary)
<i>Administrator:</i>	Annoesjka Valent

98. The Committee has met regularly throughout the year. Its meetings aim to coincide with the formal, quarterly meeting of the NNC and SCCOG. However, these have been irregular this year as a result of the implementation of the TR programme and proposed changes to their constitutions.

99. The Committee was allocated one resolution from the 2014 AGM entitled: 'Facility Time' and progress in relation to this resolution is reported under the relevant report heading.

100. **Transforming Rehabilitation.** Regular updates from TRCF and Measures' meetings have been sent to branches and included on the Members' area on the Napo website.

101. The Trade Union negotiating team continues to maintain the principle that anything negotiated for NPS members should also be applied to members working in the CRCs. This is not straightforward as the NOMS negotiating team continually insists they do not have a remit to act on behalf of the 21 CRCs and in some cases the matters were subject previously to local agreement, this could allow the NPS to apply arrangements discretely. On some issues the PNC have recommended that negotiators seek agreement in the NPS without prior agreement for application in the CRCs, to facilitate progress (for example on harmonising subsistence rates or maternity leave provisions with other civil servants) although progress on all harmonisation has been slowed in part due to this difference of perspective. Nevertheless the negotiating team will ensure these matters are brought to the NNC which does include CRC employer representatives. Napo remains committed to the national collective bargaining agreement.

- a) **NNC/SCCOG bargaining machinery** – If the NNC is to be effective it is important to establish how CRCs can be

involved in both the NNC and PCF. This was discussed as part of Acas discussions around pay although progress was limited. This is at the root of difficulties scheduling NNC meetings, which have become increasingly ad hoc. Napo continue to press the Employers side to commit to a timetable of meetings for the year ahead as was the case in the past.

- b) **Recognition Agreements** – We have has some good responses from voluntary sector organisations into which some of our members transferred to via TUPE and who are happy for us to also have recognition. We have also established a good working relationship with the RISE mutual, which span out of the London CRC being set up and has contracts across London and Thames Valley.
- c) **NPS JCC Constitutions** – these have been agreed but still need to be issued at tie of writing.
- d) **Secondment Agreement Framework** – A new framework for secondments is being negotiated. One particular issue of concern to address is continuity of employment where an individual is seconded.
- e) **Staff Commission** – It was not possible to set an early date as complications about extending the continuity of employment for anyone transferred by the Staff Commission after 1st February 2015 had to be resolved. This has now been resolved and individuals who had initially come forward are being contacted to check they still want to/need to take their case further. From the initial 6/7 cases it is believed only 2 or 3 cases are likely to proceed.
- f) **Any other items** – Concerns continue about the management of pension issues, with many examples of poor communications, confusing advice, incorrect interpretations of LGPS rules and regulations and some potential examples of maladministration (for example contributions not being collected). These have been taken to the Employers for urgent consideration but are proving difficult to resolve. It is evident that little priority was given to how pensions would be managed post transfer, the Shared Service Centre being ill-prepared to manage the LGPS questions and the structure for resolving issues excluding union help. This is identified as a priority to address.

**102. Measures – Napo proposed subsuming these into Acas facilitated talks.**

- a) **Travel & Subsistence** – Napo have accepted although the policy needs ratification at the NN; UNISON is still consulting.
- b) **Sick Pay** – as per above in general
- c) **Paternity Pay** – as per above in general
- d) **Queen's Birthday** – as per above in general – still looking at an equivalent day for those in CRCs whether staff should be entitled as part of the transfer although this will prove to be very challenging; issues remain for hostel staff in different areas with differences in payments, ie if the concessionary day fell on a shift day 11 hours could be claimed instead of 7.24 per day and others still got paid 12 hours.

**103. Disputes with Sodexo owned CRCs over Enhanced Voluntary Redundancy.** Sodexo initially announced plans to dismiss around 600 staff across their 6 CRCs. This number has been reduced to nearer 400 following discussions on the impact of the proposed Target Operating Model (TOM). Sodexo have refused to honour their contractual commitment to pay the agreed NNC EVR scheme terms to staff in

this situation. This dispute is on-going at time of writing and a further approach has been made to the Secretary of State.

104. Throughout the dispute Napo have been concerned about the scale of job cuts and the Sodexo target operating model which appears to minimise support for difficult and challenging clients, we also have particular concerns whereby Sodexo may profit directly from running prisons in the same areas when clients re-offend. Our primary worry is that the TOM will put staff who remain in intolerable and unworkable

105. Committee members have been advised of developments in Sodexo, but the campaign has most closely involved Representatives from the Napo Branches directly. A consultative ballot of impacted members was held. Those responding overwhelmingly supported action but the number of respondents varied significantly giving an unclear picture that would only be fully resolved by a further ballot.

106. **Pay Negotiations 2014/15.** Following the rejection by members of the pay offer for 2014/15, and protracted talks at ACAS without results, NOMS chose to implement the offer regardless for NPS – and for CRCs to also implement the award. Napo intervened to ensure that payments to staff on their Band Maxima were honoured in CRCs.

107. **Pay Claim 2015/16.** The Committee is working on the 2015/16 strategy at the time of writing and has been reporting to the NEC. It has been agreed that we need a radically different approach as the pay freeze has essentially broken the pay system. As progression is limited to the contractual minimum of 1% p/a and the pay ranges are so long equal pay challenges are emerging based upon age and gender. Napo will address these – potentially directly whilst also seeking to negotiate solutions. Therefore, the claims will look radically different, supporting:

- A multi-year deal to facilitate pay restructuring
- Above inflation increases whilst the new structure is being developed to contain and reduce the equal pay risks
- Examination of appropriate pay ranges and developing a pay system that doesn't penalise existing staff, whilst facilitating greater fairness, transparency and sustainability.
- Preparation for potential equal pay claims if negotiations stall and/or are unsuccessful.
- A solution that crosses both the NPS and CRCs to prevent a probation wide pay and reward free for all.

108. Napo will also continue to oppose any moves to link pay directly to arbitrary and outdated performance and appraisal systems, such as those that continue to blight the rest of the MoJ.

109. The Committee have also recognised that these pay issues are strategically linked to issues around professional training, grading boundaries and job evaluation, and professional regulation and monitoring.

110. **Chief Officers.** Pay negotiations between GMB/Napo and NOMS through the Standing Committee for Chief Officer Grades (SCCOG) have largely mirrored those taking place under the auspices of the NNC. This will continue to be the case as we aim to discuss pay restructuring.

111. **Facility Time.** This remains an unresolved mess. NOMS efforts to incorporate NPS into the MoJ wide pot have stumbled as a result of not knowing what they currently provide or what they'll need and poor quality data from the transfer. Negotiations have been constructive but clear, sustainable outcomes have not yet been achieved.

112. **Workloads.** The Committee have received regular updates about workloads across the NPS and CRCs. We are worried that the implications for case management and staff predicted by Napo in the run up to TR are proving to be entirely accurate. The NPS is taking in more work than anticipated and have a shortage of officers with the right skills, knowledge and training in the right places. IT problems continue to increase workloads and stress. Court processes have also been impacted by the split and increased bureaucracy and poor ICT support mean these remain problematic. Proposed Court closures could also add to the difficulties and uncertainties for staff. Across the NPS there are examples of PSOs being asked to do work they haven't been trained to do.

113. The HR model for the NPS has also had a dramatic impact on line managers' workloads and stress. This is exacerbated by the Shared Services' model. Shared Services are poorly served by the rushed TR process, harmonisation has been limited and documentation required for SSL to base accurate advice is inconsistent, confused and open to regular misinterpretation. Further, total responsibility for HR problems is being devolved to line managers who have not been trained or given any workload adjustment to accommodate this extra burden. Many SPOs are reporting that they are spending the majority of their time on HR issues when previously this wasn't within their role. Napo is responding to this by relaunching a Managers' Network and offering targeted support and advice to members in management roles.

114. **Punitive employee relations.** Standing item on Committee meeting agendas, arising from 2011 AGM Resolution (ascertain the numbers of staff subject to disciplinary action/dissolved as a result of capability). The Committee notes that global information is now being issued within NOMS about the numbers of staff subject to disciplinary action/ dismissal. Napo will be seeking to filter this information in terms of its impact within Probation.

## Professional Committee

<i>Members:</i>	Matt Austin (Western) Jan Clare (East Midlands) Committee Chair Charron Culnane (London) Frances Mason (Essex) Kate Nickels (Thames Valley) until May 2015 Nick Peake (East Midlands) Tim Schilling (East Midlands) Paul Weatherstone (East Coast) until April 2015 Tracey Worth (Cymru) joined early 2015
<i>Officer:</i>	Chas Berry (National Vice-Chair)
<i>Official:</i>	Mike McClelland (National Official)
<i>Administrator:</i>	Shireena Suleman

115. **Membership & Overview of work.** Concerns were raised at 2014 AGM about the Committee not being "fully formed" in 2013/14. This was rectified this year and whilst Committee membership altered, two members leaving due to changed work situations, places were kept filled. Whilst, as in 2013/14, work pressures and annual leave have limited attendance at two out of our three meetings a substantial amount of work has been done by the Committee since last AGM – much via email. It remains a concern however that currently there are no Committee members from CRCs. The range of branches from which Committee members come has enabled indirect feedback to the Committee from CRC colleagues. The Committee has sought to embed consideration of equality and diversity issues in all its work. The current political climate and TR division are in themselves a threat to equal rights. Highlighted amongst many continuing concerns are staffing profiles across CRCs and NPS, changes to office locations impacting upon service users and staff, lack of proper time given to equality and diversity factors at point of sentence given bureaucratic procedures and the invidious Criminal Courts Charge.

116. The Committee has had a high workload this year. It has had four resolutions from 2014 AGM to work on in addition to responding to a very large number of Draft Probation Instructions (PIs) (generated by TR) Further significant work has come from formulating thorough comment on:

- Draft Practice Framework/National Standards
- Sodexo New Service Delivery Model (read with staff cuts announcement in mind)
- Offender Rehabilitation Act (ORA)
- Criminal Justice and Courts Bill

Committee comments have also been collated to form three Napo News articles on: National Standards & Practice Framework, Criminal Justice and Courts Bill and PI-“Determining PSRS”.

117. **Draft PIs on which Napo has made written responses via Professional Committee 2014/15.** Licence Conditions and travel abroad; Sentence Planning; Prison Mother & Baby Units; Rehabilitation Activity Requirements (RARs); Risk Escalation; Integrated Offender Management (IOM); Case Transfers; Permanent Resettlement on licence; Implementation of Active Risk Management System (ARMS- for those convicted of sex offences); Management of Offender Records; Determining Pre-Sentence Reports (PSRs); Parole; Enforcement. Unsurprisingly several of these have provoked lengthy email dialogue and comment within the Committee and resulted in very full responses from Napo to NOMS. Following on from one such full response to the PI “Determining PSRs” the Committee has recently been made aware of at least one NPS division issuing “Interim Guidance” on PSRs which appears to have been drawn up in response to pressure of work/demands from courts and which worryingly signals a further increase in short form reports. This links back to AGM 2013 resolution highlighting the risks inherent in expedited reports. The area of PSRs is one which next year's Professional Committee will need to continue to assess and review.

### 118. AGM resolutions from 2014

- **Bureaucracy and the TR threat to professional practice:** The increase in bureaucracy generated by TR and the CRC/NPS split with the many processes created for communication at the interface is reflected in the sheer number of PIs the Committee has been examining and responding to over the last year. This has meant that that the Committee has in effect been continually working to address this resolution. The HMIP report published 2014 highlights communication difficulties at the interface and the lack of some safeguarding checks and equality and diversity issues at the pre-sentence stage due to increased assessment and allocation processes.
- **Reconnecting Probation with Social work:** Part of this resolution was allocated to Professional Committee and some work has been achieved in that international definitions of social work have been identified. These have been considered in relation to the code of ethics produced by the Probation Institute which also accord with the values, ethics, culture and practice affirmed in the “Professional Practice Book” produced by professional Committee in 2012. However two of the Committee members working on this resolution left during the year and this is in part the reason why work on this motion, which asked for a paper to be produced, has not yet been completed.
- **EM/GPS Expansion Plans:** The Committee wrote to NOMs seeking clarification and information with a total of 21 questions about EM/GPS plans. A letter was also sent to Patricia Hodge, then chair of the Public Accounts Committee expressing Napo's concerns and in support of Mike Nellis' paper submitted to that Committee. Both

responses we received stated that electronic monitoring was seen as a “tool” to be used alongside supervision and not as an alternative to it. We were told that funding would not come out of the Probation budget and that numbers had been inflated, however no real answer is given about numbers. The National Audit Office (NAO) has challenged the MoJ about the acknowledged lack of evidence on the effectiveness of EM in reducing re-offending and has undertaken to review the situation as any programme is implemented, given past contract management failures in this sphere. NOMS confirmed that national contracts were favoured over local ones as they offered “value for money and consistency”- an interesting comment when set beside the unfolding variance across geographical areas from CRC to CRC. The whole area of EM/GPS and indeed the threat of kiosk technology is one upon which a close eye needs to be kept as it develops.

- **Safeguarding and TR:** This resolution linked to Professional Committee 2014 AGM fringe meeting focussing on management of Child Protection (CP) cases. Connections to Domestic Violence (DV) also discussed, linking to 2013 AGM resolution on DV. The fringe meeting was attended by members from CRCs, NPS and Family Court Section and communication across agencies in CP cases was discussed as well as increased risks from TR division. The Committee work relating to PSRs has highlighted the risks inherent in a move to more fast track reports with necessary safeguarding checks not always being made due to time constraints. The Committee is continuing to work on this resolution and is currently seeking information on NPS e-learning packages apparently being developed in this area of work as well as trying to establish what CP training provision is in place (or not) in CRCs. The Committee is also seeking numbers in terms of CP flagged cases held by NPS and CRCs.

## Steering Committee

*Members:* Charron Culnane (London) from January 2014  
Howard Davies (East Anglia/Retired)  
Carolyn Mack (East Midlands)  
Tony Mercer (FCS Yorkshire and Humberside/Retired)  
Jeanne Peall (Kent Surrey & Sussex)  
Committee Chair  
Jo Thompson (East Midlands/Retired)  
Maureen Vernon (Staffordshire West Midlands) until December 2014

*Officer:* Yvonne Pattison (National Co-Chair)  
*Official:* Ian Lawrence (General Secretary)  
*Administrator:* Annoesjka Valent

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

120. AGM in 2014 took place in Scarborough and returned to the Grand Hall in the Spa complex. The facilities in the main Spa complex

for refreshments and stalls are conveniently situated close to the hall, resulting in stewarding arrangements being made that much easier. Fringe meeting locations were also more easily signposted than at Llandudno. All of which assisted with quorum counting and recall from breaks.

121. A total of 27 motions were submitted for debate – down on the 30 submitted in 2013 – and one constitutional amendment. A total of five amendments were submitted to motions, four of which were accepted. The contested amendment related to Motion 16 which was one of four motions not reached, although Steering had been informed that one of these was to be withdrawn. One potential composite motion was identified prior to AGM, involving two motions and this was agreed, becoming Composite A. Of the remaining motions available for debate, including the composite, 20 were carried and two were lost. The constitutional amendment was carried.

122. 179 minutes were spent on debating motions, down on the 189 minutes spent on motions at Llandudno and significantly down on the 272 minutes at Torquay and the 253 at Eastbourne in 2012 and 2011 respectively. A further 250 minutes were spent on general business, which included 134 minutes on the Annual Report, accountability session and formal business. General business involving speakers to conference took 42 minutes. Additionally, there were the simultaneous 90 minute sessions for probation and family court members and the closed session which took 78 minutes. 111 minutes were lost to inaccuracy at the start of morning and afternoon sessions. 12 minutes were lost to ‘no business’ during quorate time (largely the time taken to return from the morning and afternoon breaks) much reduced from the 41 minutes at Llandudno and there were 20 minutes of announcements taken during quorate time.

123. Four potential emergency motions were discussed with the committee during the course of the AGM. Three of these were either withdrawn or resolved, with the assistance of Steering, without being put to Conference. One was accepted as an emergency by Steering and this decision was endorsed by the meeting. The motion was subsequently carried, the debate taking six minutes.

124. Steering Committee was reduced to five members at AGM this year, as one was unable to attend. This placed our resources under strain and we were pleased to accept an offer of assistance from Andy Stanton, an ex-member of the Committee, to help out for two sessions on the timing table. The support provided by Napo’s administrative staff, both before and during AGM is essential in enabling the Committee to carry out its functions and is much appreciated. We had fewer stewards than Steering would usually consider a comfortable number but the Chief Steward was ably assisted by some very experienced stewards. The commitment of the whole group meant that everything went smoothly and Steering Committee are, as ever, very grateful to the Chief Steward, the Deputy Chief Steward and the stewards for their hard work.

## Trade Union Organisation Committee

*Members:* Barry Adams (South-Southwestern)  
Roger Peel (Cumbria & Lancashire)  
David Masterson (London)  
Megan Elliott (Northumbria Branch)  
Committee Chair  
Migden-Sue Roberts (Napo Cymru)  
Adrian Coxon (Northumbria Branch)

*Officer:* Dave Adams  
*Official:* Ranjit Singh (National Official)  
*Administrator:* Margaret Pearce

125. Trade Union Organisation Committee met on three occasions in London. We had an ambitious agenda for this committee year and despite a low turnout at one of the meetings, (due to the meeting having to be rescheduled at short notice, as a consequence of circumstances outside of our control) this Committee has worked hard to deliver on our priorities for the committee year. We would like to thank all of our committee members for their hard work both at the committee meeting and for work delivered outside of committee meetings. In addition, we would also like to thank the link officer, official and administrator.

126. The majority of this committee's work has involved consultation with the membership at all levels, and exploring ways in which we can develop the structures of Napo to best serve the interest of members in a post Transforming Rehabilitation landscape.

127. **AGM Resolution.** Supporting Manager Grades. This year we were only allocated one motion. The motion required TUO Committee to consult with managers and deliver an action plan aimed at providing support for this group. A survey of managers was carried out via the survey monkey platform. We received 165 returns to the questionnaire. Based on the returns a five point action plan was developed which included that the biennial managers' seminar continues and a network for manager members is set up to offer peer support and for it to be a forum to share experiences.

128. **Recruitment.** Recruitment has again been challenging this year. The fallout from the government's Transforming Rehabilitation agenda has had consequences for recruitment of new members. A recruitment freeze and a significant number of members retiring and leaving the service have all had an impact on overall membership figures. Recruitment materials and a new recruitment pack have been produced so that they can be used at staff induction events with a particular focus on PQF trainees who joined this year. At the time of writing this report the pack is again being updated with new resources to be included that are more accessible i.e available online.

129. The *Stick Together* with Napo organising campaign ran throughout 2015. To support this initiative at a local level TUO Committee recommended that NEC make funds available to support local activities. This was approved and branches were invited to apply for a grant of up to £500. The grant was used to support local recruitment and organising activities. To be eligible for the grant, branches had to demonstrate that they had carried out a mapping exercise of members. At the time of writing 5 branches have made a successful application for a grant.

130. **Education Programme.** There has been a major change to the way the government provides funding for Trade Union Education for workplace reps. These developments will have a major impact on the future delivery of training for trade union activists. One of the consequences of this change was Napo having to discontinue its partnership with its education provider, City of Southampton College. Napo has worked very successfully with the college over the years. However, a move away from providing residential courses to a day release programme, delivered on a regional basis, is being developed and this is being taken forward by our new provider Ruskin College, Oxford. The new course should be piloted in the autumn and rolled out on a regional basis in the coming year.

131. **Consultation on Napo Structure and processes post TR.** TR has had a significant impact on how Napo is structured. As mentioned at the Special General Meeting held in spring 2014, the Committee was committed to carrying out a survey to consult with and gather the membership's views on Napo's structure and processes. The purpose of this was to ensure the union can continue to operate efficiently and effectively and to provide opportunities for members to engage in

the policy making processes and be part of an inclusive democratic process.

132. As the survey is still not concluded at the time of writing this report, the results of the consultation will be provided in a report produced for the National Executive Committee on how the current structure and processes might be improved, so that we can continue to protect and promote the interests of members.

133. **Family Court Section.** A reserved place is available on the TUO committee and we are working with the Family Court Section Vice-Chair to ensure that we can find a way to fill the vacancy to ensure that the Family Court Section voice is present.

134. **PSO Forum and Conference.** This year was a PSO conference year. Unfortunately the PSO conference scheduled for July 2015 was cancelled and the money allocated for the Conference was left unspent. The low registrations for the conference meant that it was not viable to proceed with it. An interesting line up of speakers had been confirmed, so it was extremely disappointing to have to cancel. There are potentially a number of reasons why there was such a low number of registrations: the proximity to the Women in Napo (WiN) Conference was one factor, as many branches had committed a number of members to attend this event and therefore branches had used up monies in the branch accounts. This coupled with a reduction in the branch grant and the claw back of surplus money in branch bank accounts, restricted the ability of some branches to support PSO members payment of the registration fee and transport costs to attend the conference. A business case has been made to hold a PSO conference in 2016. We hope that this will be successful.

135. The Committee requested the permission of NEC to co-opt the chair of the PSO forum onto the committee to ensure that the Committee can fully take on board the concerns of PSOs. As this was scheduled to be a PSO conference year only 2 PSO Forum meetings have been held. However the PSO forum has taken some major decisions this past year and has re-named itself "The Forum" and it has broadened its membership so that now admin grades may also attend the forum meetings.

136. **Representation.** Napo lost many local volunteers and Representatives during the TR process and since, with many leaving the service or taking on new roles. This was anticipated but Napo has recognised the need to prioritise recruitment and support for new volunteers and Representatives because of this higher turnover, along with the challenges posed by new employers and an increasingly complex working environment.

137. Accordingly, Napo is currently promoting recruitment drives for local volunteers and Representatives across Probation and the Family Court Service. To support this initiative a new partnership has been formed with Ruskin College Oxford, which offers a revamped and restructured Trade Union Education programme. New fully accredited Repts courses will run in regions spread over 5 months at 1 day per month, starting in September 2015. Early indications are that take up for the courses is strong.

138. **National Representatives Panel.** Members at risk of dismissal continue to be represented by members of the National Representatives Panel. In 2014 National Representatives were engaged to support 59 members.

139. Following extensive consultation with the existing panel members and the NEC, we are currently in the process of recruiting additional panel members. We hope that this will present us with a larger number of Representatives to call upon, reflecting a more balanced diversity

profile, although anyone appointed would primarily have to have the required skill, knowledge and capacity to fulfil the requirements of the complex role. All new panel members will be expected to agree a schedule that sets out formally, for the first time, arrangements for payment and central support to assist them in their activities—something that will support both Napo and the panel members.

140. **Massive appreciation.** During the year two long standing panel members, Dave Rogan and Peter Robinson announced their intention to retire at the AGM. Napo members will have appreciated their long and loyal service to the union over many years and will want to wish them both well in their future endeavours.

## Training Committee

<i>Members:</i>	Ann Emslie (East Midlands) Kate Jones (West Yorkshire) Patricia Johnson (London) Committee Chair Michele Leighton (London) Roger Peel (Cumbria and Lancashire) Simon Clarke (Western)
<i>Officer:</i>	Katie Lomas (National Vice-Chair)
<i>Official:</i>	Mike McClelland (National Official)
<i>Co-opted:</i>	Aziz Bouleghlimat (Napo ULF Project Manager Wales)
<i>Administrator:</i>	Shireena Suleman

### 141. Training Committee Priorities for 2014- 2015

- ULF application
- PQF Review
- CPD
- Ensuring a balanced workforce through training/recruitment opportunities
- Training route VQ3 to VQ5

### 142. Resolutions from AGM – 2014 & 2015

143. **Resolution 19: Reconnecting Probation with Social Work.** Training Committee understands that the new Probation qualification, Community Justice Learning, is likely to include a broader range of relevant degree subjects, including Social Work. We understand that NOMS has accepted the representations made on behalf of Napo that the new qualification should appeal to a wider audience rather than the current narrow selection under that PQF.

144. **Probation Qualification Review.** A Probation Qualification Review Project/Project Board has been established to develop and steer the direction of the new Community Justice Learning qualification. This group continues to meet on a monthly basis since January and Mike McClelland has been attending on behalf of Napo

145. Similarly, the Probation Institute has set up a small working group, which Mike McClelland is on, to look at developing a training framework specifically for CRCs. This will hopefully ensure professional standards are maintained across all CRCs. The Institute has organised several workshops and invited the CRC owners to further explore this with them. This Committee is of the view that the link between Napo and the Probation Institute should remain in terms of keeping the standard of quality assurance across all the CRC's as well as NPS.

146. **Resolution 25: Continuous Professional Development.** The Committee was informed that NOMS have issued a new I-Reach

programme for 2015-16. There appeared to be some issues with the original programme and this Committee remain unsure of how many of the original training packages were delivered.

147. Training Committee are aware that NOMS have now managed to roll out core training in Safeguarding and Domestic Violence. Both training packages have an initial e-learning module which can be accessed by the NPS staff on the Justice Academy and then a follow classroom based training session.

148. The National priorities for NPS CPD training from July onwards will include; ARMS (Active Risk Management System); Safeguarding; Domestic Abuse and SEEDS.

149. The Committee was made aware that CRC CPD is limited in many areas at the moment. The Committee is aware that some CRC areas are developing their own training packages, which is encouraging but it is hoped that all CRC areas will continue to link in with the Probation Institute, in a bid to ensure training standards are at an appropriate level.

150. **Resolution 26: PSOs and the continued access to the VQ3/5.** Training Committee understands that the new Probation Qualification Review should seek to address this issue of PSO progression within the work setting. The full details of this are not yet apparent as the review is still in progress. However, this Committee will continue to push for a workable solution for all our PSO members, wishing to complete the VQ3, and to make sure there is a pathway for those wishing to progress onto the new probation qualification.

151. **Resolution 27: Recruitment and Training.** PQAB is now in charge of the current arrangements for PQF. Members of this Board now meet at regular intervals through the year and is now responsible to consider decision regarding extensions, suspensions and withdrawals from the programme. Napo is represented on this Board.

152. The Committee was informed that although NOMS were expecting to need about 1000 new learners they have only got approximately 500 through cohort 1 and 2, plus some more from the CRC bought places on the programme. This Committee understands that NOMS finally managed to reach this figure with the inclusion of PSO learners brought in by various CRCs.

153. There were a lot of recorded issues with vetting, contracts and pay with Cohort 1, but this appears to have got better with the subsequent cohorts. The last placements were in May 2015.

154. Napo has expressed concerns regarding diversity in these cohorts, particularly around gender. The following figures were provided.

- Cohort 1: 90% women 10% men
- Cohort 2: 80% women 20% men
- The diversity data was approximately 15% of the sum total.

155. Gill Kirton will be looking at this imbalance as part of her research project so it will be interesting to see the results of this.

156. There has been general agreement that the delivery of the current PQF arrangements have been far from ideal. In addition, there continues to be the ongoing issues on the role boundaries and responsibilities between PTA's and line managers, in certain NPS areas. The Committee believes it is important to ensure adequate protection for PSO's and Learners asked to under PO without the appropriate safeguards.

157. Updates for members on training developments are now to be found on the Napo Website under the L&D tab.

158. **Clinical Supervision.** This Committee understands that that NOMS have been negotiations with a Employee Assistance Programme company called Care First. Mike McClelland is in discussion with NOMS to see if the services offered by this company are suited to our needs. This Committee is aware that this provision, if provided to staff varies across the country.

#### 159. ULF Project

160. The Committee noted their thanks to Aziz Bouleghlimat for his written report. We understand that he continues to coordinate a thriving ULF project in Wales arranging several training/events for staff.

161. However, and despite excellent support work by Aziz and Jackie Leggett (Napo Cymru), the new ULF (England) funding application was rejected, mainly because of the uncertain operational landscape post TR. It was explained that there would be more opportunities to submit future applications.

#### 162. ULF Wales - Pathways to Learning for All Project (PTLA) Annual Report :

##### 163. Background:

164. In Wales, Napo has been extremely successful in accessing funding from Welsh government to manage projects aimed at offering bespoke learning opportunities to staff working in the probation section.

- The first project; Access to learning for All (ALFA) between April 2008- March 2010 was very successful and exceeded all objectives set out by the Welsh Government
- The second project; Sustainable Access to Learning for All (SALFA) between 2010- 2013 also achieved all outcomes and offered learning opportunities to all staff
- The current project; Pathways to Learning for All (PTLA) commenced in 2013 and has been recently subject to review by Welsh government. The review concluded that the project is well managed and has met and exceeded all targets for the previous two years. Both NPS and CRC are engaging with the project and have expressed their intention to sign new learning agreement and support future applications for further union learning projects.

##### 165. Project Best Practice.

166. The Project has made a positive impact on the development of union-led learning in the probation service in Wales. This has been achieved through:

1. Continuing to have a reasonable number of active Union Learning Reps; in excess of requirements. The reps offer effective support to staff despite the slow progress in reaching new learning agreements with the employers. They also make a significant contribution to identification of staff learning needs and the provision of learning opportunities.
2. The development of new learning agreement and Learning partnership committee with the NPS and the CRC. It is envisaged that a new Learning Agreement will be established and by the Community Rehabilitation Company (Working Links as parent company) in April 15. The NPS has recently held discussions with Napo Cymru and have expressed interest in considering a new learning agreement (copy sent to the Director of NPS Wales).

3. The Project has focussed on the generic and key skills required to gain necessary qualifications to progress within the sector and to develop a clear career path. These include NVQs at level 2 and 3, PTLLS, counselling courses, IT courses, Restorative justice, working with travellers, sign language course...etc These courses have been offered to staff who fall outside the remit of courses and training events organised by the employer.

4. As referred to earlier, the 2nd year has been extremely difficult for all concerned, particularly for staff who have faced uncertainty, displacement and redundancy. Despite all the difficulties, the project has been able to offer flexible learning opportunities and motivate staff to consider new and innovative learning tailored to their needs and circumstances.

5. The project offered staff bespoke courses, which are viewed as vital to improving the generic skills required for their role. For instance staff at level 3 and below have been offered various NVQ qualifications in Business administration, Customer service and Information and guidance. Access to these opportunities has been possible due to WULF funding and the work of the ULRs who have developed an effective needs assessment process and development of action plans.

6. The significant contribution the project is making towards the implementation of the service's Welsh language strategy

7. The project funded important courses:

- The development and delivery of E-Learning courses such as Equality and Diversity, data protection, information security.
- The joint funding of the VQ 3 programme offered by the CRC. The project has made an important financial contribution, which allowed more staff to access the VQ3 qualification
- Bicycle repair course for unpaid work supervisors; the qualification offers participants to cascade the skills to other staff and service users serving their orders
- British Sign Language course for 7 members of staff. This allows staff to engage with service users through the medium of sign language. This is indicative of the project's attempts to promote diversity and allow access to the service to a large disadvantaged group of service users
- IFE Approved Fire Safety - this recognised training course was offered to 2 members of hostel staff. Again staff working in hostel settings have very limited access to training course due to the nature of their duties and work patterns. Very hard group of people to reach and hence this is an important achievement in the first year of the project.
- First Aid courses for Approved premises staff
- Contribution to the development of VQ3 qualification for staff
- Contribution to increasing the service's assessment capacity; VQ3 assessors (4 new assessors, currently doing the TAQA assessors' award
- Contribution towards the dignity in the work place courses offered to all staff in the CRC

167. In conclusion the project has in total offered support to more than 235 learners; learning activities ranging from E-learning, 1 – 5 day courses to courses for more than 1 year.

168. The project has a solid structure and the employers (NPS and Working Links), in principle continue with their engagement with the project; the following arrangements remain in force:

- i) The continuation of the current learning agreement and protocols in relation to the Pathways to Learning for All. The union and Wales Probation trust have agreed to amend the signatories of the agreement by deleting “Wales Probation Trust” and replacing it with “the providers’ of probation” the learning agreement will therefore be valid to both CRC and NPS staff.
- ii) The amended document will be signed by both employers; CRC and NPS
- iii) The learning Partnership arrangement will continue in the same manner with the addition of representation from both NPS and CRC.

169. Historically, the union Learning projects delivered for probation in Wales have been very successful due to the activity and effectiveness of ULRs Napo support and also employers’ engagement.

170. The project is now operating under new conditions, and offering its services to two qualitatively different organisations. The two organisations have different training needs and training agendas and the project is the process of changing its structures to reflect the new working and training arrangements for staff working in NPS and CRC.

## **Report on the Implementing Napo’s Anti-Racism Policy; work to promote an inclusive union by Committees.**

171. **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.

172. **Campaigning Committee.** The results of the stress survey conducted at AGM had been published and branches were being encouraged to conduct their own stress surveys. It was noted that the NPS was now only producing sickness statistics annually and it wasn’t clear when the next set of figures would be available. Branches would be encouraged to ask for figures for the CRCs and to make this a regular item on JNC agendas. Advice on this would be circulated to branches together with a request to feedback information centrally.

173. Research is ongoing into the effects of TR on staff and the disproportionate impact on some groups of people.

174. **Editorial Board Probation Journal.** The Probation Journal has board members drawn from across England and Scotland. Including the editors, the board now comprises six probation practitioners, three academics, ahead of community safety, a senior research consultant and a retired chief officer. There are six male and 6 female board members. Any member of the board would be pleased to speak to anyone interested in joining the team.

175. **Journal Content.** The Journal continues to seek to promote articles and other features on themes addressing discrimination and diversity.

176. **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.

177. 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.

178. **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 is reflected in its annual report and as such need not be repeated here.

179. The Committee has endeavoured to ensure that all NEC meetings are monitored, and action taken when required.

180. **Health & Safety Committee.** This Committee has been mindful of the equalities agenda throughout the year. For instance in looking at office moves and their safety implications we have focused on how disability related issues are impacted. We are aware that there is a shift in NOMS policy (in line with the Civil Service approach) on reasonable adjustments. This appears to be placing greater emphasis on personal responsibility and a limiting of the interpretation of ‘reasonable adjustments’. We will be monitoring this and taking it forward as a key committee priority.

181. We have also focused on gender and occupational health issues. In March Sarah Friday (National Official) attended a conference on women’s health at work and we have begun to concentrate on applying lessons learnt from this conference in our activities and will continue this focus over the coming year. The Committee were interested to learn that academics from King’s College London propose to work with Napo around the issue of the menopause and how symptoms can impact at work and how our representatives can be trained to work with members and employers in addressing such issues.

182. **Probation Negotiating Committee.** The Committee maintains a commitment to equality issues in pay negotiations.

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

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

185. The ordering of business at AGM and ruling on Emergency Motions form two of the Committee’s main responsibilities. The

Committee works to ensure that the process is as transparent as possible and is carried out in line with Napo policies on anti-racism and equal rights. The Committee's decisions are explained and accounted for publicly during AGM sessions and members have the right to challenge those decisions. Part of the Committee's role at AGM is to time speeches and keep a running record of all spoken contributions. Following a decision by the NEC in 2013, the Committee has ceased to record the race and gender of all individuals making contributions. This information was traditionally reported to the National Executive Committee and to members within the Steering Committee contribution to the Annual Report.

186. 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.

187. **Trade Union Organisation Committee.** The Committee has this year developed and launched a peer support group for Black members in Napo. The Napo Black Network (NBN) will be a group to encourage and develop new and aspiring activists in the union from a Black and Asian or minority ethnic background. It is hoped that this model will be used to develop other networks for members with a specific protected characteristic i.e. LGB & T or disability.

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

188. Only two branch reports were received. Thank you to those branches who submitted a return.

### **Affiliations for 2014**

Abortion Rights

Campaign for Trade Union Freedom

Cuba Solidarity Campaign

General Federation of Trade Unions

Hazards

Howard League for Penal Reform

Justice for Columbia

Labour Research Department

Liberty

National Pensioners Convention

Palestine Solidarity Campaign

Trade Union Friends of Searchlight

Trades Union Congress

Unite Against Fascism

Venezuela Solidarity Campaign

Wales TUC Cymru

Napo  
Annual Report and Accounts  
for the Year Ended 31 December 2014

Report of the Officers

The officers present their annual report with the accounts of the union for the year ended 31 December 2014.

OFFICERS

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

Name

T Rendon	Chair	resigned May 2014
C Pearson	Interim Chair	appointed from July 2014 to October 2014
Y Pattison	Vice Chair, then Co Chair	Vice chair to October 2014, then Co Chair from October 2014
C Winters	Vice Chair, then Co Chair	Vice Chair appointed February 2014 to October 2014, then Co Chair from October 2014
K Stokeld	Treasurer	
M Elliott	Vice Chair	completed term in October 2014
D Adams	Vice Chair	appointed October 2014
K Lomas	Vice Chair	appointed October 2014
C Berry	Vice Chair	appointed October 2014
J Barlow	Vice Chair	appointed November 2014
N Smith	Vice Chair	resigned January 2014

STATEMENT OF OFFICERS' RESPONSIBILITIES

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

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

Signed, on behalf of the National Executive Committee

K STOKELD  
Treasurer

Approved on 20 May 2015

## INDEPENDENT AUDITORS' REPORT TO THE MEMBERS OF

### NAPO

We have audited the financial statements of Napo for the year ended 31 December 2014, which comprise the Income and Expenditure Account, Balance Sheet, Statement of Total Recognised Gains and Losses and the related notes. The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice).

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

#### RESPECTIVE RESPONSIBILITIES OF OFFICERS AND AUDITORS

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

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

#### SCOPE OF THE AUDIT OF THE ACCOUNTS

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

#### OPINION ON THE FINANCIAL STATEMENTS

In our opinion the financial statements:

- give a true and fair view of the state of the union's affairs at 31 December 2014 and of its deficit for the year then ended; and
- have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice and the Trade Union and Labour Relations (Consolidation) Act 1992.

## INDEPENDENT AUDITORS' REPORT TO THE MEMBERS OF

### NAPO

#### MATTERS ON WHICH WE ARE REQUIRED TO REPORT BY EXCEPTION

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

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

PK Audit LLP  
Chartered Accountants  
Statutory Auditor  
The Gatehouse  
2 Devonhurst Place  
Heathfield Terrace  
London  
W4 4JD

Dated: 21.05.15

Napo  
Income and Expenditure Account  
for the Year Ended 31 December 2014

	<u>Notes</u>	<u>2014</u>	<u>2013</u>
		£	£
Income from subscriptions		1,940,353	2,014,952
TUC Projects		102,723	185,775
Other Income	2	<u>24,408</u>	<u>20,115</u>
		2,067,484	2,220,842
Staff costs	3	850,924	901,394
Staff recruitment, training and expenses		42,854	50,985
TUC Projects		102,723	185,775
Accommodation costs		64,035	65,089
Operating costs		189,516	245,869
Committee, conference & affiliation costs		424,512	440,059
Financial & Legal Costs		296,200	43,248
Branch expenditure		<u>183,618</u>	<u>183,758</u>
		<u>2,154,382</u>	<u>2,116,177</u>
		<u>(2,154,382)</u>	<u>(2,116,177)</u>
(Deficit)/Surplus for the year before Taxation		(86,898)	104,665
Taxation	4	<u>(2,085)</u>	<u>(2,446)</u>
(Deficit)/Surplus for the year after Taxation		(88,983)	102,219
Transfer from General Fund	10	280,000	-
Transfer to Legal Representation Fund	10	(186,614)	(161,500)
Transfer to Action Fund	10	(5,000)	(5,000)
Transfer to Office Relocation Fund	10	-	-
Transfer to Organising Fund	10	<u>(2,000)</u>	<u>(2,000)</u>
Amount transferred from Accumulated Fund		<u>(2,597)</u>	<u>(66,281)</u>

The notes on pages 26 to 31 form part of these accounts.

Napo

Balance Sheet as at 31 December 2014

	Notes	2014		2013	
		£	£	£	£
FIXED ASSETS	5		128,074		136,128
CURRENT ASSETS					
Sundry Debtors	6	156,576		143,312	
Cash at bank and in hand					
- Branches		112,555		128,473	
- Head Office		<u>1,194,879</u>		<u>1,379,609</u>	
		1,464,010		1,651,394	
CURRENT LIABILITIES					
Sundry Creditors	7	<u>(168,034)</u>		<u>(56,180)</u>	
NET CURRENT ASSETS			<u>1,295,976</u>		<u>1,595,214</u>
TOTAL ASSETS LESS CURRENT LIABILITIES			<u>1,424,050</u>		<u>1,731,342</u>
Represented by:-					
GENERAL FUND	10		1,144,759		1,427,356
OFFICE RELOCATION RESERVE FUND	10		250,000		250,000
LEGAL AND REPRESENTATION FUND	10		(66,362)		(27,680)
ACTION FUND	10		55,455		53,790
NAPO ORGANISING FUND	10		<u>40,198</u>		<u>27,876</u>
			<u>1,424,050</u>		<u>1,731,342</u>

..... General Secretary  
I LAWRENCE

..... Treasurer  
K STOKELD

.....

The notes on pages 26 to 31 form part of these accounts.

Napo

Statement of Total Recognised Gains and Losses  
for the Year Ended 31 December 2014

<u>Notes</u>	<u>2014</u>	<u>2013</u>
	£	£
General Fund (deficit)/surplus for the financial year after taxation	(88,983)	102,219
Donation from branches to NAPO Organising Fund	10,322	-
Donation from members to Action Fund	911	-
Expenditure on Action Fund	(4,246)	-
Donations from branches to Legal and Representation Fund	-	1,000
Expenditure from Legal and Representation Fund	(225,296)	(235,552)
Total recognised losses since last annual report	<u>(307,292)</u>	<u>(132,333)</u>

1. ACCOUNTING POLICIES

- i) The accounts have been prepared under the historical cost convention.
- ii) **Going concern**  
 The Officers of the union have considered their obligations to prepare these financial statements on an appropriate basis, having regard to the union's net asset position as at 31 December 2014.  
 The Officers have assessed the impact of the financial budgets in place for 2015 against the working capital available, notably its cash and bank balances. The officers have also considered the impact of the estimated cost of legal fees which will be incurred in 2015 and the anticipated loss of income due to the withdrawal of payroll deduction "check off".  
 As a result, in the opinion of the Officers the union has sufficient resources to be able to meet its obligations as and when they fall due and accordingly the accounts have been prepared on a going concern basis. The financial statements do not include any adjustments that would result from this basis of preparation being inappropriate.
- iii) Incoming subscriptions income includes amounts receivable at the balance sheet date. Income is received from payroll deductions made by Probation Trust pay authorities until 31 May 2014, then the National Probation Service and Community Rehabilitation Companies. It also includes members' direct payments to Napo.

Royalties are accounted for when received.

- iv) Expenditure is charged in the year to which it relates.
- v) Rates of Depreciation and Amortisation are provided so as to write off the cost of Fixed Assets over their estimated useful lives.

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

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

- vi) **Pension costs**  
 Contributions in respect of the Association's defined contribution pension scheme are charged to the Income and Expenditure Account for the year in which they are payable to the scheme. Differences between contributions payable and contributions actually paid in the year are shown as either accruals or prepayments at the year end.
- vii) **Legal and Representation Fund**  
 The NEC maintains a Legal and Representation Fund. The fund shall be financed by transfer from the general funds of the Association in accordance with the Constitution.

Napo

Notes to the Accounts- 31 December 2014 (continued)

viii) Napo Organising Fund

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

The fund is administered by the Chair, Treasurer and General Secretary along with the Finance Officer in accordance with the NEC's provisions.

ix) Office Relocation Fund

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

2. OTHER INCOME

	<u>2014</u> £	<u>2013</u> £
Interest receivable	10,426	11,205
Sundry Income	13,982	8,910
	<u>24,408</u>	<u>20,115</u>

3. STAFF COSTS

	<u>2014</u> £	<u>2013</u> £
Included in staff costs are:-		
Wages and Salaries	718,017	761,326
Social Security Costs	77,279	78,442
Other Pension costs	55,628	61,626
	<u>850,924</u>	<u>901,394</u>

General Secretary/ Secretaries

	<u>2014</u> £	<u>2013</u> £
	Total	Total
Remuneration, compensation and benefits	67,102	181,236
Social Security Costs	8,171	12,757
Pension	1,500	2,489
	<u>76,773</u>	<u>196,482</u>

Napo

Notes to the Accounts- 31 December 2014 (continued)

4. TAXATION

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

	<u>2014</u> £	<u>2013</u> £
Current Corporation Tax	<u>2,085</u>	<u>2,446</u>

5. FIXED ASSETS

	Freehold Land & Buildings -----	Computer Equipment & Software -----	Total -----
Cost			
At 1 January 2014	205,339	284,752	490,091
Additions	-	-	-
Disposals	-	-	-
At 31 December 2014	<u>205,339</u>	<u>284,752</u>	<u>490,091</u>
Depreciation			
At 1 January 2014	84,999	268,964	353,963
Charge for the year	4,107	3,947	8,054
Deduct for Disposals	-	-	-
At 31 December 2014	<u>89,106</u>	<u>272,911</u>	<u>362,017</u>
Net book value			
At 1 January 2014	<u>120,340</u>	<u>15,788</u>	<u>136,128</u>
At 31 December 2014	<u>116,233</u>	<u>11,841</u>	<u>128,074</u>

6. DEBTORS

	<u>2014</u> £	<u>2013</u> £
Trade debtors	130,073	118,376
Prepayments	17,456	9,512
Sundry debtors	9,047	15,424
	<u>156,576</u>	<u>143,312</u>

Napo

Notes to the Accounts- 31 December 2014 (continued)

7. OTHER CREDITORS

	<u>2014</u>	<u>2013</u>
	£	£
Bank overdraft	49,112	4,960
Sundry creditors and accruals	116,837	48,979
Taxation	<u>2,085</u>	<u>2,241</u>
	<u><u>168,034</u></u>	<u><u>56,180</u></u>

8. COMMITMENTS

The union operates a defined contribution pension scheme. The assets of the scheme are held separately from those of the union, in an independently administered fund. The pension cost charge represents contributions payable by the union to the fund and amounted to £55,628 (2013 - £61,626). No contributions were due at the year end (2013 £nil).

9. POST BALANCE SHEET EVENTS

Napo is in the process of seeking to appeal against the recovery of legal costs by the Ministry of Justice. Costs will be included in the financial statements for the year ended 31 December 2015.

10. MOVEMENT OF FUNDS

Office Relocation Reserve Fund

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

Legal and Representation Fund

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

The fund is in deficit due to an increased requirement for assistance from members.

Action Fund

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

## Napo

Notes to the Accounts- 31 December 2014 (continued)

### Napo Organising Fund

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

### General Fund

A reallocation of funds was carried out in the year, amounting to £280,000 which was reallocated within the General Fund in order to fund exceptional legal fees.

Movements in the year are disclosed on the summary on page 31.

10. MOVEMENT OF FUNDS - SUMMARY

Napò  
Notes to the Accounts- 31 December 2014 (continued)

	£	General Fund £	Office Relocation Reserve £	Legal & Representation Fund £	Action Fund £	Organising Fund £	Total £
Income		2,067,484	-	-	911	10,322	2,078,717
Expenditure		(2,154,382)	-	(225,296)	(4,246)	-	(2,383,924)
(Deficit)/surplus for the year		(86,898)	-	(225,296)	(3,335)	10,322	(305,207)
Taxation		(2,085)	-	-	-	-	(2,085)
Net (deficit)/surplus		(88,983)	-	(225,296)	(3,335)	10,322	(307,292)
Transfers between Funds		(193,614)	-	186,614	5,000	2,000	0
Net (outgoing)/ incoming resources		(282,597)	-	(38,682)	1,665	12,322	(307,292)
Balance at 31 December 2013	1,427,356		250,000	(27,680)	53,790	27,876	1,731,342
Reallocated in year	(280,000)	280,000	-	-	-	-	-
Deficit for the year		(2,597)					
Balance after reallocation	1,147,356	1,147,356					
Balance at 31 December 2014		1,144,759	250,000	(66,362)	55,455	40,198	1,424,050

Napo  
National Office Detailed Income and Expenditure Account  
for the Year Ended 31 December 2014

	Schedule	£	<u>2014</u> £	£	<u>2013</u> £
Membership Subscriptions			1,940,353		2,014,952
Bank Deposit Interest			10,426		11,205
TUC ULR Project			102,723		185,775
Sundry Income			<u>2,658</u>		<u>1,283</u>
			2,056,160		2,213,215
<u>Staff costs</u>					
Salaries, Pension, National Ins		850,924		901,394	
Staff Recruitment		989		10,172	
Staff Training		6,587		7,891	
Staff Expenses		<u>35,278</u>		<u>32,922</u>	
			<u>893,778</u>		<u>952,379</u>
TUC ULR Project		<u>102,723</u>		<u>185,775</u>	
<u>Accommodation Costs</u>					
Rates, Light & Heat		23,755		24,295	
Repairs & Renewals of Building		30,025		30,922	
Insurance		6,485		6,410	
Professional Indemnity Insurance		1,800		2,700	
Sundry		<u>1,970</u>		<u>762</u>	
			<u>64,035</u>		<u>65,089</u>
<u>Operating Costs</u>					
Print, Stationery & Equipment		49,234		46,746	
Reference Books & Papers		97		346	
Postage		9,063		12,824	
Telephone		<u>8,628</u>		<u>9,421</u>	
			<u>67,022</u>		<u>69,337</u>
Computer Maint. & Support & Website		72,215		77,102	
Cost of Publications	1	42,225		90,060	
Depreciation		<u>8,054</u>		<u>9,370</u>	
			<u>122,494</u>		<u>176,532</u>
Carried Forward		1,250,052	2,056,160	1,449,112	2,213,215

Napo  
National Office Detailed Income and Expenditure Account  
for the Year Ended 31 December 2014

Schedule	£	<u>2014</u> £	£	<u>2013</u> £
Brought Forward	1,250,052	2,056,160	1,449,112	2,213,215
<u>Committee, Conference &amp; Branch Costs</u>				
Committee Expenses	113,774		113,528	
Cost of Conferences	2 94,464		95,678	
Branch Grant	119,028		133,766	
Branch Conference funding	37,382		38,908	
Branch Training	20,388		44,402	
Health & Safety	1,150		1,763	
Consultancy	11,654		3,626	
Membership Recruitment	20,780		13,363	
Union Learning Fund	-		-	
	<u>418,620</u>		<u>445,034</u>	
<u>Subscriptions &amp; Affiliations</u>				
Fees - TUC	21,688		20,981	
Fees - Other	2,858		5,932	
Fees - GFTU	7,473		7,688	
	<u>32,019</u>		<u>34,601</u>	
Donations - Edridge	26,917		27,549	
Donations- Autonomous Groups	11,000		11,000	
Donations - Palladin	-		11,500	
Donations- General	766		147	
	<u>38,683</u>		<u>50,196</u>	
Ballots	10,747		26,047	
Political lobbying/Media	52,452		55,984	
Women Strategy	-		-	
Health & Safety	-		-	
Tribunal Expenditure	28,399		871	
	<u>580,920</u>		<u>612,733</u>	
<u>Financial Costs</u>				
Audit & Accountancy	9,900		9,790	
Bank Charges	1,806		2,426	
Legal & Professional Fees	284,494		31,032	
	<u>296,200</u>	2,127,172	<u>43,248</u>	2,105,093
National office (deficit)/ surplus for year		(71,012)		108,122
Add: Branch offices deficit		<u>(15,884)</u>		<u>(3,457)</u>
Total (deficit)/surplus for year before tax		<u><u>(86,896)</u></u>		<u><u>104,665</u></u>

Napo

Branches- Detailed Income and Expenditure Account

for the Year Ended 31 December 2014

Schedule	£	2014 £	£	2013 £
Grants from National Office		119,028		133,766
Hardship Grant		-		-
Conference funding from National Office		37,382		38,908
Individual contributions		-		2,740
Bank & Building Society Interest		-		-
Donations		1,466		1,370
Sundry Income		<u>9,858</u>		<u>3,517</u>
		167,734		180,301
<u>Branch Expenses</u>				
Expenses of other Officials	17,114		15,947	
Printing, Postage & Stationery	1,029		3,373	
Branch Meetings	19,414		14,945	
Bank Charges	44		50	
Training	7,501		7,734	
Donations	2,472		6,542	
Net Cost of Annual & Branch Conference	105,360		119,820	
Hardship fund	10,322		-	
Other Branch Expenses	<u>20,362</u>		<u>15,347</u>	
		<u>183,618</u>		<u>183,758</u>
(Deficit)/Surplus of Income over Expenditure for the year before Taxation		<u>(15,884)</u>		<u>(3,457)</u>
Charged to General Fund		183,618		183,758
Charged to Hardship Fund		-		-
		<u>183,618</u>		<u>183,758</u>

Napo  
Publications Account  
for the Year Ended 31 December 2014

Association's Publications

Schedule No 1

	£	<u>2014</u> £	£	<u>2013</u> £
Cost of publications				
Printing - Newsletter			22,925	36,352
- Journal			57,631	58,840
- CAFCASS Journal			-	5,638
Postage - Newsletter & Journal			<u>1,987</u>	<u>28,719</u>
			82,543	129,549
Less:				
Sales - ICCJ Monographs		-		-
Inserts- Journal & Newsletter		<u>25</u>		<u>938</u>
			<u>25</u>	<u>938</u>
			82,518	128,611
Income from other publications				
Royalties - Napo journals		40,293		37,637
Sundry Publications		<u>-</u>		<u>914</u>
			<u>40,293</u>	<u>38,551</u>
Net cost of publications transferred to Income and Expenditure Account			<u><u>42,225</u></u>	<u><u>90,060</u></u>

Napo  
Conference Account  
for the Year Ended 31 December 2014  
Conference Account  
Schedule No 2

	<u>2014</u>	£	<u>2013</u>	£
Cost of Annual Conference	97,057		87,533	
Less: Registration fees	<u>(18,864)</u>		<u>(19,634)</u>	
Net cost of Annual Conference		78,193		67,899
Trainees conference Expenditure	-		-	
Less: Registration fees	<u>-</u>		<u>-</u>	
Net cost of Trainees Conference		0		0
Family court conference Expenditure	7,826		8,786	
Less: Registration fees	<u>-</u>		<u>(120)</u>	
Net cost of Family Court Conference		7,826		8,666
Professional conference Expenditure	-		193	
Less: Registration fees	<u>-</u>		<u>(3,630)</u>	
Net cost of Professional Conference		0		(3,437)
Women in Napo Conference	-		12,700	
Less: Registration Fees	<u>-</u>		<u>(2,475)</u>	
Net cost-Women in Napo conference		0		10,225
Cost of Managers Conference	-		2,945	
Less: Registration fees	<u>-</u>		<u>(1,920)</u>	
Net cost of Managers Conference		0		1,025
Cost of PSO Conference	3,586		15,479	
Less: Registration fees	<u>-</u>		<u>(1,968)</u>	
Net cost of PSO Conference		3,586		13,511
Health & Safety Forum/Conference		5,286		2,199
Other conference		1,590		-
Other project income		<u>(2,017)</u>		<u>(4,410)</u>
Total cost of conferences		<u><u>94,464</u></u>		<u><u>95,678</u></u>

## ACCOUNTS & ANNUAL REPORT

for the year ended 31 December 2014

### ABBREVIATED VERSION

#### Administrative Details

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

#### Report of the Trustees

##### Trustees

The Trustees who held office during the year were as follows

Anne King (Western)	Appointed as Trustee September 2006, re-appointed in 2011
Alessandra Evans (Thames Valley)	Appointed November 2008, re-appointed in September 2013, resigned October 2014
Liz Bywater (Kent, Surrey & Sussex)	Appointed September 2009, appointment ended September 2014
Doug Stevenson (London)	Appointed July 2012
Charlotte Dunkley (Trent)	Appointed November 2013
Beverley Palmer (South Western)	Appointed September 2014
David Stevens (Mercia)	Appointed November 2014

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

##### Staff

Karl Deakin	Secretary to Trustees
David Cox	Business Officer & Book-keeper: Honorary Treasurer (Western)
Sarah Byatt	Administrator

#### Chair's Report

##### Introduction

The Trustees have continued the recent practice of providing an abbreviated version of the Annual Report & Accounts, for inclusion in the Napo Annual Report. The Accounts presented are the full version, which will be available with the full version of the Annual Report, before the Napo AGM in October 2015. The Accounts have been prepared in accordance with Charity Commission guidelines and requirements. I therefore present this Report and the Accounts for the year ended 31 December 2014 on behalf of the Trustees.

##### Edridge 2014 - Working with change in the Probation Service

The enormous changes to the probation service in 2014, which were due to continue in 2015, provided a challenging backdrop to the work of the Edridge Fund during the year. The number of applications received during the year actually fell compared with 2013. Trustees are concerned to ensure that all potential applicants are aware of their eligibility to apply to the Fund. We noted that there were no applicants from within the family court group this year. Trustees will continue to monitor the situation closely.

## The Edridge Fund of Napo

Against this background the Trustees and Staff of the Edridge Fund worked hard during 2014 to continue to revise our governance and procedures. This will enable the Edridge Fund to respond appropriately to the changes and risks of the future.

### **Trustee Changes**

We welcomed the election of Beverley Palmer and David Stevens as trustees. Trustees would like to place on record their thanks to Liz Bywater and Alessandra Evans for their work as trustees, which came to an end in 2014.

### **Donations and Fund Raising**

This has been a mixed year for Edridge. We have not received any more bequests, but regular donations have increased. There has been less income from one off donations, our Napo donation was slightly less, and there was a marginal decrease in donations from fund raising and sponsored events. It does, however, remain the case that our income has not been affected to the same extent as many other charities during a period of recession. This is largely due to the efforts of individuals and Napo branches, for which the Edridge Fund is very grateful.

The Edridge Fund has once again received a donation of £10,000, from the “*Civil Service Insurance Society - CSiS*”, a not for profit organisation. CSiS transfers its profits to its own charity, which then supports other charities working with people in the Public Sector. This is the second year that we have been assisted by CSiS, and before the end of the year we had once again applied to them for a grant in 2015. This is a very welcome additional source of income at a time when there is the risk that our grant from Napo is likely to decrease. Given the date of publication of this report, it is appropriate to also confirm that CSiS has continued to support the Edridge Fund with a further grant of £15,000 during 2015. Again, we are very grateful for this.

### **Administration**

The level of expenditure by the Fund on Governance and Administration has increased by £613 in total, compared with the previous year. This is still less than a few years ago, when we were spending about £2,000 per annum more than the current level. This has been achieved by savings in office and postage costs, arising from our re-organization in 2012. However, the total expenditure, including our main charitable activity of grant giving, has remained nearly the same as last year, because of the reduced level of grants paid for the current year.

Within these figures is an increase in our Governance costs, which is partly an increase in the costs of meetings, given that more Trustees and Staff live further from London.

### **Edridge Investments**

The value of the investments in our Portfolio has increased by a comparatively small amount over the year, but at year end we had more in cash within the Portfolio, compared with the start of the year. Although we had withdrawn funds from the Portfolio in the past, we have not needed to do this during 2014. The “realised” and “un realised” gains in our Investment Accounts has reduced our deficit of £12,890 by £8,362.

The Trustees have undertaken a review of investments and risk policy during the course of 2014 with our Investments Managers. As indicated in previous reports our Portfolio is managed on a medium risk basis, with investments in an ethical framework. The Trustees will be undertaking a similar review during 2015, and intend to seek financial advice, which will also consider whether we need to move to a different Investment Manager.

### **Governance**

Considerable work was undertaken in 2014 to revise the Fund’s trust deed, to reflect the modern operation of the Fund. Trustees were also anxious to ensure that the reorganisation of probation services under the Government’s Transforming Rehabilitation agenda would not affect eligibility. Consequently, work was undertaken on a revised Trust Deed which would facilitate a more modern decision-making process, and I am pleased to report that this was signed early in 2015.

The Trustees’ guidelines on grant-making, complaints procedure, data protection policy and equal opportunities statement were all reviewed in 2014. Revised procedures were shared with Edridge representatives. The Trustees also undertook a review of the Charity Commission’s guidance on financial controls. As a result of this, it was determined that the Treasurer and Book-keeper roles should be held by separate individuals in order to provide additional financial safeguards. Revised job descriptions for these posts were put in place, and we planned to appoint a new Honorary Treasurer early in 2015, and this was achieved in May 2015.

## The Edridge Fund of Napo

### **Applications for Assistance**

The level of applications during 2014 has remained at the same generally higher level experienced over the last three years, but with a decrease of 8.9% this year, in the total number of applications, and the total paid out has also decreased by £1,174, compared with 2013. The Trustees have continued to target the amount paid to reflect the immediate needs of the applicant, the range of amounts paid is quite wide. The average amount for individual grants has in fact increased by 9.2%. The reasons for applications seem to follow the pattern of previous years.

We will be publishing tables giving a breakdown of applications received in our full report, but we can confirm that the major proportion of grants paid has been to Napo members, being 71.07% of the total grants payments, and once again we have paid to Napo members more than we received in the Napo grant by about £10,000. The number of applications received was 165, and of these 27 applications were refused or withdrawn, usually on grounds that the applicants were not eligible, and 12 applicants were referred to the other Union Welfare Funds. In four of those cases we did eventually provide grants totalling £1,150. In all cases the applications were dealt with on their individual merit. These figures reflect the overall pattern in the last few years.

The Edridge Fund has made connections with the Charity for Civil Servants “For You, By You”, including attending their annual general meeting. This is a charity which can provide support to National Probation Service staff as civil servants. We see this as an additional source of help for applicants, which can be signposted at the same time as Edridge providing support.

### **Final Thoughts**

The simple fact is that without the gains in our Investment Portfolio, and the additional income stream we have from CSiS, our current deficit of £4,528 would increase by £18,362, and that is not a level of deficit we could sustain in the longer term. The level of need for our help did decrease slightly this year, but there is no guarantee that this will continue, and there is always the risk that our investments will fall in value in these uncertain times, and a further risk of reduced income from the Napo donation. We continue to have a need for more small regular donations to ensure the future of the Fund.

As ever, we are grateful to Napo for the annual grant, and to the support provided by its staff, including provision of remote computer storage. The help we receive with the appointment of trustees is also much appreciated. We are grateful to branches for their efforts in fund raising and donations. I have also to thank our staff, fellow trustees and the many people who help us, in particular our local representatives, many of whom work tirelessly to promote the work of the Fund.

In terms of our plans for 2015, the Trustees will work to ensure that the Fund reaches across both public and private sectors of the Probation Service, as well as staff within the family courts service; continuing to provide assistance to those in need. We will also be seeking to appoint a new Honorary Treasurer, revise our website to improve its presentation and navigability, and clarify the role of Area Representatives to ensure that they can effectively contribute to the work of the Fund and are properly supported in doing so. Trustees will continue to ensure compliance with legislation and best practice, with a particular focus on financial controls.

The Fund continues to have a need for volunteers to undertake specific areas of work, to relieve the pressure of work on our staff. We hope that members reading this report will consider this again, and talk to us about the ways they could help us.

Anne King – Chair of Trustees  
July 2015

### **Independent Examination of Accounts**

The Accounts were presented to the Trustees at their meeting on 9 July 2015, and accepted, subject to a satisfactory Independent Examination, in accordance with Charity Commission Guidance. That report will be available in the full version of our Annual Report, which will be available at the Napo AGM in October 2015.

David Cox – Honorary Treasurer  
July 2015

The Edridge Fund of Napo

**STATEMENT OF FINANCIAL ACTIVITIES** (incorporating an Income and Expenditure Account)  
**FOR THE YEAR ENDED 31 DECEMBER 2014**

	Notes	2014 £	2013 £
<b>INCOMING RESOURCES FROM GENERATED FUNDS</b>			
<b>Voluntary Income</b>			
Regular Donations and Gifts		10,299	9,048
Contribution from Napo		26,917	27,549
Bequests		nil	30,631
Corporate Charity Donation	9	10,000	10,000
<b>Activities for generating funds</b>			
Fund Raising (including 50/50 Club subscriptions)	6	3,051	3,269
Sale of merchandise		56	70
<b>Investment &amp; Interest Income</b>			
Investment Income		4,174	4,618
Bank Interest (including Investment Account)		nil	nil
<b>Incoming Resources from Charitable Activities</b>			
Contributions from members, branches and others		3,023	4,871
Net Profit(Loss) on Christmas Cards		874	630
<b>Total Incoming Resources</b>		<u>58,394</u>	<u>90,686</u>
<b>RESOURCES EXPENDED</b>			
<b>Costs of Generating Funds</b>			
Promotional / Fund Raising activities		236	238
Investment Management Fees		3,328	3242
Website Expenses		504	504
50/50 Club Prizes		1,217	1243
Purchase of Merchandise		nil	133
<b>SUBTOTAL</b>		<u>5,285</u>	<u>5,360</u>
<b>Net Resources available for Charitable Application</b>		<u>53,109</u>	<u>85,326</u>
<b>Costs of Charitable Activities</b>			
Grants paid -		51,924	53,098
Management & delivery of the charity's purpose	2, 10	12,375	11,675
		<u>64,299</u>	<u>64,773</u>
<b>Governance Costs</b>	4	1,700	1,109
<b>Total Resources expended</b>		<u>71,284</u>	<u>71,241</u>
<b>Net Operating Surplus/(Deficit) for the Year</b>		<u>(12,890)</u>	<u>19,445</u>
<b>Before Gross transfers</b>		<u>(12,890)</u>	<u>19,445</u>
<b>Gross Transfers between Funds</b>			
<b>Net Incoming Resources before Gains &amp; Losses</b>		(12,890)	19,445
<b>Other Recognised gains (losses)</b>			
Realised gains/(losses) on investments		5,485	10,460
Unrealised gains/(losses) on investments		2,877	1,536
<b>Net Movements in Funds</b>		(4,528)	30,763
Prior Year Adjustment	10		678
<b>Total funds brought forward</b>		206,885	174,766
<b>Total Funds Carried Forward</b>		<u>202,357</u>	<u>206,885</u>

## The Edridge Fund of Napo

### BALANCE SHEET

As at 31st December 2014

	Notes	2014	2013
		£	£
<b>FIXED ASSETS</b>			
Tangible Assets	3	Nil	Nil
Investments	8	171,185	168,308
<b>CURRENT ASSETS</b>			
Debtors	7	5,531	3,654
Cash at Bank and in Hand		28,465	36,224
		<u>33,995</u>	<u>39,878</u>
<b>Creditors</b>			
Amounts falling due within one year			
Accruals	5	<u>(2,824)</u>	<u>(1,301)</u>
<b>Net Current Assets</b>		<u>31,172</u>	<u>38,577</u>
<b>Total Assets less Current Liabilities</b>		<u>202,357</u>	<u>206,885</u>
<b>Net Assets</b>		<u>202,357</u>	<u>206,885</u>
<b>Income Fund and Reserve</b>			
General Reserve as at 31st December 2014		<u>202,357</u>	<u>206,885</u>
<b>Total Funds available to the Fund</b>		<u>202,357</u>	<u>206,885</u>

These Financial statements were submitted to the Trustees at the Trustee meeting on 9<sup>th</sup> July 2015, and were approved, subject to a satisfactory Independent Examination.

Anne King  
Chair of Trustees  
July 2015

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

### Notes forming part of the Accounts

FOR THE YEAR ENDED 31 DECEMBER 2013

#### 1. ACCOUNTING POLICIES

The accounts have been prepared using the same policies published in previous Annual Reports, with the exception of the policy on "Other Assets", where the Trustees have decided to reflect stocks of unsold items of fund raising merchandise in the accounts. An explanation is in our Full Report. However, for this year see note 3 below.

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

	Notes	2014	2013
		£	£
Staff Salaries	2a	10,015	10,015
Office Services including rent		600	600
General Office costs /equipment maintenance		1,047	951
Equipment purchase		nil	nil
Insurance		624	604
Bank Charges		89	105
Gift to retiring Trustee		nil	78
Depreciation of Fixed Assets	3	nil	nil
		<u>12,375</u>	<u>12,353</u>

a. The total for Staff Salaries in 2013 was previously reported as £9337. It is now restated – see Note 10

## The Edridge Fund of Napo

### 3. TANGIBLE ASSETS

An audit of our stocks of fund raising merchandise revealed that we had no unsold Christmas Cards and the value of the remaining merchandise and miscellaneous items was very low. The Trustees have therefore decided that it would not be appropriate to account for depreciation in the current year, but will continue to adopt the policy, when relevant, in future accounts

4. GOVERNANCE	2014	2013
	£	£
Staff & Trustees Expenses 4a	1,569	946
Independent Examiner's Fee	Nil	Nil
Napo Conference Expenses	131	163
Trustees Training	<u>Nil</u>	<u>Nil</u>
	<u>1,700</u>	<u>1,109</u>

(a) Expenses paid to Staff and Trustees were for travel to meetings and associated costs, including refreshments. No fees were incurred for use of meeting rooms, which were provided by Napo and the London Probation Service. These expenses increased over the previous year because of greater distances covered by those personnel

### 5. CREDITORS

	£
Website Expenses for 4 <sup>th</sup> Quarter	126
Office rent for 4 <sup>th</sup> quarter	150
Staff Salaries to be paid to Napo	2,504
Mail forwarding costs to Napo	44
	<u>2,824</u>

### 6. FUND RAISING

	£
Fund Raising and Sponsored events	831
50/50 Club Subscriptions *	<u>2,220</u>
	<u>3,051</u>

\* The net benefit to the Fund of the 50/50 Club was therefore £1,003 during 2014

### 7. DEBTORS

	£
Gift Aid Tax Refund for 2011/2012 (estimated) 7(a)	1,800
Gift Aid Tax Refund for 2012/2013 (estimated) 7(a)	1,800
Gift Aid Tax Refund for 2013/2014 (estimated) 7(a)	1,800
Christmas Cards (based on receipts in 2014 till 31/3/14).	131
	<u>5,531</u>

(a) We experienced difficulties with a new HMRC system of online registration, due to mistakes made by HMRC, and this was not resolved until early 2015. We subsequently did receive a payment in 2015 in respect of the 2011/2012 Tax year, and further claims will be cleared during 2015

### 8. INVESTMENTS

The valuation is based on the report of our Investment Managers, reflecting the position as at 31/12/2014. A full list of our investments will be available with the full Edridge Annual Report, available on our website before the Napo AGM in October 2014.

### 9. VOLUNTARY INCOME – Special Items

	£
<b>Corporate Charity Donation</b>	
CSiS Charity Fund	9a <u>10,000</u>

(a) Please refer to “Donations and Fund Raising” in the Chair’s Report in the first section of this report, for further information on this donation.

### 10. PRIOR YEAR ADJUSTMENT

Whilst preparing these accounts we found that for the previous accounting period, year ended 2013, we had incorrectly reported the figure for staff salaries. An amount of £678, paid in 2013, related to an invoice from 2012, but was not treated correctly in the 2012 and 2013 accounts. We have therefore made a Prior Year Adjustment, and this is reflected in the relevant funds. The effect of this is to make the figure for 2013 salaries the same as 2014.

# CONSTITUTION

(Formulated by the 1956 AGM; last amended by the 2014 AGM)

## 1. Name

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

## 2. Objects

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

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

## 3. Political Fund

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

## 4. Membership Eligibility

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

- (v) *Those who wish to find employment as defined in clause 4(a)(i) and have obtained an appropriate qualification but who have never found such employment.*
- (vi) *Persons from time to time designated by the NEC.*

## (b) Professional Associate Members shall be:

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

## (c) Associate members shall be:

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

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

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

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

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

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

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

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

## 5. Subscriptions

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

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

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

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

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

#### 6. Conduct of Meetings

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

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

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

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

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

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

#### 7. Voting

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

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

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

(d) In all ballots under Section 28 on disputes any members who will be called on to act in the industrial action in question shall be entitled to one vote, but no other members shall be entitled to vote.

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

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

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

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

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

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

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

#### 8. President and Vice-Presidents

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

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

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

#### 9. Officers

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

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

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

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

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

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

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

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

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

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

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

#### 10. Trustees

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

(b) The trustees shall not be:

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

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

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

#### 11. Officials and Administrative Staff

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

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

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

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

## 12. Appointment of Employees

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

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

## 13. General Meetings

- (a) A General Meeting shall be the supreme policy making body of the Association.
- (b) All members may attend General Meetings. Only full and professional associate members may take part in debate except by permission of the chair.
- (c) A General Meeting shall be quorate when 5% of full members and representation from at least 15 branches are registered not later than a date fixed by the NEC. Sessions of General Meetings shall be quorate when 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, a representative of each branch of the Association and two black members elected in accordance with clause 16(c).

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

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

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

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

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

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

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

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

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

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

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

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

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

#### 17. Committees of the NEC

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

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

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

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

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

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

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

#### 18. Equal Rights Committee

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

#### 19. Anti-Racism

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

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

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

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

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

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

## 20. Negotiating Committees

### (a) Probation Negotiating Committee

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

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

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

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

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

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

### (b) Cafcass Negotiating Committee

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

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

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

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

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

(vi) When a referral is made under clause 20(b)(v) the Section shall be instructed to hold an e-ballot of all members of the Section within twenty-eight days to consider the question referred. The agreement or offer shall be ratified if a majority of full members supports it. The General Secretary shall confirm with the Section the details of the voting.

## 21. Branches

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## 22. Workplace Meetings

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

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

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

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

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

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

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

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

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

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

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

## 23. Sections

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

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

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

## 24. Expenses

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

## 25. Representation of Members

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

## 26. Legal Assistance

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

## 27. Benevolent Funds

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

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

(c) In exercising its power under the preceding clause the NEC shall specify such terms of appointment as it may consider to be appropriate having due regard for the interests of the beneficiaries of the fund.

(d) The NEC shall have the power to set up and maintain other benevolent funds to assist those in need who are present or former probation staff or their dependants or those eligible for membership of the Association or their dependants.

## 28. Disputes Procedure

### (a) NATIONAL

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

### (b) LOCAL

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

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

## 29. Disciplinary Action

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

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

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

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

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

(i) the full disciplinary procedure shall consist of:

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

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

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

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

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

The General Secretary shall be informed of the decision.

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

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

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

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

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

### 30. Amendments

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

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

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

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

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

### 31. Dissolution

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

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

AND

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

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

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

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

EITHER

- (i) be realised and divided among all full and retired full members in proportion to their respective lengths of membership;

OR

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

## **APPENDIX A**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

If the various proposers and 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 2015**

CHESHIRE & GREATER MANCHESTER

CUMBRIA & LANCASHIRE

DURHAM TEES VALLEY

EAST ANGLIA

EAST COAST

EAST MIDLANDS

ESSEX

HAMPSHIRE & ISLE OF WIGHT

KENT, SURRY & SUSSEX

LONDON

MERSEYSIDE

Napo CYMRU

NORTHERN IRELAND

NORTHUMBRIA

SOUTH YORKSHIRE

STAFFORDSHIRE & WEST MIDLANDS

THAMES VALLEY

THE FOUR SHIRES

THE MERCIA

WESTERN

WEST YORKSHIRE

SOUTH SOUTHWESTERN

.....  
FAMILY COURT SECTION

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

North West / Cheshire and Greater Manchester

North West / Cumbria & Lancashire

North East / Durham Tees Valley

South East / Norfolk and Suffolk

North East / Humberside, Lincolnshire and North Yorkshire

Midlands / Derbyshire, Leicestershire, Nottinghamshire and Rutland

South East / Essex

South West / Hampshire and Isle of Wight

South East / Kent, Surrey and Sussex

London / London

North West / Merseyside

Wales / Wales

Northern Ireland Probation Board

North East / Northumbria

North East / South Yorkshire

Midlands / Staffordshire and West Midlands

South West / Thames Valley

South East / Bedfordshire, Cambridgeshire, Hertfordshire and Northamptonshire

Midlands / Warwickshire and West Mercia

South West / Bristol, Gloucestershire, Somerset and Wiltshire

North East / West Yorkshire

South West / Dorset and Devon & Cornwall

.....  
**Cafcass**

## **DISCIPLINARY RULES**

### **Definitions**

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

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

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

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

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

### **General**

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

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

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

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

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

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

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

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

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

### **Preliminary Stages**

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

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

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

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

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

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

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

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

### **Investigation**

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

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

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

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

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

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

### **Disciplinary Hearing**

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

## 5.2 PRE-HEARING

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

## 5.3 THE HEARING

- (a) The Chair of the Panel shall open the hearing by reading the statement of complaint.
- (b) The person presenting the complaint against the member may make an opening statement. She or he shall then present the case against the member by calling witnesses and submitting documents.
- (c) Witnesses called may be questioned after they have given their evidence by the member and by the panel. The presenter may re-question the witness dealing only with matters raised by the member or by the panel.
- (d) The member shall then present their case in a manner similar to that which is contained in Rules 5.3(b) and (c) above.
- (e) When all the evidence has been given the presenter followed by the member shall be given the opportunity to sum up their respective cases.
- (f) The Panel shall then withdraw to deliberate in private recalling the parties only to clarify points arising from evidence already given. If recall is necessary both parties shall be recalled.
- (g) The Panel shall decide by a majority vote on the basis of the evidence produced whether or not the member has, beyond reasonable doubt, acted in a way which seriously prejudices the interests of the Association and/or is contrary to its objects. The hearing shall re-convene and the Chair shall announce the Panel's decision giving the voting figures.
- (h) If the complaint has not been upheld that is the end of the disciplinary process and any suspension imposed on the member shall be withdrawn.
- (i) If the complaint has been upheld the member shall be invited to address the Panel on the question of the appropriate penalty. The Panel shall then withdraw to consider the penalty. The Panel shall select one of the alternatives contained in clause 29(1) namely:
- either-* impose a written warning as to future conduct,
  - or-* disqualify from office in the Association for up to three years,
  - or-* recommend to the NEC that the member be expelled from the Association. The hearing shall then re-convene and the Chair shall announce the Panel's decision. Any penalty imposed under clause 29(1)(i) or (ii) shall take effect immediately and any suspension imposed on the member shall be withdrawn. If the Panel decides to recommend to the NEC that the member be expelled from the Association under clause 29(1)(iii), any suspension shall remain in force pending the decision of the NEC.
- (j) The Disciplinary Panel shall complete its work within 30 working days of the receipt of information under Rule 6.1.

## 5.4 POST-HEARING

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

## Right of Appeal to NEC

- 6.1 A member who has been deemed by the Disciplinary Panel to have been guilty of conduct as defined in clause 29(a) and has been dealt with in accordance with clause 29(1) may appeal against one or both of those decisions to the NEC.
- 6.2 The appeal will be heard by a panel selected by the General Secretary consisting of five branch NEC representatives who have not been involved in the case.
- 6.3 The appeal hearing will be a re-hearing of the case and new evidence will be admitted from either side.
- 6.4 The procedure of the appeal will be as outlined in Rules 5.2 and 5.3. The powers of the Appeals Panel will be to either dismiss the case or uphold the finding of guilt and either confirm or reduce the penalty imposed.
- 6.5 The findings of the Appeals Panel will be announced by its Chair immediately and then notified in writing within five working days to the member, the Chair of the member's branch and the General Secretary.
- 6.6 The findings of the Appeals Panel shall be final.

## Procedure at the NEC when Expulsion is being Considered

- 7.1 The Chair of the Disciplinary Panel shall report to the NEC on the Panel's deliberations, findings and decision. At the conclusion of the report the member and members of the NEC shall be invited to ask questions of the Chair of the Disciplinary Panel.
- 7.2 The member may then address the NEC. At the conclusion of the address members of the NEC shall be invited to ask questions of the member.
- 7.3 The Chair of the Disciplinary Panel and the member shall then withdraw from the meeting.
- 7.4 The NEC shall then debate the question of the expulsion of the member.
- 7.5 The NEC shall have the power to expel the member, impose any of the penalties contained in clause 29(1)(i) or (ii), or dismiss the case. Voting on the issue shall be by a hand vote. A decision to expel must be supported by at least two-thirds of the NEC members hearing the case.
- 7.6 In making a decision under Rule 7.5 any mandate given by a branch to a member of the NEC shall be deemed null and void.
- 7.7 When the NEC has reached a decision the member and the Chair of the Disciplinary Panel shall rejoin the meeting and the Chair of the NEC shall announce the result. Any resulting penalty shall take effect immediately. Any suspension imposed under Rule 3.7 shall be lifted as soon as the case is dismissed or any penalties take effect.

## **Post – NEC**

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

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

## **Right of Appeal to AGM**

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

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

9.3 The member may then address the AGM.

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

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

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

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

## **Post – NEC**

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

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

## **Right of Appeal to AGM**

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

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

9.3 The member may then address the AGM.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **1. General Rules**

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

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

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

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

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

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

## **NAPO ORGANISING FUND**

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

The arrangements for the Fund are as follows:

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

## Notes

## Notes

# OFFICERS AND STAFF OF THE ASSOCIATION

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## ELECTED OFFICERS 2014

Co-Chairs:	Chris Winters Yvonne Pattison
Vice-Chair (Cafcass):	Jay Barlow (Co-opted November 2014)
Vice Chairs (Probation):	Chas Berry Dave Adams Katie Lomas
Treasurer:	Keith Stokeld

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## STAFF

General Secretary:	Ian Lawrence
Assistant General Secretary:	Dean Rogers
National Officials:	Tania Bassett (Press, Parliamentary, Campaigns) Sarah Friday (Health and Safety) Mike McClelland (Professional, Training) Ranjit Singh (Trade Union Organisation)
ULR Manager (Wales):	Aziz Bouleghlimat
Finance Officer:	Theresa Boorman
Finance Assistant:	Liz Manville
Office Manager:	Keith Waldron
Administrators:	Alison Bonner (until February 2015) Anne Burbidge Annoesjka Valent Cynthia Griffith Jacqui Paryag Kath Falcon Margaret Pearce Shireena Suleman Taytula Burke

Napo  
4 Chilvalry Road  
Battersea  
London SW11 1HT