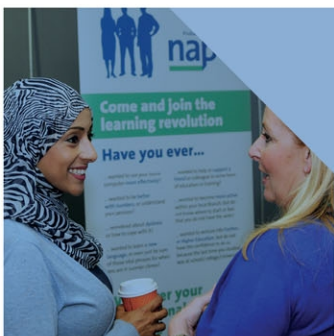


2012 – 13 Annual Report and Constitution



Annual Report and Constitution 2012/2013

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List of Abbreviations used in the Annual Report

<p>3G + 4G – 3rd + 4th Generation</p> <p>ABPO – Association of Black Probation Officers</p> <p>AGM – Annual General Meeting</p> <p>AGS – Assistant General Secretary</p> <p>APEL – Accreditation of Prior and Experiential Learning</p> <p>ARO – Anti-Racism Officer</p> <p>AT – Assistive Technology</p> <p>BME – Black and Minority Ethnic</p> <p>Cafcass – Children and Family Court Advisory and Support Service</p> <p>CB – Cross bencher</p> <p>CCC – Children Contact Centre</p> <p>CEO – Chief Executive Officer</p> <p>CJS – Criminal Justice System</p> <p>CPD – Continued Professional Development</p> <p>CV – Curriculum Vitae</p> <p>CP – Community Payback</p> <p>DfE – Department for Education</p> <p>DSE – Display Screen Equipment</p> <p>EDM – Early Day Motion</p> <p>EHRC – Equality and Human Rights Commission</p> <p>EIA – Equality Impact Assessment</p> <p>EIT – Early Intervention Team</p> <p>ERO – Equal Rights Officer</p> <p>ET – Employment Tribunal</p> <p>FCA – Family Court Adviser</p> <p>FCJ – Family Court Journal</p> <p>FCUPG – Family Court Unions’ Parliamentary Group</p> <p>FCPCTC – Family Court Professional Campaigning & Training Committee</p> <p>FDR – Fast Delivery Report</p> <p>FSC – Family Court Section</p> <p>FSW – Family Support Worker</p> <p>FTE – Full Time Equivalent</p> <p>GFTU – General Federation of Trade Unions</p> <p>GMB/SCOOP – The union GMB / Society of Chief Officers of Probation</p> <p>GSCC – General Social Care Council</p> <p>H&S – Health & Safety</p> <p>HCPC – Health and Care Professions Council</p> <p>HEI – Higher Education Institutions</p> <p>HMCS – Her Majesty’s Court Service</p> <p>HMI – Her Majesty’s Inspectorate</p> <p>HMP – Her Majesty’s Prison</p> <p>HR – Human Resources</p> <p>HSE – Health and Safety Executive</p> <p>HSSG – Health & Safety Steering Group</p> <p>ICCJ – Issues in Community and Criminal Justice</p> <p>ICT – Information and Communication Technology</p> <p>ISOH – Institution of Occupational Safety and Health</p> <p>IT – Information Technology</p> <p>JNCC – Joint Negotiating Consultation Committee</p> <p>JUPG – Justice Unions’ Parliamentary Group</p> <p>LAGIP – Lesbians, Gay Men, Bisexuals & Transgendered people in Probation and the Family Courts</p> <p>LGBT – Lesbian, Gay, Bi-Sexual & Transgender</p> <p>LGPS – Local Government Pension Scheme</p> <p>LPC – Learning Partnership Committee</p> <p>LPT – London Probation Trust</p> <p>MAPPA – Multi-Agency Public Protection Arrangements</p> <p>MP – Member of Parliament</p> <p>MoC – Management of Change</p> <p>MoJ – Ministry of Justice</p>	<p>NAAPS – National Association of Asian Probation Staff</p> <p>NAGALRO – National Association of Guardians ad Litem & Reporting Officers</p> <p>NDSN – National Disabled Staff Network</p> <p>NEC – National Executive Committee</p> <p>NewCo – New Company / new startup</p> <p>NNC – National Negotiating Council</p> <p>NOMS – National Offender Management Service</p> <p>NPC – National Partnership Committee</p> <p>NPS – National Probation Service</p> <p>NVQ – National Vocational Qualification</p> <p>OASys-R – Offender Assessment System-Revised</p> <p>OFF – Officer</p> <p>OFSTED – Office for Standards in Education, Children’s Services and Skills</p> <p>OM – Offender Management/Manager</p> <p>PA – Probation Association</p> <p>PAM – Professional Associate Member</p> <p>PbR – Payment by Results</p> <p>PCA – Probation Chiefs Association</p> <p>PCS – Public and Commercial Services union</p> <p>PO – Probation Officer</p> <p>POA – Prison Officers Association</p> <p>PQAB – Probation Qualifications Assurance Board</p> <p>PQF – Probation Qualifications Framework</p> <p>PSLG – Public Service Liaison Group</p> <p>PSO – Probation Service Officer</p> <p>PSQAP – Professional Standards and Qualifications Advisory Panel</p> <p>PTLLS – Preparing to teach in the Lifelong Learning Sector</p> <p>PTLA – Pathways to Learning for All</p> <p>RIDDOR – Reporting of Injuries, Diseases and Dangerous Occurrences Regulations, 1995</p> <p>RJ – Restorative Justice</p> <p>SA – Staff Association</p> <p>SALFA – Sustainable Access to Learning For All</p> <p>SARs – Specified Activity Requirements</p> <p>SAP – Systems Applications Product</p> <p>SBC – Specification, Benchmarking, Costings</p> <p>SCCOG – Standing Committee for Chief Officer Grades</p> <p>SEC – Section Executive Committee</p> <p>SFO – Serious Further Offence</p> <p>SEEDS – Skills for Effective Engagement, Development and Supervision</p> <p>SM – Service Manager</p> <p>SPO – Senior Probation Officer</p> <p>SSW – Student Social Worker</p> <p>SWMPT – Staffordshire and West Midlands Probation Trust</p> <p>TR – Transforming Rehabilitation</p> <p>T&S – Travel and Subsistence</p> <p>TPO – Trainee Probation Officer</p> <p>TUC – Trades Union Congress</p> <p>TUCG – Trade Union Coordinating Group</p> <p>TUPE – Transfer of Undertakings (Protection of Employment)</p> <p>TUO – Trade Union Organisation</p> <p>UHSS – Union Health & Safety Specialists</p> <p>ULR – Union Learning Rep</p> <p>ULF – Union Learning Fund</p> <p>UPW – Unpaid work</p> <p>ViSOR – Violent Offender and Sex Offender Register</p> <p>VQ – Vocational Qualifications</p> <p>WiN – Women in Napo</p>
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Annual Report

August 2012 to August 2013

Introduction

If a week is a long time in the world of Politics and Trade Unions then a year must represent the equivalent of eternity. Yet it only seems like yesterday that at this same juncture in 2012, Napo was looking forward to proudly celebrating its Centenary. And while we were already aware of the 'possible direction of travel for the Probation Service, the announcements on May 9th under the Government's social experiment known as 'Transforming Rehabilitation'(TR), left nobody who actually knows anything about Probation in any doubt that this Union and its members, were about to enter into the struggle of our lives.

By comparison with the last, the first few months of this year were something of an 'Annus Horribilis', with the departure of Jonathan Ledger (which I am unable to comment on beyond the statements that we issued to members and your National Executive at the time and afterwards) and our stalwart campaigner Harry Fletcher, who took up the reins at Paladin, the Anti-Stalking and Domestic Violence Charity. I thank them both for their massive contributions to the life and fabric of our union and our members in the Probation and Family Court Sections.

Such is the transient nature of leadership; presenting gaps to be filled and opportunities for others. That Napo moved quickly to prevent a vacuum without any impact on our operational capacity, speaks volumes for Tom Rendon who was ably supported throughout this testing period by your Officers and team of National Officials.

For my part, if someone had suggested to me last Autumn that within the space of a mere 9 months I would have the honour of becoming your General Secretary, then that notion would have been met with some amusement given the circumstances at the time.

That I went through a selection process to become 'Acting', and then a subsequent election for the job (which I thank Hugh Lanning for taking part in), has been an experience that I am obviously proud of but one which I also found very humbling.

We rightly celebrated our centenary year but since then we have been pulling out all the stops in defence of the ideological attack on Probation in addition to our ongoing resistance to budget cuts and higher than reasonable work loads in Cafcass.

We have also seen a significant defeat on the Government by way of a House of Lords vote against the Offender Rehabilitation Bill which is due back in the House of Commons this Autumn.

After last year's award of the London Community Payback contract to Serco we have sought to protect the interests of our members while at the same time actively taking opportunities to expose the shortcomings of this and other contractors in the Justice Sector such as G4S through the media and Parliament.

A year ago we were contemplating the impact of the Family Justice Review on the future of family work and the possible implications for Cafcass, including the transfer of their functions to the Ministry of Justice. At the time of writing this has not happened, largely because of the Justice Secretary's other obsession of making cuts to the legal aid system, which has been likened to poking one's finger into a hornets nest. Nevertheless, Napo remains committed to supporting our FCS members whenever and wherever they go, and the sight of 25 FCS members supporting a 'save probation' demo against would be privateers on a cold York morning showed me just how mistaken it would be to not do so.

Meanwhile Napo has tried to build bridges with the Senior Cafcass leadership and there are signs that this work is starting to pay dividends, despite the organisation's budget being slashed yet again and workloads continuing to place some staff under strain.

In spite of the massive and extremely stretching pressures that we have faced because of the TR agenda, Napo has still tried to undertake 'business as usual' and we have developed our social media links and launched a new website that will allow for improved interactivity between members.

But our resources are not limitless, and if we are to improve our services to members then the imperative of increasing our membership must remain firmly on the radar for the coming year.

Ever since I came on the scene five years ago it could easily be seen just how crucial the activities of our lay representatives are; but the Government's systemic attack on facilities time is a deliberate strategy to undermine us and make us ineffectual, but it wont work. For the efforts of our lay reps is the touchstone of what Napo has been about throughout its 101 year history, and which has been crucial to our effectiveness and success. Members can be grateful for their efforts.

This year we have welcomed Tania Bassett as the National Official covering Press, Parliament and Campaigns and she has very quickly made her mark on our vital campaigning agenda both in terms of securing opportunities for the union in the media, but also demonstrating that she is more than capable of being the new 'front face' for Napo when required.

Sadly, at this AGM we will be saying farewell to three of our Officers, Eve Chester and Caroline Bewley who have served with distinction and Tony Mercer, who has made a tenacious and passionate contribution to the Family Court Section. I am personally grateful to them for their support and counsel when I have needed it. That applies also to Lisa Robinson who resigned from her Joint National Chair position for personal reasons that happily she has now been able to put behind her.

I know that members will join me in thanking them for their hard work and wishing them well for the future.

Napo was again out in force to support the TUC Day of Protest last October which again demonstrated that despite our size, Napo are part of a wider movement encompassing millions of people who have the same fears, aspirations and desire to see a better world of work and let's face it - a better world.

The next 12 months will determine what shape Napo will be in as we move ahead to an uncertain future, but those who are intent on destroying our jobs, values and the communities we serve have massively underestimated us, hopefully at their peril.

Ian Lawrence, General Secretary

National Executive Committee

<i>Officers:</i>	Tom Rendon (Chair)/job share Co Chair with Lisa Robinson until April 2013 Caroline Bewley & Eve Chester (job share), Tony Mercer, Nick Smith, Megan Elliot (Vice-Chairs) Keith Stokeld (Treasurer)
<i>Branch Representatives:</i>	Each branch is entitled to send one of its two elected representatives to each NEC meeting
<i>NEC Black Reps:</i>	Richard Ogwang-Aguma (Greater London Branch) Maureen Vernon (Staffordshire and West Midlands)
<i>Officials:</i>	Jonathan Ledger (General Secretary) until January 2013 Ian Lawrence (Acting General Secretary) from February 2013 (General Secretary from July 2013) Harry Fletcher (Assistant General Secretary) until April 2013 Sarah Friday (National Official) Mike McClelland (National Official) Ranjit Singh (National Official) Tania Bazssett (National Official) from August 2013
<i>Administrator:</i>	Alison Bonner

1. **Meetings.** The NEC has met five times since the last annual report was written: in September and November of 2012 and February, April, July of 2013. 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 2012-13 were: Lisa Robinson (job share Co Chair till April 2013) and Tom Rendon – Chair, Tony Mercer (Cafcass), Megan Elliott (Northumbria), Caroline Bewley & Eve Chester (job share, Lancashire), Nick Smith (East Anglia) – Vice Chairs, and Keith Stokeld (Durham Tees Valley) – Treasurer.

3. **Black NEC representatives.** During the year black representative seats were filled by Richard Ogwang-Aguma (Greater London) and Maureen Vernon (Staffordshire and West Midlands).

4. **Employers issues.** Jonathan Ledger, General Secretary left in January 2013, having worked for Napo since 2002. Ian Lawrence was appointed Acting General Secretary in February and following election, was subsequently appointed General Secretary in July 2013. Harry Fletcher, Assistant General Secretary, left Napo in April 2013, having worked for Napo since 1983. The NEC wishes to record their appreciation for the valuable work that they have both undertaken for Napo and its membership.

5. In July 2013 Tania Bassett was appointed as National Official with responsibility for press, parliament and campaigns.

6. The NEC has been informed of the decision by the Officers to cease looking for alternative accommodation and explore the scope for further improvements to Chivalry Road.

7. **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 2012 are included in the annual report.

8. Further to the work commenced in 2010/11 Napo's financial procedures were approved at the September 2012 meeting of the NEC and are now operational.

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

- Durham Tees Valley – review of Approved Premises
- Family Court Section – remained in an on-going dispute over Workloads
- Hampshire and Isle of Wight – dispute regarding Health & Well Being policy.
- Kent – impact of pro-rata working which poses an impact on part time staff and flexible working.
- South Yorkshire – reached agreement on workloads, the redeployment procedure and sickness absence.
- Thames Valley – in dispute with regard to sickness absence policy.
- Trent (Nottinghamshire) – remains in dispute over Workloads.

10. **Motions.** During the year the NEC passed motions entitled:

- Foreign Nationals in Custody
- Proposed privatisation of the Probation Service
- Raising awareness within Probation Trust and Cafcass of the needs of individuals from the Gypsy and Traveller communities
- Stephen Lawrence

11. **Operational Plan and Strategic Objectives.** The November meeting of the NEC agreed Napo's operational Plan 2012-13 and it was sent to branches in BR101/2012. 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.

12. **National Disputes.** None to report at time of publication.

13. **Transforming Rehabilitation.** This is covered in more detail in the Campaigning Committee section of the annual report.

14. There have been fortnightly consultation meetings between the Probation Unions and the MoJ together with negotiations through the National Negotiating Council (NNC). A Joint Campaigning Protocol between Napo and UNISON was signed in July (BR 93/2012). The Chair and General Secretary have been sending weekly updates via email to all members directly, which has underpinned the regularly issued campaign bulletins.

15. The September NEC was due to receive a full report on developments and consider the next steps in the campaign.

16. **Napo Centenary.** The range of events and special celebrations was concluded by last year's excellent AGM 'all members' evening event, with a keynote speech by Brendan Barber, TUC General Secretary.

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 (Negotiations). The PSLG enables the unions to hold regular discussions about issues of common concern including cuts to jobs and services and privatisation threats. PSLG enables the unions to hold regular discussions about issues of common concern including cuts to jobs and services and privatisation threats.

18. Napo had a strong turnout on the 20 October TUC 'A Future that Works' march.

19. **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.

20. Napo continues to receive regular support and briefings from the Parliamentary Coordinator for the TUCG.

21. **Union Learning Fund.** The NEC receives regular reports via Training Committee and the Officers' Group on the work of the ULF projects in England and Wales. A report on the ULF projects is contained in the Training Committee section of the Annual Report.

22. **Staff Associations.** Regular meetings take place between the SAs and Napo. The SAs are invited to nominate members to join Napo's delegations at TUC equality conferences.

23. **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.

24. **Trade Union Congress (TUC).** Congress 2012 took place in Brighton. Napo's motions entitled 'Resisting the threat to Probation' and 'LASPO – a call for reform' were carried.

25. Napo's delegation to Congress in addition to the Chair and General Secretary included Tania Bassett (West Mercia), Keron Choudhury (Chiltern Counties), Helen Coley (South Western), and Janet Holton (Greater Manchester). A full report of the Congress was provided in Napo News.

26. 2013 Congress is taking place in Bournemouth and Napo is submitting motions entitled 'Saving the probation service' and 'The impact of legal aid cuts on family proceedings'.

27. **TUC Women's Conference.** Napo's delegation included Helen Coley (South Western), Patsy Leeman (Napo Cymru), Yvonne Pattison (North Yorkshire), and Sarah Wake (South Yorkshire). Napo's motion was entitled 'Tough – but not intelligent – the Government's sentencing plans'.

28. **TUC Black Workers Conference.** Napo's delegation included Ranjit Singh, National Official, Iqbal Bhogal (West Yorkshire), Urfan Amar (Thames Valley), and ChinChin Oyolu-Barker (Northumbria). Napo's motion was entitled 'Overrepresentation of Black people in the Criminal Justice System'.

29. **TUC Disabled Workers' Conference.** Napo's delegation included Charron Culnane (Greater London), Jennie Henstridge (Thames Valley), Alex Kliszewicz (Greater London) and Frances Webster (Napo Cymru). Napo's motion was entitled 'Keep Probation Public'.

30. **TUC Lesbian Gay Bisexual and Trans Conference (LGBT).** Napo's delegation included Janet Holton (Greater Manchester), Shirley Anderson (Northumbria), Megan Key (Staffordshire and West Midlands), and Angela Thompson (Staffordshire and West Midlands). Napo's motion was entitled 'Ex-Gay Adverts on London Buses'.

Cafcass Negotiating Committee

Members: Jay Barlow (Cafcass South area)
Mick Barry (Cafcass Central area)
Martin Collins (Cafcass North area)
Christine Dyson (Cafcass South area)
Sue Hassall (Cafcass)
Steve Hornby (Cafcass North area)
Nicola Kenney (Cafcass Central area)

Officer: Tony Mercer (Vice Chair Cafcass) Committee Chair

Official: Ian Lawrence (Assistant General Secretary) until April 2013
Sarah Friday (National Official) from April 2013

Administrator: Cynthia Griffith

31. **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 Torquay National Napo Centenary AGM Conference on 4 October 2012. The membership of the Committee is set out in the FCS Constitution. It has not been possible to fill the Service Manager Representative position this year.

32. **Meetings.** The Committee has met on four occasions at the time of writing and has a further meeting scheduled for 12 September 2013. This meeting will be combined with a FCS Executive Committee meeting to make the most efficient use of the Section's resources and it is envisaged that this will be the pattern for future meetings.

33. In addition, the National Vice Chair, National Official and the FCS Co Chair(s) meet with their UNISON counterparts before the Cafcass Operational National Partnership Committee (NPC) meetings and the Committee meets with its UNISON counterpart before the Cafcass Strategic NPC meetings which is open to all Committee members.

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

35. **2012 AGM Resolutions.** Three motions were allocated to the Committee:

- a. Workloads in Cafcass – which is addressed in this report under Workloads;
- b. Protecting our Members – which is addressed in this report under Attendance Policy;
- c. Defending National Pay Rates – which is not currently an issue in Cafcass.

36. **Workloads.** The 2012 AGM motion on workloads gave Cafcass three months.

- to ensure that at least 75% of practitioners in all teams have workload weighting scores that put them in “green” (indicating a “reasonable” workload) or below;
- to give prompt workload relief to practitioners who enter “high amber/high red” in order to bring their caseloads down to manageable levels;
- to demonstrate that staff are working their contractual hours or allow the Joint Trade Union Side’s claim for overtime payments.

37. And gave the SEC permission to hold an industrial action ballot if Cafcass failed to deliver any of these outcomes.

38. In the event Cafcass did not actually deliver any of these outcomes by the three month deadline. After serious deliberation, however, the SEC decided not to hold a ballot for two reasons:

- There was at last an acknowledgement by Cafcass of the three problem areas outlined in the motion and an unprecedented willingness to move towards a resolution through the Workloads Sub Committee;
- The SEC assessed the chances of convincingly winning an industrial action ballot in February 2013 as poor and believed that losing the ballot would have been disastrous to Napo’s negotiating position.

39. **Members’ Questionnaire.** The SEC sent a questionnaire on workloads, allocations and local workplace culture to all FCS members between December 2012 and March 2013. The full results were sent to the Management Side of the NPC and a summary was printed in the May edition of Napo News.

40. **Workload Weighting Scheme.** Many of the responses to the questionnaire to do with the perceived failings of the Workload Weighting Scheme were raised by the Committee reps on the Workload Sub Committee, which we have maintained as a standing Committee constantly to monitor and revise the Workload Weighting Tool and the guidance that accompanies the allocation process, to ensure that the scheme reflects the work that practitioners are doing as accurately as possible. There have been recent adjustments to the triggers for scoring points in both public and private law cases and moves to better capture the work of Early Intervention Teams (EITs). There is also outline agreement for a new time recording exercise to concentrate on the work done by EITs.

41. The Committee has concentrated on identifying teams where over 25% of the practitioners have been stuck in High Amber/High Red for unacceptable periods of time and has pressurised Cafcass into taking remedial measures where teams and/or individuals are in this situation. Cafcass have agreed to report back to the NPC on overworking hotspots that have been identified and any remedial action that they have initiated. The Committee will monitor this situation in liaison with FCS activists on the ground.

42. **Review of Human Resources Policies.**

- **Travel & Subsistence** – Napo and UNISON successfully negotiated a new T&S policy with Cafcass, which was endorsed by FCS members in an indicative e-ballot. The significant advantage of this policy is that staff are able to claim all business journeys from their homes in full so long as the destination is not within a 3 mile radius of their designated office bases. In addition even if the business journey is within the three mile radius and the member of staff needs to pay for car-parking, Cafcass will reimburse this expense and cover the tax liability. Cafcass has set these improvements in travel allowances against reductions and restrictions in subsistence claims. The Committee, however, believes that the majority of our members will gain substantially more than they will lose through this policy.
- **Attendance** – The punitive and oppressive nature of Cafcass’s first draft of a policy to replace the existing Management of Sickness Absence policy had so incensed the Committee, coinciding as it did with the deaths in service of three FCS members, that the Chair of Committee personally seconded the AGM Motion “Protecting Our Members” which commits Napo to fighting management abuse of Sickness Absence and Performance Management Procedures. When Committee negotiators met HR Reps about this draft Attendance Policy in October 2012, we found that they had helpfully taken on board virtually all Napo’s concerns about their original proposals and produced a new draft which we were able to recommend to the members. The Cafcass Unions and Management signed-off this new Attendance Policy at an NPC meeting on 26 February.
- **Employee Relations** – it is proposed that this policy will combine existing disciplinary, grievance, capability and dignity and work policies. Again the Committee was very unhappy with the first draft of this policy and were concerned to ensure that the new policy is clear and easily accessible to staff, that the Dignity at Work element remains a discrete procedure, addressing bullying and harassment and that corporate platitudes are published elsewhere. Napo and UNISON’s offer to redraft this policy has been accepted by Cafcass and we hope to agree it later this year.

43. **Cafcass Budget 2013-2014.** Cafcass has had its annual budget from the Department for Education (DfE) cut from last year’s £127.2 million to £125.1 million for 2013-2014, which is less of a cut than was feared. Cafcass Management has said that it has already planned to make the £5/6 million actual savings that this budget will require without making any front-line staff redundant.

44. **Trade Union Facility Time.** Cafcass Management seems to have kept the Cabinet Office at arm’s length in terms of their original proposals to reduce TU facility time in Cafcass, but it has still had to make a substantial cut. Napo Family Court Section’s facility time has been reduced from 2.3 FTE posts to 1.8 FTE. This has now been shared between the two Co-Chairs and the National Vice Chair, who operate a duty rota for all individual representations in the Section and use a representation request form to ensure that members promptly receive the appropriate level of representation. The NPC will monitor the allocation of facility time to ensure that the trade union reps can carry out their duties.

45. **Pay Claim 2012-2013.** Napo and Unison are in the process of finalising a pay claim for 2012 – 2013 which will include a claim for 3% or £750 whichever is greater and a claim for overtime for persistent work over contractual hours. Cafcass has also given an indication that they may propose changing the current salary structure to a single point for each pay band in September (in response to the Government’s anticipated attack on pay progression in the Public Sector) and the introduction of 3 or 4 additional pay bands which could offer new career development opportunities for our members.

46. **Family Support Workers/Student Social Workers.** Last year all the Cafcass FSW grades were made redundant except for the remaining 20 who were being sponsored by Cafcass on social work training courses. As a consequence of anxieties voiced by FSW/SSWs who are about to return from their placements, the Committee has obtained assurances from Cafcass that these FSW/SSWs will be retained until they are fully qualified and able to secure FCA/Social Worker posts and that their roles, tasks and workloads will be governed by the student social worker/newly qualified social worker pathways.

47. **Office Closures.** After a meeting with the Estates Section, the Committee is much clearer about how changes in Government rules about the funding of public bodies' premises have recently brought about some speedy and unexpected office closures and about Cafcass's plans over the next two years.

48. **IT.** Following a long period of difficulty in accessing information about IT developments in Cafcass, the Committee is now involved in proper discussions with management about the implementation of the new IT strategy and will be able to consult members in an informed manner.

49. **Recruitment Campaign.** The leadership of the Section launched a membership recruitment campaign in June, which involves the Office Contacts approaching identified non-members individually with a customised FCS recruitment pack.

50. **Keeping Probation Public.** The Committee understands that if the Government succeeds in privatising 70% of probation work, Napo's continued existence as an independent trade union and professional association will be severely threatened and this has fundamental implications for the survival of the Family Court Section. Encouraging members of the Section to support Napo's campaign against the Government's Transforming Rehabilitation agenda has been a priority for all the Section's officers and Committees.

Campaigning Committee

<i>Members:</i>	Stuart Arrowsmith (Napo Cymru) Stephen Berry (Surrey and Sussex) Craig Douglas (East Anglia) Mark Ewington (Chiltern Counties) Jane Foster (Lancashire) resigned April 2013 Carolyn MacDonald (East Anglia) Yvonne Pattison (North Yorkshire) Committee Chair Richard Wakley (South Western)
<i>Officer:</i>	Megan Elliott (Vice Chair)
<i>Official:</i>	Harry Fletcher (Assistant General Secretary) until April 2013
<i>Administrator:</i>	Kath Falcon

51. **Membership.** Thanks are recorded to all members of the Committee including the Link Officer and Official. The Committee started the year with four members, with a further four members joining following the second round of nominations. Not all members could attend all three meetings for a variety of reasons, which made continuity of work difficult. It is hoped that this will improve next year.

52. Harry Fletcher, the Committee's Link Official, also left Napo at the end of April 2013. The Committee wishes to formally record its heartfelt thanks to Harry for the sterling work he has done for Napo in the press and parliament over his 30 years with the union.

53. **Overview.** As for the past three years, the major focus of Napo's campaigning in 2012/13 has been resistance to the privatisation of the Probation Service. The campaign gathered additional intensity this year however, following publication of the Transforming Rehabilitation consultation in January and then confirmation of the Government's plans on 9 May. The anti-privatisation campaigning work is reported on fully further on in this section. Although this has been the main focus of the committee's agenda for the year, a number of other issues have also been addressed.

54. **AGM Resolutions.** Four resolutions were referred to Campaigning Committee from the 2012 AGM.

55. **Combatting the Threats to Probation.** This has been the main focus of Napo's campaign work throughout the year (see below).

56. **Payment by Results Pilots.** Campaigning Committee was asked to try to ensure that the interests of members affected by the Payment by Results (PbR) pilots (which were closed down last Autumn) were protected. Opposition to PbR in Probation, particularly as the underpinning funding of the Transforming Rehabilitation proposals, was pivotal to the overall campaign; and Napo worked hard to discredit the rationale behind it and expose its failings in parliamentary briefings and in the press; and to rally opposition among MPs and Peers.

57. **Employment of ex-offenders.** Campaigning Committee was asked to engage with trusts and NOMS to ensure that they develop guidance on assisting and supporting suitable ex-offender applicants for jobs. It was agreed as a first step that all Trusts should be approached informing them of Napo's policy arising from the AGM resolution, and asking them what their Trust's views and policy were on the issue. To this end the Link Officer and Committee Chair wrote to all Branches asking them to report back on their trust's position. Arising out of this, Northumbria Probation was identified as having an exemplary policy, apart from not including a statement in job adverts on its position. The Committee will be circulating this to branches as a model of good practice.

58. **European Convention on Human Rights.** Campaigning Committee was asked, in partnership with Family Court Professional Campaigning and Training Committee (FCPCTC), to:

- restate publically Napo's unconditional support for the principle of human rights.
- affiliate Napo to the 'Common Values' campaign launched by Liberty and encourage branches, family court section, and individual members to do so.
- Collate and publicise examples of human rights being eroded.

The Committee met with the FCPCTC to discuss how to progress this and it was agreed to make sure that Napo was affiliated to Amnesty International and Human Rights Watch, as part of this commitment.

59. **Building Better Relationships Programme.** The Committee looked into the new domestic abuse programme, Building Better Relationships, after concerns were raised about lack of consultation with some victim groups. The investigation into this however indicated that extensive work with victim support groups had been undertaken. The Committee felt that the roll out of the programme should be monitored and this was referred to Professional Committee.

60. **Far Right groups.** Napo's campaigning work in this area had previously been headed by Tim Wilson in his role as national Chair. The Committee discussed this and felt that the lead on this work would be better undertaken by a Committee. It therefore reported to NEC that it would be keen to undertake this in conjunction with Equal Rights Committee. This work will be progressed by the new Committee next year.

61. **Campaign against the Transforming Rehabilitation Agenda.** As reported above, this campaign has dominated Campaigning Committee's agenda for the whole of the year.

62. The campaign to 'Save Probation' was launched at AGM in 2012 with the production of a series of 11 'Probation under Threat' briefings for parliamentarians. At that time the Government was expected to announce its future plans for Probation in November. This was in fact delayed until the January 2013; but Napo continued to campaign against the anticipated privatisation and an Early Day Motion, EDM 622, commending the work of the Probation Service, was tabled to draw support from MPs.

63. The Government's plans remained speculative until 9 January 2013, when the Green Paper on the future of the Probation Service was published indicating that the extent of the planned outsourcing would be 70% of the service's work, including work with all low and medium risk offenders.

64. Members were encouraged to continue to lobby their MPs to sign EDM 622; a parliamentary drop in event was organised on 23 January to brief MPs and scores of parliamentary questions were tabled by supportive MPs. Meetings were also held with the Opposition Justice Teams and with relevant organisation such as other justice sector unions and community and professional organisations, to gather support for the campaign.

65. Members were urged to meet MPs in their constituencies. Napo also encouraged support for the Government e-petition which had previously been lodged. At the time of writing the petition has 24,658 signatures. If it gathers 100,000 it will secure a debate in parliament.

66. A campaign strategy in the House of Lords was also developed, working with supportive Peers. This included the coordinated tabling of questions in order to secure a debate.

67. Napo responded to the Green Paper in February. The Government's response to the consultation was expected in March, however this too was delayed.

68. Napo tabled a second Early Day Motion, EDM 1084, when the first EDM had reached a laudable 128 supporting MPs, which made it the 7th best supported motion out of 1,116 tabled in that parliamentary session. The second EDM was much more hard hitting and expressed concern at the outsourcing plans.

69. The parliamentary pressure mounted culminating in two debates on oral questions in the Lords and a Backbenchers Debate in the Commons, secured by Labour MP George Mudie.

70. A national branch officers' meeting was organised by TUO Committee on 26 March and Campaigning Committee contributed to this in relation to developing effective campaigning strategies locally. At this meeting a privatisation campaign strategy was launched. This included a parliamentary strategy, the tabling of Parliamentary Questions, further EDMs, and securing debates; a press strategy of highlighting concerns on key issues in relation to the Government's plans; and a strategy for local action by branches, leafleting, organising lobbies and demonstrations, lobbying MPs and gathering support from other justice partner agencies locally. Campaign material for branches was produced including A2 placards, A4 posters and A5 leaflets and this was available at the meeting and to order.

71. It was agreed at the 26th March organising meeting to keep branches and members informed of the campaign strategy and progress through regular campaign bulletins and noted 'It is essential that local branches and members own the campaign and have a key role. Every campaign bulletin that goes out to members must contain a request for action from them'. To date 20 campaign bulletins have been produced over the period of the campaign.

72. Napo also pursued the agreed press strategy. This involved collecting case studies from members to enable the production of dossiers and press briefings. These included briefings on: concerns about the private sector run tagging contracts; difficulties relating to Payment by Results schemes; likely costs of the new punitive order and associated issues; the chaos of the privatised facilities management contract; concerns over IT arrangements; and the risks associated with private companies taking over the supervision of Medium Risk offenders.

73. Finally the long awaited announcement of the Government's Transforming Rehabilitation plans was made on 9 May. Branches had been primed to take immediate action with a model press release for their local media. Many branches organised 'spontaneous' protests. The National and local coverage of Napo's concerns was excellent and included live television appearances by Ian Lawrence and Tom Rendon, and set the stage for the next stage of a vigorous campaign in Parliament, with the public and organisationally within the union.

74. Over the period of the campaign since 9 May branches have given out over 60,000 of the national A5 leaflet to the public, with many branches producing their own excellent leaflets; protests have been organised at all the MoJ events for prospective bidders and at other conferences; and branches have petitioned, organised street stalls, demonstrations and other events.

75. In Parliament, campaigning has focussed on the Offender Rehabilitation Bill, also published on 9 May. Clause 12 of the Bill paves the way for privatisation.

76. The Bill started in the Lords and Napo met with and briefed supportive Cross Bench Peers, led by Lord Ramsbotham, and also the Opposition Front Bench led by Lord Beecham. The campaign received a huge boost on 25 June when an alliance of Labour and CB Peers secured an important amendment to the Bill in the form of a new Clause 1 which requires the approval of both Houses before any 'reform' of the Probation Service can take place. However, ministers re pushing ahead with their plans and Napo will continue to challenge them. At the same time a very damaging leaked 'restricted risk register' was revealed which showed that Ministers had been warned of the high risk of failure of the proposals and the unacceptably tight timeframe.

77. Immediately afterwards the Justice Select Committee convened an emergency session (as part of its work on justice reform) where Ian Lawrence gave verbal evidence on behalf of Napo.

78. A further boost came in July with the announcement of the findings of the independent investigation into overcharging by G4S and Serco on the electronic monitoring contract and the statement by the Justice Secretary that G4S was to be referred to the Serious Fraud Office and Serco had withdrawn its bid for a second contract. This resulted in extensive coverage on all the major news bulletins that evening involving the General Secretary.

79. Napo will be taking immediate steps to capitalise on both these opportunities to challenge and expose the Government's plans in parliament, the press and with the public; and to call for a moratorium on them until such time as all the risk are assessed and questions answered.

80. Napo has also commissioned specialist commercial lawyers to explore the scope for legal challenges and any possibility for judicial review. This is covered in more detail in the NEC section of the Annual Report.

81. We have of course also started work on the resolution calling for industrial action. The indicative ballot gave a good insight into the general feeling of members and whilst a higher turn out will be required in the future, we now have the result we need to proceed with a statutory ballot when this becomes necessary. Campaigning Committee will continue to work with Branches to help them activate their members to vote in favour of industrial action and give the government a strong message of resistance.

82. **Parliamentary Groups.** Napo is a member of three Parliamentary Groups: the Justice Unions' Group (JUPG), the Family Court Unions' Group (FCUPG) and the Drug and Alcohol Group.

83. The JUPG met regularly throughout the course of the year and was pivotal in coordinating the campaign against probation privatisation in both the Commons and the Lords and in furthering other campaign work in parliament. The group was also instrumental in bringing together all the justice unions and other partners in the justice system in a Justice in Meltdown parliamentary event on 5 June. This work is being developed and a Justice Sector Event was held by the Justice Forum on 29 July to extend the justice alliance to other campaigning organisations, lobby groups and other partners in the justice sector.

84. The FCUPG has been vital both as a lobbying outlet and as a forum to share the expertise of the family justice section of the unions (Napo and PCS) and of Simpson Millar, the family lawyers, who are also members and generous contributors, with parliamentarians.

85. The FCUPG however identified a need for the more active involvement of MPs and Peers. Parliamentarians do not seem to be as well informed on Family Courts issues as with other areas of the justice system. To remedy this FCUPG held a Family Justice in Crisis Summit in Parliament on 3 July.

86. Napo is still attending the Drug and Alcohol Group and intends to play a more active part in the future.

87. Over the course of the year MPs in the JUPG and FCUPG have facilitated Napo by putting down over 400 written parliamentary questions on a range of issues, but mostly connected to the anti-privatisation campaign.

88. **Press.** Over the course of the year Napo issued 40 press releases and received coverage in the national and local media, on national websites and national and local TV and radio. Following the departure of Harry Fletcher as main press spokesperson for Napo, General Secretary, Ian Lawrence has been interviewed live and as a prerecording by Sky News, BBC News, ITV News and Russia Today, and by BBC radio and BBC Radio Cymru.

89. **Briefings.** During the course of the year, to the time of writing, Napo produced a total of 50 briefing papers for the press and parliamentarians. These included: the 11 Probation Under Threat briefings launched at AGM 2012; a briefing on the Crime and Courts Bill in November 2012; a further briefing on the failings of the Probation Facilities Management Contract (December 2012); private briefings for officials in the Prime Minister's office; four briefings for the parliamentary drop in in January and six briefings for the parliamentary drop in in July; a major briefing on the risk of the private sector supervising individuals assessed as medium risk; briefings on sentencing, release, breach and recall for Peers oral question debates; briefings for the Opposition Justice Team and the Shadow Justice Secretary on Transforming Rehabilitation; and Napo's submission to the Justice in Meltdown Paper launched at the parliamentary event on 5 June.

90. **Napo News.** The number of printed issues was reduced from 10 to eight (with two 16 page issues) from January 2013. This was to achieve savings in line with the union's finance review. However, this was compensated for by the development of an online version of the newsletter – Napo News Online, which went live on 1 May. There were no developmental costs attached to this, as the work was done in-house using free software. Members have been asked if they wish to continue receiving a printed copy of the newsletter through the post. The majority of members have chosen not to which means that the print run, and more importantly the cost of postage, have been significantly reduced. These savings have been partly used to fund the development of a new format for the Napo website to make it easier to navigate, more accessible and more interactive. So far Napo News Online, which is updated regularly between publication of the printed Napo News, has received 5,000 hits. Napo will be working hard to promote the online publication with members and more widely.

91. Napo News and Napo News online continue to strive to make sure the publications reflect the diversity of Napo's membership. We also welcome contributions and comments from members. Contact editorial@napo.org.uk

Editorial Board Probation Journal

<i>Members:</i>	Lol Burke (Merseyside) Editor Emma Cluley (Greater Manchester) Managing Editor Hindpal Singh Bhui (Greater London) resigned July 2013 Steve Collett (Cheshire/Retired) Liz Dixon (Greater London) Eleanor Fellowes (Greater London) Olivia Henry (Avon and Somerset) Peter Marston (Cumbria) Book Editor Kerry McCarthy (Greater London) Fergus McNeill (Universities of Glasgow and Strathclyde) Robin Tuddenham (Greater London)
<i>Officer:</i>	Keith Stokeld (Treasurer, ex-officio)

92. **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.

93. Usage

- There were **78,015** downloads of articles in 2012.
- The most downloaded article in 2012 was Taylor's *Outside the outsiders: Media representations of drug use* which was downloaded 1,262 times.
- **2,519** institutions worldwide now have access through sales to library consortia, an increase of 17% over 2011.

94. **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 **£34,374**. This figure was **£9,766** higher than last year's return.

95. A key development this year has been the confirmation of the partnership with the **European Journal** of probation after almost two years of careful deliberation and consultation. Under the partnership, the two journals will be bundled together for the institutional market, thus enabling libraries to access both titles for a modest increase in Probation journal price. Key benefits to Napo and Probation Journal are:

- Increased revenue (Napo's royalty will be payable on the new, increased price).
- Increased international profile for Probation Journal.
- Cooperation between the two publications rather than competition, in terms of attracting submissions.
- Napo members will have access to European Journal of Probation in addition to the 25 other Sage Criminology and Criminal Justice journals as negotiated under the terms of the renewed contract in 2012.

96. The partnership will be announced at the European Society of Criminology Conference in September.

97. **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 practitioners, 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.

98. **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.

99. 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 child protection; personality disorders; offender engagement and compliance; risk assessment tools and processes; managing child sexual offenders; mindfulness training; working with South Asian male perpetrators of domestic violence; enforcement of community orders,

100. It was particularly pleasing that the Best paper prize was awarded to a current practitioner for the first time – Shelly-Anne McDermott (London Probation Trust) for her article *Counterfeit DVD street sellers: Serious career criminals or individuals in a cycle of deprivation*.

101. The special edition entitled *Opening up the market in criminal justice* was extremely well received and attracted a high quality of submissions. The edition came out on the same day as the Transforming Rehabilitation proposals and as such it received considerable attention and was aggressively promoted by sage via social media sites. It was also made available as a free download which also enhanced its coverage. The planned 2013 edition will be a collection of papers broadly based on the presentations from the Napo centenary conference and will be entitled *Probation Innovation: Past, present and future*.

102. 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.

103. **Issues in Community and Criminal Justice.** There were no monographs published in 2012 and as a result it was decided to restructure the editorial arrangements for the series in order to breathe some new life into it. This has resulted in two potential submissions one of which is planned for publication in late 2013.

104. **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>	Stella Alabi (Leicester and Rutland) Ken Boyall (Lincolnshire/Retired) Charron Culnane (Greater London Branch) Chair David Quarumby (West Yorkshire/Retired) Ros Kamara (North Yorkshire) Alyson Mannion (South Western) Chinchin Oyolu-Barker (Northumbria) Pervez Sadiq (Trent)
<i>Officer:</i>	Megan Elliott (Vice Chair)
<i>Official:</i>	Ranjit Singh (National Official)
<i>Administrator:</i>	Shireena Suleman

105. It has been a busy year and this Committee has worked hard to deliver on our priorities. Thanks are extended to all the Committee members for their hard work throughout the year including the Link Officer, Official and Administrator.

106. **AGM Resolutions.** The Committee was allocated the following resolutions from AGM 2012:

- i) Napo and the Ageing Workforce. The purpose of this resolution was to help eliminate ageism in the workplace. To understand the issue further and as it relates to Napo members. A survey has been designed which will be sent out to members to enable us to collect evidence of how an ageing workforce is impacting on members, this information will be used to inform what further appropriate guidance is required.
- ii) Impact of Cuts on the Equality Agenda. The Committee is arranging for members to provide Napo with case studies which provide examples of how the cuts are directly impacting on the equalities agenda. The case studies provided by members will help to identify which areas of Equality Practice are most under threat so we can target campaigns effectively. The Committee is also consulting with the Staff Associations to this end, and working with the Officers and Officials to ensure that equalities are part of the bargaining agenda.
- iii) Dyslexia Awareness Training. Marilyn Owens, Union Learning Fund Manager, attended the Committee meeting in March 2013 and provided an update on the work of Napo's Union Learning Fund and the work it has done to raise awareness of Dyslexia. The Napo ULF Project has delivered Dyslexia Training which has now been rolled out in 16 trusts at the time of writing with more expressing interest. The Committee wants to express thanks to Marilyn and all of the Union Learning Reps involved in this undertaking and for making it such a success.

107. **Review of Monitoring Guidelines.** Napo is committed to ensuring all meetings are inclusive and supportive environments. We promote non discriminatory behaviour and content and challenge abusive or offensive behaviour whilst also recognising that our members come from diverse backgrounds with different experiences. The process we use to promote equality is Monitoring. The Committee provides monitors for NEC and is actively involved in monitoring AGM. The Monitoring Guidelines have been discussed and are in the process of being updated in line with recent legislative and constitutional changes.

108. Many branches have no local monitoring arrangements. The Committee is obtaining some examples of good practice and monitoring statements for inclusion in the updated monitoring guidelines.

109. We are holding a fringe meeting to introduce monitors and monitoring to members at AGM in order to raise awareness and promote engagement.

110. **Recording Equality Data of Speakers at AGM.** The Committee has undertaken to develop a monitoring form that allows a more accurate reflection of the diversity of our AGM speakers than is currently available. A proposal will be made available for discussion at NEC.

111. **Race.** Lively discussions have been held around how people self identify and whether labels such as BME still reflect members' ethnicity accurately. This debate has become even more relevant by NOMS seeking to merge the Staff Associations (ABPO and NAAPs) for Black and Asian staff members. After fighting for autonomy many people view this as a regressive step and indicative of the current Government's attitudes towards 'equalities' in the context of scarce resources. We hope our AGM motion will stimulate debate and promote greater inclusion for our Black, Asian, Minority Ethnic and Dual and/or Multi Heritage members.

112. The Link Official met with Nick Knowles from Hope not Hate to whom Napo is affiliated. Hope not Hate has been invited to the 2013 AGM to run a workshop for TUO Committee. The Napo website will be kept updated with links to Hope not Hate.

113. The Committee alongside Campaigning Committee will take on oversight of the campaign against the Far Right.

114. **Disability.** The Link Officer and Committee Chair attended the National Disabled Staff Network (NDSN) conference on 25/26 March which provided an excellent opportunity to liaise with their members regarding the Age survey and gain insight into areas where cuts are biting into the Equalities agenda. One member reported her Trust had disbanded their Equalities unit. As this was a large metropolitan trust covering all aspects of diversity in its area this is an ominous portent for the future.

115. Serco were discussed in relation to reasonable adjustments for service users. It appears from their Equality Impact Assessment that these will be made 'on site' to fit need. The Committee feels this is woefully inadequate and could in fact be a potentially dangerous breach of Health and Safety regulations. Reasonable adjustments need to be made at the assessment stage for service users so they are allocated to appropriate projects with the relevant support already in place. Again this does not bode well if fragmentation of the service continues.

116. One of the resolutions from last year went to Health and Safety Committee, pertaining to Trusts redesigning offices without consulting any Assistive Technology users who might be adversely affected. This has left otherwise fully functioning staff unable to undertake their work as effectively. We have been working with Health and Safety Committee to move this work forward alongside the other resolution regarding the lack of connectivity with new IT processes and Assistive Technology. This is especially germane to the OASys-R rollout and the new National DELIUS system both of which have effectively disabled some AT systems and their users.

117. **Lesbian, Gay, Bisexual and Transgender.** The Committee was asked to consider if any other Pride marches/events in other parts of the country attracted Napo funding. It was felt that events in areas where there were sizeable local Napo branches were probably contributed to by the branch but we were concerned by what might be happening in areas where branch funds are limited. This Information will be sought in collaboration with LAGIP colleagues to explore this matter further in order to maximise inclusion in future.

118. **Women in Napo.** The WiN conference was held in Cardiff on 7th June 2013. It was a great success but highlighted that although women make up the majority of our membership this is not yet reflected by our National Officials. Although recently we have seen higher numbers of women in National Officer roles it can still be difficult for women to feel enabled to stand for National positions. The Women in Napo fringe meeting at AGM will focus on how the women's planning and strategy group, Women in Napo and ERC can together take forward the objectives outlined in the two year plan. ERC would like to thank Napo Cymru and the planning committee for all their hard work and would also like to thank Lauren Salerno and Lisa Robinson for their vision and their hard work.

119. **TUC Equality Conferences.** Napo filled all its places for delegates for this year's TUC Equalities conferences: Black Workers', Disabled Workers', LGB &T, and Women's Conference. Napo also had the opportunity to send a number of guests to these conferences. The majority of attendees were there for the first time and Napo had a number of first time speakers proposing motions, which were all resoundingly passed.

120. **Napo Policies.** The General Federation of Trade Unions (GFTU) has been commissioned to produce a single policy covering all of the protected characteristics. An initial draft has been received and reviewed. The Committee has discussed it and have proposed changes and the Link Official is also continuing discussions with the GFTU. The Committee will maintain editorial control over the end product.

121. **Annual Report Pro Forma.** The Committee has been engaged in redesigning the annual pro forma sent out to branches to collect data relating to promoting and supporting members with protected characteristics. These forms will be used in future and the Committee hopes these new forms will lead to a greater response from branches and result in better data collection.

122. **Website.** The proposed Equalities website page has been agreed and next year's Committee members will be asked to provide brief individual profiles to include on the website.

123. **Training.** Apart from the Disability Training scheduled to take place in late October all the Equality Training courses have run and have been well attended. The Monitors' training will take place in September.

Family Court Professional Campaigning and Training Committee

- Members:* Peter Barker (Cafcass Central area/Retired) ex officio
Janet Breeze (Cafcass South area/Retired)*
Margaret Burns (Cafcass Central area) *
Sherry Garnham (Cafcass South area)
Veronica Gayle (Cafcass Central area)
Jim Kelly (Cafcass North area/Retired) *
Tim Kilsby (Cafcass South area)
Brian Kirby (Editor Family Court Journal) ex Officio*
Jo McGregor (Cafcass Central area)
Andy Stanton (Cafcass Central area/Retired) Committee Chair*
- Officer:* Tony Mercer (Vice Chair Cafcass)
- Official:* Sarah Friday (National Official)
- Administrator:* Jacqui Paryag
* on the Family Court Journal Editorial Board

124. Since the last Annual Report the name and function of this Committee has changed to manage those aspects of Napo policy that are peculiar to Family Court Work. The Committee is also responsible for overseeing the work of the Family Court Editorial Board. There has also been a change in accountability in that the Committee reports to the Family Court Section Executive Committee (SEC) rather than the National Executive Committee, and that the membership of this committee is approved by the SEC.

125. The Committee consists of members appointed to serve on the Committee and the Family Court Editorial Board. The Committee formally meets three times during the year. However, it was agreed at the meeting in November 2012 that as previously the Committee would remain in permanent session throughout the year and conduct its affairs by email. This means that a significant amount has been achieved this year.

126. **Professional Conference.** During the year the Committee organised the annual Family Court Conference held in York on 23rd May. The theme of the conference was "Professional Values v Political Expedience". We had presentations by barrister Lucy Reed on litigants in person, and Judge Nicholas Crichton on the Wells Street Project. In the afternoon we had two workshop sessions on five topics. In all 79 members attended.

127. In organising this year's conference we consolidated on the success of the 2012 conference, and we started planning it early. Last year the Committee decided not to wait until next year's Committee is convened in November 2012 before arranging next year's conference. The 2014 Family Court Conference will be held mid May again in York and the theme yet to be decided.

128. **Parliamentary Reviews.** During the year the Committee has made responses to a number of published reports and consultations both as the Committee which considers Family Justice issues and with partnership organisations, particularly the Interdisciplinary Alliance for Children. This year has been marked by the move towards legislating those changes about which we have raised concerns. Last autumn there was a consultation on the Children and Family Bill and the Committee through the Family Court Unions Parliamentary Group was instrumental in issuing briefing notes for Members of Parliament.

129. The Committee also issued concerns about what is all but a wholesale withdrawal of legal aid from family law work. This not only makes the progression of cases in vexatious or litigious cases almost unmanageable but it also exposes vulnerable parents (almost always women) completely unsupported to confrontations with their abusers in Court. We note that the early indications are that cases in private law are becoming unmanageable and the Government are finding that they will need to review this law.

130. The Committee has taken the role of liaising with the Family Court Unions Parliamentary Group in their role as campaigning for genuinely child focused legislation.

131. **Professional Guidance.** Following the work on introducing guidance on professional standards in Family Courts the Committee has expanded this guidance to include guidance on working with litigants in person. This work was completed by and available at the York Conference in May. Again we are indebted to our partners Simpson Millar for the legal guidance they provided in this piece of work.

The Committee have identified two further areas in which members might need guidance:

1. In identifying the limits of their expertise in family proceedings and when it is appropriate to call for an expert assessment.
2. The vexed question of when a threat of violence is experienced as real.

132. **Campaigning.** The Committee is now Napo's briefs Napo's voice when briefing the Family Court Unions Parliamentary Group (FCUPG). The Committee also sends a delegate to the Interdisciplinary Alliance for Children and has considered and advised the officers group on associating Napo with their submissions that appear from time to time.

With respect to campaigning there are a number of pieces of work in progress. The Committee are seeking examples and evidence with respect to the following issues:-

1. The funding and supporting of Children Contact Centres (CCC). Napo's concern in the absence of coherent legal advice in Private Family Court and in the absence of a risk assessment from suitably trained person that there are significant problems created for CCCs. Napo recognises that the provision of CCCs around the country is inconsistent and that this sector is almost entirely populated by voluntary support. CCC's and their staff need better recognition, better support and proper funding.
2. Bedroom Tax. There is initial evidence to suggest that parents keeping a bedroom for the purpose of direct overnight contact are being penalised by the bedroom tax. Again we are compiling examples and intend to campaign both through FCUPG and by press releases pointing out how this step (the bedroom tax) effectively compromises another flagship of Government policy (shared parenting).

133. **Family Court Journal.** The Committee also has responsibility for oversight of the publishing the Family Court Journal. This responsibility is delegated to an Editorial Board, to which the current editor, Brian Kirby, is accountable. Again this year Brian has secured the Family Court Journal as a regular publication, presenting expert articles written by eminent people in the field of Family Justice.

Another development this year is that the Family Court Journal can now be read online at <http://www.familycourtjournal.co.uk>. Details of how Napo members can obtain the username and password are available in the members sections of the Napo website.

134. In all the work the Committee do the Committee is aware of Napo's aspirations for equality and justice with respect to gender, race, sexuality and ability. The Committee works to ensure that these issues are addressed properly when raised, whether in discussion or in oral and/or written submissions.

Family Court Journal Editorial Board

Members: Janet Breeze (Cafcass South area/Retired)
Margaret Burns (Cafcass Central area)
Jim Kelly (Cafcass North area/Retired)
Brian Kirby (Editor Family Court Journal)
ex Officio
Andy Stanton (Cafcass Central area/Retired)

135. The editorial board of the Journal is now rather more representative of Napo membership after welcoming two female members.

136. After last year's successful centenary issue, which had more content than ever before, the trend has continued into this year with a summer issue of equal length and we trust, of similar quality and relevance. Some difficulties with obtaining copy from contributors in good time and a change of ownership at the printers led to distribution being a little later than usual.

137. Regarding content, we continue to want the Journal to be a voice for experience, sanity, good practice and debate on professional family social work and related issues. We believe that allows plenty of room for differences of opinion and a degree of controversy. In the most recent issue, there is some reference to the politics of Margaret Thatcher, an article on workplace tyranny from the Scottish Trades Union Congress and a key article on child contact centres that marks the beginning of a campaign for better recognition and funding of them. It may appear that the Journal is growing more political. The editorial board have discussed at length where the dividing line should be between 'professional', 'political' and purely trades union matters. At a time of austerity, family justice re-organisation and 'reforms' or 'cuts' to important services, there is a big overlap between these areas as politics and structures obviously impact on the quality of service children, courts and families receive and the ability of professionals to deliver services. The answer seems to be about finding the right balance in coverage and perhaps weeding out news or contributions that are purely trades union matters rather than concerning more general professional issues. We ask potential contributors to bear with us in this.

138. We have published a letter from a senior Cafcass manager concerning the anxiety some employees of Cafcass feel about attracting negative reaction from management should they write for the Journal and make criticism of aspects of their work. We hope that this letter will help reassure contributors that they should not have anything to fear, provided what they say is evidence-based and expressed constructively.

139. As we have said previously, we continue to look for fresh material from past and new contributors. We want to use academic and research contributions, material from any research done by teams or individual practitioners and also welcome case studies and more informal items. We also continue to want feedback and letters.

Health and Safety Committee

Members: Trish Brooks (Lancashire)
Paul Fairbrass (Greater London)
Amanda Fisher (East Anglia) Committee
Co-Chair
Nicki Kenney (Cafcass Central area) Committee
Co-Chair
Rod Mitchell (Trent)
David Raho (Greater London)
Stephanie Seath (Lancashire)
Trevor Webster (West Mercia)

Officer: Eve Chester (Vice Chair)
Official: Mike McClelland (National Official)
Administrator: Margaret Pearce

140. The Committee has met four times and has a balance of experienced hands and new faces this year although only one member employed by Cafcass. The Transformation Rehabilitation agenda in NOMS has resulted in some work involving national resources from Chivalry Road being put on hold. The end of the year saw a change of responsibilities for Officials and we wish to express a heartfelt thanks to Mike McClelland for his steadfast reliability and excellent work on safety issues for Napo members and welcome Sarah Friday as our new official who comes with a proven health and safety track record.

141. The 2012 resolution on "Making new office layouts work for everyone" called on Health and Safety Committee and Equal Rights Committee to work on developing guidance for branches/section specifically aimed at countering discrimination by challenging employers to properly observe their responsibilities under the Equality Act 2010 to ensure all new buildings and refurbishments are fit for purpose. Frequently moves are into empty Government owned buildings often of poor quality. The Committee aims to circulate during the summer a brief best practice guidance for members to use when changes are announced.

142. Early in 2013 the Cabinet Office framework was issued which instructed public authorities to monitor, regulate and reduce union facility time and members will be aware that both employers have commenced submissions on how union time is spent, requiring reps with facility time to record their activity each month. Guidance was issued to branches/section in January 2013 and was used in the Napo training day in December 2012 and a reminder to reps in the bulletin that there had been no official change to rights to time off. The TUC advised against a wholesale trade union campaign drawing attention to facility time for safety reps and the Committee considered it prudent to put on hold further campaigning on the resolution which sought to campaign to oppose attempts to undermine facility time for safety reps. Further guidance for H&S reps has recently been issued.

143. A third resolution called on Officers to campaign for better IT systems and for discriminatory IT packages to be outlawed. It also asked them to work to ensure that a better, more robust process is in place for testing new IT compatibility with all AT systems and operating systems used by the Probation Service. This arose from concern that some Probation Trusts had bought their own software which was incompatible with the operating systems used and left Assistive Technology users at a disadvantage. There have been discussions within the ICT Forum in NOMS about use of IT packages such as SAP and Diversity E learning and the need to ensure that software and operating systems are synchronized.

144. Members of the Committee have represented Napo on both employers' H&S Committees. The NOMS H&S forum was disbanded soon after the Transformation Rehabilitation agenda was announced. There may be some opportunity for this to be reconvened. The IT forum continues to meet. National Delius and OASys-R is completely rolled out. ViSOR is not covered at the IT Forum but noted the extension of ViSOR arrangements to Probation staff is causing difficulties – advice and information has gone to branches. Committee urges members with both employers to persevere with reporting problems as they arise, frustrating as it can be.

145. Mike McClelland, National Official has represented Napo at meetings of the Union H&S Specialists Group. Issues of interest to Napo raised in this forum have been shared with our safety reps in the reps' bulletin.

146. **Issues for members in Cafcass.** Despite the restrictions of the budget, 2013 has seen the start of the roll out of new IT kit with light weight laptops and tablets issued to all practitioners. By November all staff should be using the new kit. During the pilot in April a Napo member took part in testing the Assistive Technology software interface with the new laptops which have video conferencing software and 3G + 4G capability. Blackberries are now the only telephone used by report-writing practitioners. Early Intervention team staff whose service user contact is all by phone have retained the use of landlines. There is a further round of office closures with a need for alternative interview facilities for which there is a procedure in place to undertake risk assessments. A new package of well-being support services and benefits for staff has been introduced through a new contract with 'Medicash'. The scheme is free for all staff (who may opt in or out) until 2015 and partners and children can be joined. There has been considerable take up of the benefits so far. Cafcass has more recently been convinced that it should share plans for IT development with unions and to date two meetings have taken place for information sharing.

147. Cafcass has the facility to record a wide range of data; patterns and trends in accidents/ incidents at work and sickness data are discussed. There has been a tiny increase in the number of incidents/ accidents with male service users constituting the biggest cause. Sickness absence has reduced for social work grades and non social work grades and is slightly lower for the first quarter this year than in the first quarter last year which may be explained by the introduction of the staff well-being programme. As part of the process of making savings, the trade unions have agreed to hold National Partnership and Health and Safety Committee meetings on the same day.

148. Napo provides a considerable amount of information to H&S reps:

- i) Thanks to David Raho for his publishing skills in producing the Napo Safety Rep's bulletin which is packed with useful information for members in Probation and Cafcass including the circulation of TUC advice, guidance and research to H&S reps and recommendations that members sign up to receive relevant email alerts from the TUC. We hope that the bulletins can be shared on the revamped Napo website.
- ii) The Napo H&S Rep's Handbook has been revised but is currently on hold until the future is clearer given the significant cost of re-printing.
- iii) Napo continues its affiliation to the Hazards Campaign, based in Manchester and provides the quarterly safety Journal "Hazards" to all H&S reps. Committee sponsors members to attend the annual conference and supports the campaign against the cuts to the Health and Safety Executive resulting from the misinterpretation of the Lofstedt report which was set to remove all inspection and advisory work and reduce the HSE to a disaster monitoring body.
- iv) Training: "H&S in a cold climate" was the theme for the December 2012 event aimed at supporting and encouraging reps to fight for facilities & time and to keep working safety structures in place. A Committee budget cut part way through the year led to the decision to cut the second training day and attention to Committee work in progress requiring national input was halted due to focus on the TR agenda.
- v) Napo provides essential tools - TUC Hazards at Work manual (updated on triennial basis) and the Labour Research Dept "H&S Law" for reps.

Probation Negotiating Committee

<i>Members:</i>	Tania Bassett (West Mercia) until July 2013 Dave Bellingham (Trent) Robbie Bourget (Thames Valley) Martin Bull (Staffordshire and West Midlands) Jane Foster (Lancashire) resigned April 2013 Jackie Leggett (Napo Cymru) Nick Makin (Staffordshire and West Midlands) Pat Waterman (Greater London) Chris Winters (Humberside)
<i>Officers:</i>	Lisa Robinson (Co-Chair) until April 2013 Tom Rendon (Chair) Committee Chair Keith Stokeld (Treasurer)
<i>Officials:</i>	Jonathan Ledger (General Secretary) until January 2013 Ian Lawrence (General Secretary) from February 2013
<i>Administrator:</i>	Annoesjka Valent

149. The Committee has met regularly throughout the year. Its meetings coincide with the formal, quarterly meeting of the NNC. The Committee was allocated three resolutions from the 2012 AGM entitled: Defending National Pay Rates, Protecting our Members, and Probation Training. Progress in relation to these resolutions is reported under the relevant report headings.

150. **Pay Settlement 2012/13.** The trade union side (Napo and UNISON) submitted the 2012/13 pay claim at the April meeting of the national negotiating body, the NNC.

151. As has been the case in recent years aspirations in relation to pay have had to be tempered both by the imposition of the Government's pay freeze across the public sector and the impact of budget cuts on the Probation Service as a whole. It was not possible to achieve all that was wanted and, in the case of those at the top of their bands, the direct intervention of the Treasury denied concerted attempts to provide some form of remuneration.

152. However, some important aims in relation to pay progression and pay modernisation were secured and by contrast with 2012/2013, when the employers effectively made a counter claim in which they sought to renegotiate a number of national terms and conditions, no such attack on existing national agreements was made during this pay round, including the much touted move to regional pay.

153. Negotiations resulted in an offer being put to members in November 2012. The ratification process resulted in acceptance of the offer by 975 votes to 297. In summary the settlement was as follows:

- The maximum of Pay Bands 1 and 2 was extended by two pay points;
- All staff in Pay Bands 1 and 2 progressed by two increments, taking account of the desire of the employers and Government to address issues for the lower paid.
- All staff in Pay Bands 3, 4, 5 and 6 progressed by one increment, where eligible.
- The pay settlement was implemented with effect from 1 April 2012 and pay was backdated to that date.
- No increase to London Allowance.
- Development points in Pay Bands 1 to 6 to be removed with effect from 1 April 2012.

154. **Pay Claim 2013/14.** Following consultation between Napo and Unison, with branches and the NEC, the trade union side claim was submitted formally in May 2013. The claim seeks:

- An above inflation increase on all NNC pay points with effect from 1 April 2013
- Incremental pay progression of 2 pay points for all eligible staff on pay bands 1-6
- The deletion of the lowest pay point in pay bands 1, 2, 3 and 4 following pay progression
- An above inflation increase in London Weighting with effect from 1 April 2013
- The establishment of a joint forum to monitor and evaluate training provision

155. **Pay Modernisation.** Fresh dialogue on a number of outstanding issues relating to pay and conditions of service.

156. **Chief Officers.** Pay negotiations through the Standing Committee for Chief Officer Grades (SCCOG) have largely mirrored those taking place under the auspices of the NNC. This year there is no joint claim with GMB/SCOOP as Napo were uncomfortable over the request for 'retention payments'.

157. **Community Payback privatisation in London.** Following the Government's decision to award the contract to provide Community Payback (CP) services in London for four years, from 31 October 2012, to Serco, with London Probation Trust (LPT) as a sub-contractor, National Officials negotiated and then signed a trade union recognition agreement with Serco in November 2012.

158. All CP staff (with the exception of Case Managers and Case Administrators) transferred to Serco and their contractual terms and conditions of employment were protected by Transfer of Undertaking (Protection of Employment) Regulations 2006 (TUPE). However, due to the limitations of TUPE, the Probation Service Job Evaluation scheme will not apply to new vacancies and negotiations around the terms and conditions will not come under the Probation Service National Negotiating Council – instead all negotiations will take place locally with Unions through the Serco JNCC (Joint Negotiating Consultation Committee).

159. Following a decision of the November NEC, those members that transferred to Serco remain full members of Napo and are attached to the Greater London Branch.

160. A significant number of redundancies have taken place amongst the London CP workforce. In the summer of 2012 LPT announced that of those who would remain working for them on the sub-contract, all of the 68 case administrator posts were to be 'deleted' as were 35 of the case manager posts. Subsequent to the transfer in November 2012, Serco announced there were to be 99 redundancies, and then announced a further ten redundancies this summer. Therefore a total of over 200 jobs have been cut from the original workforce of around 550 (including about 100 casuals). National Officials and London branch representatives have worked hard to ensure that compulsory redundancies have been kept to a minimum, and have pointed out the folly of cutting jobs on such a scale and the possible detrimental repercussion of this on the service. Some of the new ways of working are imaginative, but others, such as increasing numbers of clients on work placements – amounts to nothing more than attack on our members' safety at work.

161. There have been difficulties over Napo representation at JNCC's. National Officials met with Serco in February to discuss this and Serco agreed to reverse their decision to refuse to allow a branch officer from the Napo Greater London branch to attend the Serco JNCC (Joint Negotiating Consultation Committee). The London branch has decided to cover this work by paying a national representative to attend these meetings.

162. In March/April Napo Officials and Greater London branch activists attended Serco road shows where we spoke to the Serco staff and encouraged them to join and get active in Napo - as the best way to protect their terms and conditions. And as a result of this several Napo members volunteered to become Napo Serco representatives.

163. Following Chris Grayling's announcement to the Justice Select Committee in February, that there will be 40% savings from the London CP contract, Napo wrote to Michael Spurr, NOMS Chief Executive Officer, to question this figure and asked for a detailed breakdown of how it was arrived at. His letter of response was cloaked behind the language of commercial confidentiality and so we are no further forward in finding out how much public money has been squandered on this contract.

164. **Transforming Rehabilitation Agenda.** This is covered in more detail in the NEC and Campaigning sections of this Annual Report.

165. A circular was sent to branches in July (BR 96/2013) advising of negotiations at the NNC and SCCOG on the progress towards the development of an HR Framework to underpin the Government's Transforming Rehabilitation reform. The circular also confirms that Trusts should not undertake any work to begin re-configuring their workforces pending the NNC issuing further advice and guidance.

166. **NOMS Employee Relations and Facilities for Napo representatives.** The impact of the Cabinet Office guidelines on Facility Time has yet to impact punitively on Napo. Ironically there is some recognition both by our Ministers and the MoJ that they actually need experienced union officials in post to better facilitate staff engagement over the TR project. Locally there appears little appetite amongst senior management to strictly adhere to the guidelines – partly for the same reasons. More consistent accounting arrangements for facility time have however been introduced across the country. We are also anticipating some tightening over the rules regarding 50% plus time off arrangements for the small number of our officials who are affected.

167. A Joint Secretaries Circular has been issued (December 2012) and a further one is anticipated at the time of writing but not until further advice is issued by the Cabinet Office. There have been difficulties in applying the Guidance in Probation since it was really developed to address the issue in the Civil Service proper.

168. At present, we have a Ministerial assurance that there will be no requirement for changes to facility time arrangements at least until AGM 2013 and our negotiations both with the MoJ and indeed with the Minister will continue. The initial indication thereafter is that individual business cases will need to be made in respect of any post seeking more than 50% facility time.

169. **Punitive Employee Relations.** Following a 2011 AGM Resolution 'Punitive Employee Relations, and linked to the 2012 Resolution 'Protecting our Members, the Committee has been trying to ascertain the numbers of staff who have been the subject of disciplinary action or dismissed as a result of capability within a certain period. Cafcass was able to provide figures and guidance was sent to branches in March (BR 17/2013) as to how to put in requests for information from individual Probation Trusts.

170. **Pensions issues.** The key issue on pensions has centred on the effects of the TR agenda on individual membership of the LGPS. Detailed negotiations have taken place in an attempt to secure assurances about protected membership status and the right of unions to negotiate for new starters to also be included in the LGPS, in the event that TR becomes a reality.

171. **Management of Change.** No submissions have been received under this agreement.

172. **Workloads & Specifications.** Engagement over this, both nationally and locally, has largely been overtaken by developments associated with the Transforming Rehabilitation (TR) project. It is evident that the MoJ is using PREview information as a basis for preparing to launch their competition for Probation services. The specifications developed by the SBC project are being re-written to encompass the need to use them in the competition process. Napo's engagement in these revisions thus far has been very limited and it is in any event debateable just how far we would want to engage in a process of self-destruction.

173. **Probation Qualifications Framework (PQF).** This is covered in more detail in the Training Committee section of the annual report.

174. **Licence to Practice/Probation Institute.** In line with the resolution passed at the 2011 AGM, Napo has been engaged, together with NOMS, PA, PCA and UNISON since summer 2012 in a Professionalisation Strategic Board which has been considering the development of a Licence to Practice. Earlier this year, the Board commissioned a short feasibility report from two ex-senior probation training staff. However, just after this report was completed and received, it became evident that the new Justice Minister was not going to support a Licence to Practice. As a consequence, this project came to an abrupt halt. It has now been superseded by consideration of the development of a Probation Institute. This is favoured by the Minister and discussions are ongoing within the context of the Transforming Rehabilitation project. So far there is little concrete to report in this respect.

175. **IT.** Productive quarterly liaison meetings with NOMS ICT staff continue. These address all ICT issues for probation staff with the exception of ViSOR vetting (technically not an ICT issue anyway) where liaison is with other NOMS staff. This has included attention to AT issues although this has also been supplemented by a specialist AT User Group on which Napo has been represented.

176. The major developments during the past year have been the eventual roll-out of OaSys-R (Easter 2013), and the continuing roll-out of N-Delius. Both have had mixed receptions from members. Napo has received feedback from members about both and we continue to relay this on to NOMS with ensuing discussions, both in and outside the ICT Forum. Bedding-in issues are inevitable but it is difficult to gauge whether the problems are over and above this. Successful roll-out of both is a necessary precursor for the Transforming Rehabilitation project.

177. In addition, alongside all other parts of the MoJ, significant savings are required from ICT operating costs – the intention is to slash the costs by around one-third or £110m. Quite how this will impact on Probation is yet to be seen as contracts are re-negotiated and re-let. The Steria contract expires in 2014 – at around the same time as the TR project is due to come into effect – which could be interesting.

178. The TR project, if it does succeed, will have significant ICT implications. Indeed these are likely to prove some of the more intractable hurdles for the project to overcome. So far, we have yet to see how successful the MoJ is going to be in addressing these issues. As a part of the MoJ plans for splitting the service, there are also plans to introduce a new Risk of Harm assessment tool. It is suggested that this will probably be an actuarial screening tool, but to date, Napo has not been consulted about it at all – despite our requests.

179. Consultations with NOMS over ViSOR have continued and earlier this year a new Probation Instruction and a Privacy Impact Assessment were published. These were helpful in providing information, clarity and some re-assurance to staff. They have also enabled trusts to implement the required enhanced vetting in a more informed way. There is evidence that some trusts have drawn back somewhat from their initially over-enthusiastic embrace of this piece of work and are adopting more realistic business plans as a consequence. Napo has issued a series of guidance documents to branches during the course of the last year.

Professional Committee

<i>Members:</i>	Kathryn Alsop (South Western) Janene Clare (Trent) Jean Jarrett (Greater London) resigned May 2013 Wendy Johnson (Lancashire) resigned March 2013 Nick Peake (Trent) Becky Shepherd (Greater London) Sarah Wake (South Yorkshire) Committee Chair Paul Weatherstone
<i>Officer:</i>	Nick Smith (Vice Chair)
<i>Official:</i>	Sarah Friday (National Official)
<i>Administrator:</i>	Shireena Suleman

180. Professional Committee held another well attended and lively fringe meeting at last year's AGM. Professor Jill Anniston spoke on the subject of 'The Changing Identity of the Practitioner' which was followed by contributions from the floor. During the year the Committee has made contributions to Napo News and individual members have submitted and had work published in the Probation Journal. Throughout the year interest has continued to be shown in the Professional Practice Booklet produced by last year's committee and further copies were ordered by the Chair of the Probation Chiefs Association. The Committee has contributed to Napo's response to several Probation Instruction consultations.

181. Four new members joined Professional Committee this year from a variety of roles within the Service. Unfortunately two experienced members were forced to resign during the year because of other commitments. The Committee has met three times since the last AGM and has continued to be supported by Napo centrally. A great deal of work was completed during the last Committee year and the Committee were only allocated one resolution to work on from AGM 2012. This allowed the Committee to concentrate mainly on this piece of work and produce a thorough position paper.

182. **Resolution from NEC in 2011 - Staff Working with Violent Extremism.** Responses to a survey of members, undertaken during the last Committee year, were analysed. The results were used to form the Committee's response to the Probation Instruction: Managing Terrorist and Extremist Offenders in the Community consultation process. The aims of the original motion, which came to NEC from Greater London Branch, seem to have been met in that their Trust has now published thorough and helpful guidance for staff working with this client group. The guidance was produced with minimal involvement of Professional Committee but we understand Napo members were integral to the process. Work on this resolution has now been completed.

183. **Resolution from AGM in 2012 - Probation Practice: Balancing Engagement and Rehabilitation with the Punitive and Technological.** As previously mentioned, Professional Committee has spent most of its time this year gathering evidence for and producing the position paper required by this resolution. Evidence was gathered from academic literature and NOMS publications amongst other sources. Professor Mike Nellis and Dr Sue Rex attended the Committee's March meeting to make presentations about issues relating to Electronic Monitoring and the implementation of the Offender Engagement Project respectively. The paper also considers the implications of recent sentencing guidelines promoting punitive requirements and the development of Biometric Reporting following Napo's campaign on the issue. The paper recommended that the principles of the Offender Engagement Project be supported at all levels of Napo and that a more targeted approach to Electronic Monitoring be promoted which would mean that it provides a genuine alternative to a custodial sentence for those presenting a higher risk of harm. The paper also raises concerns about the overuse of multiple requirements which is work the Committee hopes to take forward next year. The position paper was approved at the July NEC. Work on this resolution is now complete.

184. **Resolution from NEC 2013 - Foreign Nationals in Custody.** The Committee has recently started work on this resolution concerning the predicament of Foreign National Prisoners within English and Welsh institutions. The motion was carried at the February NEC and assigned to the Committee in April. The resolution asks that links are made with other trade unions, advocacy groups and other interested parties for the purpose of campaigning and lobbying for policy change. The Committee plans to make contact with these groups with a view to discussing a way forward. Work on this resolution is likely to continue into the next Committee year.

185. The Committee has recently taken over responsibility for monitoring the implementation of the new domestic abuse programme (Building Better Relationships). It has also become particularly concerned about the potential impact of the Transforming Rehabilitation agenda on the provision of work against domestic abuse. The Committee plans to hold a fringe meeting to further highlight some of the issues involved as well as submitting a motion to conference. A motion concerning the over use of requirements and licence conditions, which has been raised as an issue during work towards the Probation Practice position paper has also been prepared.

Steering Committee

<i>Members:</i>	Howard Davies (East Anglia/Retired) from January 2013 Carolyn Mack (Trent) Derek Padgett (Greater London) until December 2012 Jeanne Peall (Kent) Committee Chair Jo Thompson (Trent/Retired) Maureen Vernon (Staffordshire and West Midlands) Graham Walsh (Cafcass North area/Retired)
<i>Officers:</i>	Lisa Robinson (Co-Chair) until April 2013 Tom Rendon (Chair)
<i>Officials:</i>	Jonathan Ledger (General Secretary) until January 2013 Ian Lawrence (General Secretary) from February 2013
<i>Administrator:</i>	Annoesjka Valent

186. Steering Committee has a specific remit, which means that its responsibilities rarely vary from year to year and as a result, it operates differently from other Napo committees. The Steering Committee year runs from January to December and 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. 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 in to action and reviewing what happened.

187. AGM 2012 marked Napo's centenary AGM and a return to Torquay. A total of 28 motions were submitted for debate - a little down on previous years. There was also only one amendment to a motion. This was not accepted by the proposers of the motion and went to debate, where the amendment was lost. Two potential composite motions were identified prior to AGM, involving a total of 4 motions but only one could be agreed. Of the remaining motions available for debate, including the composite, all were reached - the first time this has happened for some years. 20 motions, including the composite, were passed, five were lost and two were withdrawn. There were two ballots - on a proposal to refer back the Treasurer's report and on the un-amended motion 22. Both were lost.

188. 272 minutes were spent on debating motions, as against 253 at Eastbourne. A further 343 minutes were spent on general business, which included 149 minutes on the Annual Report, accountability session and formal business. General business involving speakers to conference and to the family court/probation sessions involved 129 minutes. Only 53 minutes were lost to inaccuracy at the start of morning and afternoon sessions. 11 minutes were lost to 'no business' during quorate time and there were 17 minutes of announcements during quorate time. 187. Three emergency motions were submitted to the Committee prior to and during the course of AGM. Of these, one was considered by the Committee to meet the criteria for an emergency and this was agreed by AGM. The debate on the emergency motion took a total of 9 minutes.

189. Three emergency motions were submitted to the committee during the course of AGM. Of these, all were considered by the committee to meet the criteria for an emergency and were accepted as such by conference. Two were debated and passed but the third was eventually withdrawn when an alternative way forward was found. The debate on the emergency motions took a total of 16 minutes.

190. 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. Thanks are also extended to the Chief Steward, the Deputy Chief Steward and the Stewards, whose hard work in a variety of tasks throughout AGM is also an essential part of making it work smoothly.

191. The statistics relating to the race and gender of speakers are collected by a monitoring exercise of all full members & Professional Associate Members (PAMs) registering for AGM, as well as by the Steering Committee members on the timing table. The figures produced from the information collected on the timing table used in the lower table relate to all contributions from the floor and the platform in all the sessions. In terms of contributions, as at the last few AGMs, the bias towards men speaking changes if platform contributions are removed. Contributions from the floor comprised 106 women and 76 men: this change in emphasis was particularly evident in sessions where debate on motions predominated. Women made up 64.5% of the total registrations - slightly up on the previous year - but 47.5% of contributions. Black, other and mixed race members made up 16.5% of total registrations and 5.5% of contributions, up a little on Eastbourne.

Race/Gender	Analysis of Registrations - full & PAMS	
	Number	Percentage
Black	67	11.9%
White	470	83.5%
Mixed & Other	26	4.6%
Total	563	100%
Female	363	64.5%
Male	200	35.5%
Total	563	100%
Black female	50	8.9%
White female	299	53.1%
Mixed & Other female	14	2.5%
Total	363	64.5%
Black male	17	3%
White male	171	30.4%
Mixed & Other male	12	2.1%
Total	200	35.5%

Race/Gender	Analysis of Contributions collected via the timing table	
	Number	Percentage
Black	17	5.5%
White	293	94.5%
Total	310	100%
Female	147	47.5%
Male	163	52.5%
Total	310	100%
Black female	9	3%
White female	138	44.5%
Total	147	47.5%
Black male	8	2.5%
White male	155	50%
Total	163	52.5%

Trade Union Organisation Committee

<i>Members:</i>	Tania Bassett (West Mercia) until July 2013 Bill Cookson (Lancashire) Andy Ducker (South Yorkshire) Judith Gardiner (Greater London) Committee Chair Kathryn Harrington (Northumbria) Roger Peel (Lancashire) Migden- Sue Roberts (Napo Cymru) Maureen Vernon (Staffordshire and West Midlands)
<i>Officer:</i>	Caroline Bewley (Vice Chair)
<i>Official:</i>	Ranjit Singh (National Official)
<i>Administrator:</i>	Margaret Pearce

192. The Committee has met on three occasions, twice in London and once in Birmingham in accordance with the reduction in committee meetings agreed by NEC, and whilst not all members were able to make every meeting, each was well attended and productive. Several members were involved in substantial pieces of work outside meetings as described below. All our work was undertaken not only in the context of internal challenges and changes at Napo Head Office, but even more significantly in the context of the impending massive threat to the very existence of a viable Probation Service, and possibly to the existence of our Union, resulting from this Government's ill thought through "Transforming Rehabilitation" proposals which are being pushed through at an unprecedented pace against all resistance.

193. AGM resolutions .

194. **Family Court Section.** We noted this motion concerning the renaming and reorganising of Family Court Section committees and offering support if needed and an invite to attend or feed in to TUC meetings. The Committee agreed that it did not require any specific action from us. The Chair however wrote to the Chair of The Family Court Section offering support if needed and an invitation to attend or feed in to TUC Committee discussions as and when pertinent matters arise. Ranjit Singh, National Official, has provided updates as and when necessary on developments in this sector of our membership.

195. **Accountability of Union Officers and Officials.** After further discussion at our meeting of the purpose of this motion and consultation with the proposers, the Committee concluded that the current Constitution makes sufficient provision for the General Secretary to speak in any debate and to delegate this to any Official. General accountability is maintained in Napo through processes such as the NEC reports by Committees and Officers; monitoring, and a specific accountability session at AGM. We did however believe that the Chair of Steering Committee and Officers planning the AGM should be asked to be alive to the possibility of improving the quality of debate by encouraging Officials to offer additional information and to encourage members to seek points of information when needed and include such guidance in the pre-AGM briefing.

196. **Widening Membership Eligibility.** The main driver for this motion was to ensure potential outsourced members can retain their Napo membership. After extensive discussion in Committee a small sub-group was set up to consider the pro's and con's of widening our membership eligibility so that we could include members who are not employed by a Probation Trust or Cafcass.

197. The Committee in its discussions wanted to ensure that we not only retained members as a result of a change in the constitution but that we were effectively able to represent members at the workplace level. As it was the Probation Service which was facing the threat of outsourcing as per the London Community Payback competition, the change wanted to accommodate those workers who are engaged in Probation work, but not employed by a Probation Trust and to ensure that outsourced members remain members by right, rather than concession.

198. These deliberations were made more urgent by the 'Transforming Rehabilitation' proposals; the Committee agreed with Officers and Officials that current eligibility criterion remaining unchanged is not an option. Napo would struggle to survive on the membership of a 'rump' of the Probation Service.

199. The Committee agreed that changes to broaden eligibility to cover outsourced staff needed to be made at this AGM. The Committee therefore put forward a paper to the April NEC with a proposal for a constitutional amendment to slightly reword the membership criteria in the constitution to state that it is open to 'persons paid on a salary scale drawn from those the association is involved in negotiating and employed by an organisation delivering probation, rehabilitative or family court services'. The amendment was approved by the July NEC and will be subject to discussion and vote at AGM.

200 The Committee noted that the practical implications of such a change will need to be further explored and at the time of writing it is still not certain that 'Transforming Rehabilitation' will become a reality or implemented in the way the government has currently outlined. But, in general the Committee felt that, as in London currently, outsourced staff should continue in their existing Branches, with central support provided as an interim arrangement whilst the outsourced group develops representation and negotiating capacity. Issues in relation to recruiting members who have not previously been employed by a Probation Trust will also need to be explored but the Committee saw positive possibilities for promoting our values and encouraging unionisation within the workforce of any potential 'Newco'. The Committee will also need to be clear on the implications for Napo's Professional Association status and tax exemption, and also for the 'License to Practise' being discussed by Professional Committee.

201. **Branch Funding.** The Committee continued work on this motion which was passed at the 2011 AGM. The Committee noted that the NEC had received the previous '4-options' paper but had not prioritised between the recommendations apart from ruling out the status quo. Following further discussion the Committee agreed that there appeared to be little consensus for a change to AGM funding, consulted with the Finance Officer and National Treasurer, who advised that any proposed option had to be administratively realistic (i.e. not needing significant extra staff time or other resources to make it work) and not to go against any statutory requirements. They also recommended treating AGM funding separately from the Branch Grant.

202. For the present therefore the Committee agreed to focus on the other element of Branch Funding which is related to member numbers. The Committee agreed that the simplest proposal that it could bring would be to change the existing provision in the Constitution that allows for a return of a proportion of branch surpluses at year end so that it becomes mandatory not optional. The monies thus raised would go into a special "pot" to fund the introduction of Employment Tribunal fees and provide support to branches struggling with cash flow problems arising from their activities. This would require a streamlined application process so that such requests can be turned round quickly. An interim paper was presented to April NEC and branches were invited to discuss the proposal further. The July NEC, after extensive discussion and some minor amendments agreed the proposed constitutional amendment. This will be subject to discussion and vote at AGM.

203. **Other Work undertaken by the Committee:**

204. **Review of Committee Structures.** the committee tasked itself to review the working of Napo's committee structures after one year of experience of reductions in numbers of members and meetings. A questionnaire was circulated to all Committee Chairs asking for feedback on how the changes had affected their work and what, if any, adjustments needed to be addressed either in relation to scheduling of meetings or the process of appointing Committee members. Not all chairs responded but feedback did not suggest any significant issues that would warrant proposals for change from currently agreed structures, although it was recognised that fewer meetings meant more work had to be done by email between times, with the committee meetings being used to update on progress. NEC agreed that unless further responses highlight significantly divergent views no further action need be taken. The Committee has however passed on some good practice suggestions and have asked chairs to provide a paragraph explaining the work of their Committee, which could be attached to materials for the next Committee nomination round. The Committee also encourages new Chairs to consider agreeing to alternate meetings between London and other centres where feasible.

205 **Women's Strategy.** The Committee was sad to lose Lisa Robinson as Co Chair and Lead Officer for the Women's strategy. Caroline Bewley Napo Vice Chair has kept the Committee updated on progress and also reported back on the Women's TUC she had attended. A brilliant paper on Women Over 50 in the Workforce had been presented and will become part of Napo's WiN information resource. The WiN Conference was held on 7 June in Cardiff and was addressed by the Chief Executive of Wales Probation who spoke on "Women's experience – at the level they're at".

206. **Organising and Recruitment.** Committee noted that this had been another challenging year for recruitment, with continuing voluntary redundancies and retirements and the uncertainty about the future resulting in the loss of many experienced and higher fee paying members to the Service and the Union. Whilst this has been balanced to some extent by new members joining to add strength to the campaign against privatisation.

207. The recruitment week held in September 2012 had seen a lot of materials sent out and had helped boost attendance at the 'A Future that Works' mass TUC demonstration held on 20 October. National Officials also worked with some of the larger metropolitan branches and with the Family Court Section to undertake specific recruitment activity.

208. A further recruitment drive was launched in May 2013 in response to the governments 'Transforming Rehabilitation' agenda. Specific recruitment materials were purchased to support this drive including 'Probation Not for Sale' wristbands which have proved to be extremely popular.

209. The Family Court Section has embarked on a major recruitment initiative. They have produced a new Family Court poster and a '10 good reasons to join Napo' specific for the Family Court Section. They aim to get a Napo application form to every non-union member through their office contacts.

210. The Committee has discussed in detail the experience of the London Community Payback outsourcing and the consequences for Napo. The Committee acknowledged that the process has been challenging and has put a strain on branch and union resources, and has thrown up a number of questions about how the union structures will be able to operate if full scale privatisation goes ahead. This will be the focus of detailed work in the coming year and will be informed by the experience in London.

211. Ranjit Singh, National Official, has reported on the contingency planning and thinking that Officers and Officials have been doing to prepare for the changes to the organisation and structure of Napo that may result if the Transforming Rehabilitation proposals go ahead. These are still inevitably at a formative stage but consideration is being given to a redraft of the constitution, a reform of the lay democratic structures and how support will be provided by Napo Head Office.

212. A special meeting of Branch Chairs was called in March 2013 to discuss with Branches the many challenges that Napo faces at this time. The meeting looked at a number of issues and regional discussion groups were held to gather the views from branches about Napo's priorities and how we can continue to organise and recruit new members and campaign against the government's plans and how the union will deal with the introduction of Employment Tribunal Fees.

213. **PSO Conference/Forum.** The PSO Forum met twice this year. The Forum noted the immense work undertaken by Andrew Sturridge longstanding Chair of the PSO Forum who stepped down this year. The Committee and the Forum acknowledged the work done by Andrew on behalf of PSOs in Napo over the years.

214. The PSO Conference was held in London on 21 June - this was attended by just under 100 people. Speakers included: Sadiq Khan MP, Shadow Justice Minister, Sue Hall, Chair of the Probation Association and Ian Lawrence, General Secretary. There were workshops on: Mutuals; Probation Qualification Framework; Union Learning Fund; and the role of the Staff Associations. The Committee were also delighted to host the founder of the PSO Forum John Siddall who addressed the conference.

215. **Approved Premises Seminar 2013.** This Seminar which used to be annual and was then to go biennial under the 'savings' plans did not take place this year due to the need for further budget readjustments. The Committee expressed its wish to see it back in the Napo calendar as soon as possible.

216. **Education and Training programme.** The Committee was concerned that some courses, notably the last Building the Union Course had been poorly attended and agreed that branches will now therefore be charged if their members pull out after booking. More encouragingly the Black Reps Course, which only runs every third year, was over-subscribed.

217. The 'Organising & Building the Union' course was replaced with a TUPE course. This course will focus on the legislative framework within which union reps have to work during statutory TUPE consultations. Due to budget constraints the Committee felt that Branches should target members who have not previously accessed courses.

218. **Representation.** Due to internal changes in Napo, from January 2013 Ranjit Singh, National Official, took over responsibility for the management of the National Reps with Cynthia Griffith continuing to provide vital day to day administrative support. The National Reps continue to provide excellent work on behalf of the membership and to support members when their continued employment is threatened.

219. As part of the work of the National Reps a discernible trend has emerged in the number of cases where the member has dyslexia. A training day has been scheduled for the National Reps on how to identify members with Dyslexia.

220. With the introduction of a new database system at Napo Head Office, Napo will be in a better position to identify any trends that emerge as a result of representation issues.

221. The introduction of Employment Tribunal Fees has necessitated a change in the way cases are referred to Napo head office for further advice. A new 'Case Form' has been developed to deal with any referrals that are to be made to Head Office. Napo has also extended the use of the 'Duty Line' facility provided by Thompsons Solicitors to selected Branch Reps in each Branch.

Training Committee

Members: Iqbal Bhogal (West Yorkshire)
Darren Daniel (Napo Cymru)
Michele Leighton (Greater London)
Patricia Johnson (Greater London) Committee Chair
Richard Ogwang-Aguma (Greater London)
Yvonne Pattison (North Yorkshire)
Roger Peel (Lancashire)
Ian Walker (Trent)

Officer: Nick Smith (Vice Chair)

Official: Sarah Friday (National Official)

Co-opted: Marilyn Owens (ULF Project Lead for England)
Briony Marder (ULF Project Manager, England)
Aziz Bouleghimat (ULF Project Manager, Wales)

Administrator: Shireena Suleman

222. The Committee met on three occasions this year with most of the meetings fairly well attended. Committee welcomed Nick Smith as the new National Link Officer and wish to give best wishes and thanks to the Administrator for providing valuable administrative assistance.

223. At the last meeting of the Committee the Link Official advised that the Officers and Official's group have decided that after AGM National Officials, Mike McClelland and Sarah Friday will share the work around training matters and the Committee as it is anticipated that the workload will increase as a result of the Transforming Rehabilitation agenda.

224. We were privileged to have Catherine Fuller, NOMS Project Manager for the PQF attend our first meeting in October 2012. Catherine gave a full presentation detailing the national overview of the current situation regarding the PQF and also was able to provide the Committee with an update on the situation in the North West regarding the Certificate of Higher Education.

225. Some members were involved in the committee's work outside of the formal meetings, mainly in connection with the Probation Qualifying Framework, Union Learning Fund Project/Dissemination Event and with work associated with a national branch survey. I would like to thank all those involved in completing their respective tasks.

226. It goes without saying that the Union Learning Fund (ULF) Project Team has liaised closely with the Committee and continues to make a valuable contribution to Napo and with our employers in the family court and probation sectors.

227. **Committee priorities 2012/13.** The Committee's priorities were as follows:

228. **Potential Exploitation of PSO Learners, Guidance for PSO Learners.** This work is now completed.

229. **Reinforcing Probation Training.** The Committee is currently working to further develop the training side of the website and has now added details of PQF Framework.

230. **Branch PQF Liaison Officer's.** The Committee has encouraged all Branch Chairs to take forward the idea of having a nominated link person for each Branch/region. This arrangement would make it a lot easier for the Committee to contact with requests for information or act as a single point of contact for members seeking advice. The Committee is of the view that such an arrangement is important in charting the changes in the PQF within respective Trust and its impact on members and in light of the Transforming Rehabilitation agenda. The Committee thanks all those that have volunteered to undertake this role.

231. **License to Practice/Probation Institute.** Importantly, the Committee was made aware that the group which had been set up to look at the specifics of formulating a 'Licence to Practice', which had included Unison, PCA, PA and Napo had come to a grinding halt, as it is reported that the Secretary of State does not want to go ahead with this. The Committee reported to the July NEC that its members were very concerned and disappointed with the news and the Committee has brought a motion to AGM on this issue. Plans for Probation Institute are however, being put forward and Napo have registered an interest in being involved with this.

232. 2012 AGM Resolutions.

- Training for Probation staff – national survey to be undertaken and a position paper to be presented to the NEC in July 2013.
- Restorative Justice (RJ) – RJ to be included in the review of NOMS National Occupational Standards.
- Union Learning Agreements – this should be a standing item on the JNC/Regional Meetings agenda.
- PQF Crisis – for Probation Negotiating Committee to look into this important issue of the impact of the implementation of the Certificate in Higher Education in the North West area and the proposed threat to protected learning time.

233. In relation to the above resolutions, the following work was undertaken by the Committee during this year:

234. **Training for Probation Staff.** This resolution was concerned about the lack of training available to probation staff for continuous professional development and the considerable reduction in the amount of training offered since the demise of the regional training consortia and budget cuts across most Trusts. It was noted that some Trusts have retained and developed good quality training initiatives, but they are in a minority. In order to gain a national picture of this situation a survey was conducted. The Committee received over twenty plus from various branches. The information gleaned from the pool of respondents was varied and interesting. Overall, the key areas of concerns can be summarised as follows:

- Problems with on-line computer based training; accessibility for alternative technology users and finding the time to complete the said training;
- Varied availability of courses to support continuous professional development across the Trusts;
- Very few Trusts have a Learning and Development Committee;
- Variations with the quality of training;
- SEEDS (Skills for Effective Engagement, Development and Supervision) was popular amongst all respondents.

235. The results of this survey was presented to the July NEC requesting that the Officers and Officials lobby all Probation Trusts and NOMS for available universal training that is aimed to support continuous development for all probation staff. The Committee noted the difficulties in doing this in an increasingly fragmented market.

236. **Restorative Justice.** The Committee was pleased to report that Restorative Justice has become part of the PQF Framework as a result of the review of the National Occupational Standards.

237. **PQF Crisis.** The Committee wrote a letter to the General Secretary, to take this issue to the National Negotiating Committee. However, although there are still some concerns about this qualification the matter was not proceeded with as the anticipated knock-on impact of other Trusts running the same certificate course has not been realised, and those concerns that Napo still has regarding the qualification have been raised at the PQF assurance board.

238. **Probation Qualification framework (PQF).** The PQAB has the responsibility for monitoring the implementation of the PQF Framework and its further development. Napo is represented on the Board by Sarah Friday, National Official.

239. The risks the transforming rehabilitation agenda raises for training and qualifications have been considered by the PQAB - mainly around the issues of recruitment of future learners, the Probation Institute and quality assurance of the competitive sector. More detailed discussions about how training will work in a privatised probation market place have taken place at a Professional Standards Qualification Panel (PSQP), where Napo was represented by the Chair, Tom Rendon.

240. **Relevant degrees for the Graduate diploma.** The 'Graduate Diploma Gateway' paper agreed by the PQAB in March has not been published as the assurance board are concerned that it could cause confusion whilst the 'Transforming Rehabilitation' process is continuing.

241. Meanwhile requests are still being received regarding degrees that are very nearly relevant. The consistent message is that, if it is not in the regulatory framework, it is not a relevant degree. As regards very near relevant degrees, some have been considered. The Accreditation of Prior and Experiential Learning (APEL) is another route that people can use and "Top up" modules for those with near relevant degree for the Graduate Diploma are being explored with HEIs.

242. Higher Education Institute (HEI) contracts:

- Contract amendments are being agreed with HEIs to ensure there is PQF learner provision up to 2016 and HEIs can continue to provide for learners on the PQF. In particular:
 - The last guaranteed Part one intake to the Criminal Justice (CJ) degree is September 2013.
 - The Graduate Diploma will continue with intakes up to 2015 and provision up to 2016.
 - Only in exceptional circumstances and for a limited time will there be extensions.
 - For this last intake, only those who can complete by 2016 will be enrolled.
 - Only PSOs intending to complete the full qualification for PO eligibility will be sponsored and only those who can complete by 2016 will be enrolled.
- Future arrangements post 2016 will be explored with HEIs and PQAB in the meantime.

243. **Project update:**

- There remains a risk of a shortage of qualified POs in the future, subsequent to low up take earlier on the PQF.
- Uptake of the qualifications is increasing in light of the last guaranteed date of the CJ degree.
- Options for adaptation of the PQF post transforming rehabilitation are being refined following discussions with a range of stakeholders including the Probation Qualifications and Standards Panel of which PQAB members were part of.
- Level 3 qualifications have been widely taken up in most regions with some exceptions.

244. **Certificate in Probation Case Administration.** The Certificate is now available for registrations with Skills for Justice. Five assessment centres have registered, particularly those considering progress to PSO posts.

245. **Cert HE (Certificate in Higher Education) in the North West.** NOMS have treated this Cert HE as a pilot and have evaluated it accordingly. NOMS fear that other Trusts would express an interest in running the Cert HE in this way had not materialised.

246. 38 learners enrolled on the course. It was only when all of them came together as a cohort that they realized they were not receiving all they are entitled to in the way of protected learning time. The initial intent to provide no protected learning time for the learners on the programme was modified to allow protected learning time for the University seminars and one Trust provided the standard practice protected learning time of a day a week.

247. The withdrawal rate of 25% is higher than the average of 5% for PQF cohorts. The diversity information is consistent with the diversity information for all Sheffield Hallam University part one cohort, with the exception of the age profile which is slightly younger. These issues support the concerns Napo had about this Cert HE – which was that the lack of protected learning time would lead to a higher withdrawal rate than normal and that this could mean that those with more responsibilities outside of work (more likely to be older workers) may be put off from taking the qualification.

248. **Napo ULF Projects: England.**

1. **Union Learning Agreements** Work was undertaken by the Committee to write to the Chair to ensure the issue of Union Learning Agreements was on the agenda at all regional meetings. Marilyn Owens has been working with the Family Court Section and Cafcass on this particular issue. The Committee remains keen to gain feedback/information as to what facilities/protected Learning time arrangements are in place. Needless to say this particular issue remains high on the Committee's agenda. Unionlearn are concerned to ensure that ULRS in the workplace are protected and have facility time to carry out their role. Eligible learning agreements must be negotiated with the employer by the union and agree specifically to a joint approach to learning. This must include recognition and facility time for ULRS, learning committees/forums, specific training plans, agreement to time off for training, contribution towards training either financial or in kind, provision of equipment or agreement to set up a learning centre; and/or that specific qualifications which have been jointly agreed will be available for employees. At the time of writing and following liaison, Napo ULF Team has been provided with further support and guidance on how to secure workplace learning agreements by working closely with a Unionlearn 'Bargaining for Skills' Officer.

2. **ULRS:** Within this project Round Napo has recruited and trained 10 members with a further 8 members registered for a residential Stage 1 training course at the end of September. Due to a recent ULF Financial update the latter event will be the last residential training course which can be funded by the ULF. Thereafter members wishing to become ULRS will be directed to register for training from other local providers including the TU education. All relevant details are posted on the Napo web site.

3. **Functional Skills:** In July the ULF Team issued a national Branch Release letter for the attention of all members indicating that we had been in negotiations with learning providers across England; and subsequently we have offered access to Functional Skills qualifications, CV workshops and Interview Skills workshops to all staff, regardless of union membership. The agreement with our sister Union, the Prison Officers' Association (POA), also enables staff to be linked with the closest POA Learning Centre to access Functional Skills and a range of Vocational Qualifications (VQs). Functional Skills are offered from Entry Level courses through to Level 2 (which is equivalent to an O Level/GCSE grade A-C). The Vocational Qualifications on offer are paper based and are fully accredited. All VQs on offer are free, unless the candidate does not complete the course. The CV workshops and Interview Skills workshops are available to all staff in their own office base. These workshops are also free and are held over lunch time periods to facilitate staff attendance. To date 8 Probation Trusts have taken up this initiative with several workshops over-subscribed. Additionally, the Association of Black Probation Officers has accessed workshops for their members nationally. Further details can be found in the Branch Release letter and also on the Napo web site.

4. **Professional Forums:** Napo ULF Team provided input to ABPO and NDSN to promote continued professional development. We delivered workshops to raise awareness of union learning provision and barriers to learning respectively. We contributed to the PSO Conference by delivering workshops, and further promoted all four of the Professional Staff Associations as a source of support and professional development designed to meet the diverse needs presented by our membership. Similarly we contributed to the women in Napo Conference, LPT and SWMPT Learning at Work Days also providing promotional materials at all events. In this as in all areas of our practice, Napo ULF Team demonstrates clear commitment to Equality & Diversity.

5. **GFTU, WEA & PHASE partnership Learning Provision:** Napo ULF Team are pleased to report the following progress:

- 2 Day Accredited Dyslexia Awareness Course: To date 306 probation staff have achieved this qualification and further courses are booked during the autumn. Due to the successful take-up of this programme the GFTU extended the funding beyond September 2013 for a further 3 months. The additional accredited courses listed below will also take place in the autumn.
- Health and Safety Level 2 (12 candidates);
- Institute of Leadership & Management (ILM) Level 5 (11 candidates),
- Equality and Diversity Level 2 (30 candidates).

249. **Wales Union Learning Fund Projects - SALFA 2010- 2103 PTLA 2013- 2016.** During this report year, the Union Learning Fund in Wales witnessed the completion of the Sustained Learning for All project (SALFA) on 31/3/2013 and commencement of the new Pathways to Learning for All project (PTLA) on 1/4/2013.

250. The SALFA project 2010-2013 was launched at time when the probation service in Wales was experiencing major change in the form of the merger of four probation trust into a single Wales probation trust. In the last three years, the SALFA Project has made positive impact on the development of union learning in the probation service in Wales. This has been achieved through:

1. The recruitment, training and recognition of the effective role the Union Learning Reps play in promoting learning in the work place. This positive attitude has given them the impetus to deliver bespoke learning programmes to large sections of the work force. The most significant aspect in this is that the project has been able to provide 'needs driven' learning opportunities and in most instances, management has responded positively to this by allowing 'paid time off' for staff to access their courses.
2. The alignment of Union Learning Reps to the new service delivery structure (10 ULRs covering 7 Local Delivery Units and corporate services). Our network of Union Learning Representatives is well supported within Wales by the project manager and the Wales TUC. As well as regular ULR forms held in Wales, the Welsh ULRs attend national forms for England and Wales. Last year a large number attended the annual ULR conference organised by the Wales TUC. The learning agreement gives each ULR half a day per week to perform their functions.
3. The development of a workplace learning agreement; which have contributed to the development of a learning supported by both the union and management. Having strong links with the senior management teams and the Wales Training Consortium has helped the project in promoting learning and development for all staff working in the probation sector in Wales.
4. The establishment of a Learning partnership committee; which meets on regular bi-monthly basis. The ULR and project activities are discussed within the Learning and Qualification Forum and Napo is represented by the project manager, Vice chair and secretary of the Napo Cymru branch and ULRs.
5. The project supported in excess of 319 learners from all grades and areas in Wales; in excess of 23% of the work force in Wales Probation. The project either fully or partially funded a range of short or long term courses. The project funded in more than 32 courses/ learning activities.
6. The establishment of Learning Partnership Committee; which is closely linked to the Learning and Qualification form that addresses all aspects of learning and training across all work streams and regions in the trust. Through this all staff have been afforded learning opportunities. Equality of access and opportunity has been an important feature of this project.
7. The development and provision of courses aimed at increasing access to continued professional development (CPD) of operational and front-line managerial probation staff in Wales. The Project has focussed on the generic skills required to gain necessary qualifications to progress within the sector and to develop a clear career path.

251. At the end of the term of the project 31/3/13, the project achieved all its objectives and spending targets. In view of the success of previous Napo Union Learning Fund projects in Wales another bid for a new project was submitted in October 12 and the decision was positive. The Pathways to Learning for All project is a three year project for the period 2013 – 2016 and officially commenced on 1/4/2014. The project has the following objectives:

1. Offer Information, Advice and Guidance to staff in order to assist them to identify clear career paths.
2. Contribute to the Welsh Government's agenda in respect of addressing Essential skills in the workplace. Screenings and courses will be offered to staff below the PO grade. The project will offer training to ULRs to undertake Essential skills screening work.
3. Promote Welsh language learning; the project will offer a number of individual and group courses to a large number of staff. Napo is committed to promoting the use of the Welsh language in all areas and supports the trust's Welsh language strategy.
4. Complimentary learning and development opportunities; in key areas such as: communication and interviewing skills, report writing, presentation, ICT, PTLs and other functional skills.
5. Work in partnership with the employer to address learning needs identified in the staff appraisal developmental process. The project will engage with staff and management to develop a list of job-specific skills.

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

252. **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.

253. The Committee maintains direct links with the Staff Associations via Napo's regular meetings with representatives of the SAs.

254. **Cafcass Negotiating Committee.** The Committee continues to review its Equality and Diversity practices to ensure that its activities comply with Napo's constitution, relevant policies and 'best practice' in respect of equality of access, supporting diversity and involving members from across all the represented FCS grades in negotiations and consultation with Cafcass senior management.

255. The Committee is made up of elected FCS representatives, a national Officer and national Officials and we believe that it is as proportionately representative in terms of grade coverage, gender, ethnicity and membership of oppressed groups as any other equivalent committee in Napo.

256. The Committee welcomes and will actively encourage Napo FCS members from oppressed groups to stand for the Committee, which is elected at the FCS's AGM.

257. In general terms, however, the Family Court Section, including the Committee, appears to have become excluded from the considerations of the Equal Rights Committee and the Staff Associations. We believe that this situation needs to be remedied as a matter of urgency.

258. **Campaigning Committee.** Throughout the Committee year we have been mindful of the equalities agenda and the importance of this when considering the impact of cuts. It is well documented that austerity measures tend to impact disproportionately on those with protective factors and with this in mind Campaigning committee has tried to keep this at the forefront of its thinking when making proposals for anti-privatisation activities.

259. The Committee also discussed the new 'Building Better Relationships' programme for perpetrators of domestic violence and asked Professional Committee to monitor its roll-out nationally.

260. We have also asked the NEC if Campaigning Committee (in conjunction with Equal Rights Committee) can take the lead role in Napo's Campaign Against the Far Right, particularly in relation to combatting the racist, Islamophobic and homophobic activities of these groups, and work on this will be developed in the coming Committee year.

261. **Editorial Board Probation Journal.** The Probation Journal has board members drawn from across England and Scotland including the editors, the board now comprises five probation practitioners, two academics, a senior research consultant, a Local Authority manager and a chief officer. Including all those who have been on the board during the reporting period, it has included one Asian male, five white women and six white men. Following the resignation of the one Asian board member, the racial composition of the board is now entirely white which is of concern.

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

263. 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.

264. **Equal Rights Committee.** This is the Committee with overall responsibility for the implementation and monitoring of Napo's policy. The committee have looked at ways it can assist branches with reporting the work they have undertaken regards equality issues and to this end a review of the annual equality pro-formas have been undertaken.

265. The Committee has also worked with Napo Head Office to review the monitoring information it collects when members access training events and a new monitoring form has been developed.

266. The Committee has endeavoured to ensure that all NEC meetings are monitored providing feedback as appropriate.

267. **Family Court Professional Campaigning and Training Committee.** In presenting this report the Committee acknowledges that it is not sufficient to state that the Committee is committed to these policies or work according to them. Although the Committee do believe this to be the case, and could cite examples where it has worked to address diversity issues, the Committee acknowledges that it would struggle to evidence any concerted or proactive approach, and that as a Committee it is open to criticism for failing to be active in complying with these union policies.

268. Of the eight members of the Committee (including the FCJ Editorial Board) five are women. There is one black member on the Committee.

269. The Chair of the Committee will ensure that progress on addressing the issues of all the equality strands appears as a standing item at all future meetings. The Committee will also work more closely with the Family Court Section Executive to facilitate access to active participation of all members of the Section.

270. **Health and Safety Committee.** Attention to equal rights is central to the work of this Committee's work. The committee has advised staff with Assistive Technology issues and has campaigned to ensure those responsible for introducing new kit consider the needs of all staff. Diversity issues are central to our thinking in issuing advice and guidance and in considering training to ensure members do not suffer a detriment. Along with other trade unions, the Committee engages in campaigning activity on workplace violence, bullying and harassment and oppressive and discriminatory behaviours by employers or others which can cause stress and pose a hazard to the health and safety of all staff.

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

272. The Management of Change protocol incorporates the need for an equality impact assessment as part of the national intervention and the ongoing work on sickness absence procedures continues to prioritise DDA issues and the treatment of disabled staff. The improved engagement with NOMS over IT issues has facilitated continuing work on the provision of assistive technology (AT).

273. **Professional Committee.** The principles of equality and valuing diversity underpin the Committee's approach to all the work it undertakes. Examples of this can be seen in the Professional Committee's position paper on Probation Practice: Balancing Engagement and Rehabilitation with the Punitive and Technological. In preparing this work, particular regard was shown to the disproportionate impact of different sentences on individuals depending on their circumstances and personal characteristics. In feedback submitted to several Probation Instruction consultation processes issues of valuing diversity have been raised. The Committee has recently started a piece of work aimed at trying to address some of the disadvantage Foreign National Prisoners experience whilst serving sentences in England and Wales.

274. **Steering Committee.** The Committee comprises six elected members. The current Committee comprises four women, one of whom is black, two men and 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.

275. 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.

276. 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. Since 1993 the Committee has also recorded the race and gender of all individuals making contributions. The information gathered is reproduced in the Steering Committee section of the Annual Report. Women now form a majority in terms of members attending AGM. The statistics from AGM in Torquay show that women speaking from the floor made more contributions than men for the first time since the gathering of this information was introduced. In order to continue to sustain progress in this area, Steering Committee continues to urge the Officers, other Committees and Branches to pay attention to gender balance when considering the proposers and seconds of their motions. The number of black members registering to attend AGM at Torquay was 67, an increase on the previous three years. In addition, 26 members defining themselves as mixed race or other were registered at Torquay.

277. 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 requires it, to seek initial assistance.

278. **Trade Union Organisation Committee.** The committee acted upon concerns raised by the NEC Black Representatives. The concerns centred on information that some branches were allocating Black reps to Black members purely on the basis of race even though their motives were well intentioned. The Link Official to the Committee met with the Education provider to ensure that reps training content is adjusted to make sure that all the reps courses covered the role of the Staff Associations and their role to provide support for members and the branch reps on diversity issues and that reps can seek the support of the Staff Associations when required and that diversity and equality issues were at the forefront of all courses delivered by Napo as a part of the education programme.

279. In addition Napo delivered a Black Reps only representing members course, the course was oversubscribed.

280. The Link Official worked with the Staff Associations to arrange for a the Staff Associations to deliver a Workshop at the PSO conference to raise awareness of the role and purpose of the four Staff Associations and how members can access them for support when needed.

281. The National Representatives have identified a discernible trend in the number of cases where the members had dyslexia. As a result Dyslexia Training day was organised for the National Reps in order that they were better equipped to deal with and identify Dyslexia and its impact.

282. **Training Committee.** The principles of equality and valuing diversity are central to the work of the Committee both in regards to the Committee's approach to work on the resolutions and more broadly.

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

283. Branches are required under section 19(b), (c), and (d) of Napo's constitution to liaise with the Equal Rights Committee to provide and report on the implementation of the Anti-Racism Policy and inform the Committee of "any complaints from members concerning racism, specifying the nature of the complaint, the action being taken and the eventual outcome".

284. Pro-formas have also been sent to branches to report on issues that may have arisen which affected Napo members who have a protected characteristic as defined by the Equality Act 2010. Although there is no constitutional requirement for branches to report back on these areas, it is nevertheless, seen as an important step in furthering Napo's commitment to these areas of work and promoting an inclusive union.

285. The pro-formas are reviewed annually to ensure we gather the required information required to address any concerns and identify emerging patterns.

286. **Anti-Racism.** Reports have been received from nine branches. This is an increase from the previous year. Branches continue to report difficulties recruiting Anti-Racism Officers (AROs). However, in the absence of an officer with direct equality and diversity responsibilities the report has been completed either, by the Branch Chair, or Secretary.

287. The following summarises the responses received:

- (a) **Anti-racism initiatives:** Most branches have adopted, though not always formally, anti-racism initiatives.
- (b) **Branch liaison with Equal Rights Committee:** Only one branch reported that they had liaison with Equal Rights Committee.
- (c) **Provision of local anti-racism training for branch executive:** Three branches have provided anti-racism training either through Napo or the GFTU education programme. Other branches have accessed the employers training.
- (d) **Complaints of racism:** One branch reported dealing with a complaint and accessed support from the relevant Staff Association to make sure the matter was dealt with sensitively and appropriately.
- (e) **Liaison with local ABPO/NAAPS reps:** Most branches that responded have had links with the Staff Associations. If not the Staff Association then they have had contact with their local Trust equality groups.
- (f) **Support:** Most branches indicated that they provide support on a one-to-one basis and work with the relevant Staff Association when additional support is required. One branch reported that they have taken an active role in the Stephen Lawrence Anniversary Research project and encouraged and supported members to take part in the research.

288. **Branch reports on work to promote an inclusive union.** Reports have been received from nine branches, an increase from last year.

289. All Branches have diversity on the branch agenda. One branch reported using their branch newsletter to raise awareness of diversity issues. Another branch has managed to influence Trust policy by regular rep attendance at Diversity meetings.

290. Concerns raised by branches: experiencing difficulties around capability issues and disability discrimination.

291. One branch delivered Dyslexia Awareness training, which was very successful and attended by the majority of the branch's executive committee.

Affiliations for 2012

Abortion Rights
Campaign for Homosexual Equality
Cuba Solidarity Campaign
GFTU - General Federation of Trade Unions
Hazards
Hope not hate
Howard League for Penal Reform
IER - The Institute of Employment Rights
Justice for Columbia
Labour Research Department
NPC - National Pensioners Convention
TUC – Trades Union Congress
UAF – Unite Against Fascism
Venezuela Solidarity Campaign
Wales TUC Cymru

Napo

ACCOUNTS

for the year ended 31 December 2012

Report of the Officers

The Officers present their annual report with the accounts of the union for the year ended 31 December 2012.

OFFICERS

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

<i>Name</i>	<i>31 December 2011</i>
L. Robinson	(Co-Chair) from October 2012
T. Rendon	(Co-Chair) appointed October 2012
T. Wilson	(Chair) completed term in October 2012
K. Stokeld	(Treasurer)
D. Peros	(Vice Chair) completed term of office October 2012
E. Chester	(Vice Chair)
C. Bewley	(Vice Chair)
A. Mercer	(Vice Chair)
M. Elliott	(Vice Chair) appointed October 2012
N. Smith	(Vice Chair) appointed October 2012

STATEMENT OF OFFICERS' RESPONSIBILITIES

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

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

Signed, on behalf of the National Executive Committee:

K. STOKELD, *Treasurer*

Approved on 22 May 2013.

Independent Auditors' Report

TO THE MEMBERS OF Napo

We have audited the accounts of napo for the year ended 31 December 2012, 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).

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 accounts in accordance with Trade Union and Labour Relations (Consolidation) Act 1992 and for being satisfied that the accounts give a true and fair view.

Our responsibility is to audit the accounts 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.

We report to you our opinion as to whether the accounts give a true and fair view and have been properly prepared in accordance with the Trade Union and Labour Relations (Consolidation) Act 1992. We also report to you if, in our opinion, the Report of the Officers is not consistent with the accounts, if napo has not kept proper accounting records, if we have not received all the information and explanations we require for our audit, if napo has not established and maintained a satisfactory system of control over its accounting records, its cash holdings and its receipts and remittances, if we have not received proper returns, adequate for our audit, from branches not visited by us and if the Balance Sheet and Income and Expenditure Account are not in agreement with the accounting records and returns.

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

This report is made solely to the members of napo, 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 members of napo those matters that we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the members of napo as a body, for our audit work, for this report, or for the opinions we have formed.

SCOPE OF THE AUDIT OF THE ACCOUNTS

An audit involves obtaining evidence about the amounts and disclosures in the accounts sufficient to give reasonable assurance that the accounts are free from material misstatement, whether caused by fraud or error. This includes an assessment of: whether the accounting policies are appropriate to napo's circumstances, and have been consistently applied and adequately disclosed; the reasonableness of significant accounting estimates made by the officers; and the overall presentation of the accounts.

OPINION ON THE ACCOUNTS

In our opinion the accounts:

- give a true and fair view of the state of Napo's affairs at 31 December 2012 and of its surplus for the year then ended; and
- have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice the Trade Union and Labour Relations (Consolidation) Act 1992.

Elizabeth Ridge
Senior Statutory Auditor

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

Income and Expenditure Account

FOR THE YEAR ENDED 31 DECEMBER 2012

	Notes	2012		2011	
		£	£	£	£
Income from Subscriptions			2,153,337		2,203,889
TUC Projects			219,644		179,382
Other Income	2		34,952		36,826
			<u>2,407,933</u>		<u>2,420,097</u>
Staff Costs	3	974,486		922,359	
TUC Projects		219,644		179,382	
Accommodation Costs		75,780		66,185	
Operating Costs		352,233		298,899	
Committee, Conference and Affiliation Costs		450,495		532,252	
Financial and Legal Costs		25,168		24,081	
Branch Expenses		192,771		169,004	
		<u>2,290,577</u>		<u>2,192,162</u>	
			(2,290,577)		(2,192,162)
Surplus for the Year before Taxation			117,356		227,935
Taxation	4		(3,280)		(4,894)
Surplus for the Year after Taxation			114,076		223,041
Transfer to Special Aid Fund	9		(165,292)		(223,251)
Transfer to Action Fund	9		(5,000)		(5,000)
Transfer to Office Relocation Fund	9		–		(50,000)
Transfer to Hardship Fund	9		(2,000)		(8,005)
Amount transferred to Accumulated Fund			<u>(58,216)</u>		<u>(63,215)</u>

The notes on pages 29 and 30 form part of these accounts.

Balance Sheet

AS AT 31 DECEMBER 2012

	Notes	2012		2011	
		£	£	£	£
FIXED ASSETS	5		145,498		150,627
CURRENT ASSETS					
Sundry Debtors		175,829		110,986	
Cash at Bank and in Hand					
– Branches		131,930		157,819	
– Head Office		1,554,632		1,656,338	
		<u>1,862,391</u>		<u>1,925,143</u>	
CURRENT LIABILITIES					
Sundry Creditors		144,214		151,499	
NET CURRENT ASSETS			<u>1,718,177</u>		<u>1,773,644</u>
TOTAL ASSETS LESS CURRENT LIABILITIES			<u>1,863,675</u>		<u>1,924,271</u>
<i>Represented by:</i>					
ACCUMULATED FUND	9		1,493,637		1,551,853
OFFICE RELOCATION RESERVE FUND			250,000		250,000
SPECIAL AID FUND	9		45,372		54,261
ACTION FUND	9		48,790		43,790
HARDSHIP FUND	9		25,876		24,367
			<u>1,863,675</u>		<u>1,924,271</u>

I. Lawrence, Acting General Secretary

K. Stokeld, Treasurer

The notes on pages 29 to 30 form part of these accounts.

Statement of Total Recognised Gains and Losses

FOR THE YEAR ENDED 31 DECEMBER 2012

	<i>Notes</i>	<i>2012</i> £	<i>2011</i> £
General Fund surplus for the financial year after taxation		114,076	223,041
Surplus for the year on Office Relocation Reserve		—	—
Donations from Branches to Special Aid Fund		1,000	4,138
Expenditure on Special Aid		(175,181)	(236,357)
Expenditure on Branches Hardship Fund		(491)	—
Total recognised gains since last annual report		<u>60,596</u>	<u>9,178</u>

Notes to the Accounts

FOR THE YEAR ENDED 31 DECEMBER 2012

1. ACCOUNTING POLICIES

- (i) The Accounts have been prepared under the historical cost convention.
- (ii) Subscriptions income includes amounts receivable at the balance sheet date. Income is received from payroll deductions made by Probation Trust pay authorities and members direct payments to Napo. Royalties are accounted for when received.
- (iii) Expenses are written off in the year to which they relate.
- (iv) Rates of Depreciation and Amortisation are provided so as to write off the cost of Fixed Assets in equal instalments over their estimated useful lives.
 - Freehold Buildings – 2% on cost
 - Computer Equipment and Software – 25% on written down value
 - Other Capital Items are written off in the year of purchase.
- (v) Pension Costs
 - Contributions in respect of the company'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.

	<i>2012</i> £	<i>2011</i> £
2. OTHER INCOME		
Interest Receivable	17,266	23,308
Sundry Income	17,686	13,518
	<u>34,952</u>	<u>36,826</u>

	<i>2012</i> £	<i>2011</i> £
3. STAFF COSTS		
Included in staff costs are:		
Wages and Salaries	752,608	699,101
Social Security Costs	81,867	82,214
Other Pension Costs	72,809	79,039
	<u>907,284</u>	<u>860,354</u>
General Secretary		
Remuneration	71,324	66,192
Social Security Costs	8,824	8,059
Pension	11,784	10,914
	<u>91,932</u>	<u>85,165</u>

4. TAXATION

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

	<i>2012</i> £	<i>2011</i> £
Current Corporation Tax	<u>3,280</u>	<u>4,894</u>

5. FIXED ASSETS

	<i>Freehold Land and Buildings £</i>	<i>Computer Equipment and Software £</i>	<i>Total £</i>
Cost			
At 1 January 2012	205,339	278,757	484,096
Additions	—	5,995	5,995
Disposals	—	—	—
At 31 December 2012	<u>205,339</u>	<u>284,752</u>	<u>490,091</u>
Depreciation			
At 1 January 2012	76,785	256,684	333,469
Charge for the year	4,107	7,017	11,124
Deduct for Disposals	—	—	—
At 31 December 2012	<u>80,892</u>	<u>263,701</u>	<u>344,593</u>
Net Book Value			
At 1 January 2012	<u>128,554</u>	<u>22,073</u>	<u>150,627</u>
At 31 December 2012	<u>124,447</u>	<u>21,051</u>	<u>145,498</u>

6. 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 annual pension commitment under this scheme is for contributions of £72,809 (2011 – £79,039). No contributions were due at the year end (2011 £nil).

7. CONTINGENT LIABILITY

A former employee of Napo is pursuing a case for unfair dismissal against the union at an employment tribunal, which took place in December 2012. The findings of the tribunal are expected shortly. These accounts include a prior year adjustment to include an accrual in the 2011 accounts for the tribunal expenses. The Officers have obtained legal advice and, based on this, at this stage, it is not considered necessary to make any provision in these accounts in respect of this claim.

8. PRIOR YEAR ADJUSTMENT

The 2011 figures have been restated to include a provision for the legal costs incurred in connection with the employment tribunal.

Notes to the Accounts - 31 December 2012

9. MOVEMENT OF FUNDS

Office Relocation Reserve Fund

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

Special Aid Fund

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

Action Fund

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

The Branches Hardship Fund

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

9 Movement of Funds – Summary

	<i>Notes £</i>	<i>General Fund £</i>	<i>Office Relocation Reserve £</i>	<i>Special Aid Fund £</i>	<i>Action Fund £</i>	<i>Branches Hardship Fund £</i>	<i>Total £</i>
Income		2,407,933	—	1,000	—	—	2,408,933
Expenditure		<u>(2,290,577)</u>	—	<u>(175,181)</u>	—	<u>(491)</u>	<u>(2,466,249)</u>
Surplus/(deficit) for the year		117,356	—	(174,181)	—	(491)	57,316
Taxation		<u>(3,280)</u>	—	—	—	—	<u>(3,280)</u>
Net surplus/(deficit)		114,076	—	(174,181)	—	(491)	(60,596)
Transfers between Funds	6	<u>(172,292)</u>	—	<u>165,292</u>	<u>5,000</u>	<u>2,000</u>	—
		(58,216)	—	(8,889)	5,000	1,509	(60,596)
Balance bf	1,672,532						
Prior year adjustment (as restated (note 8))	<u>(120,679)</u>	<u>1,551,853</u>	<u>250,000</u>	<u>54,261</u>	<u>43,790</u>	<u>24,367</u>	<u>1,924,271</u>
Balance at 31 December 2011		<u>1,493,637</u>	<u>250,000</u>	<u>45,372</u>	<u>48,790</u>	<u>25,876</u>	<u>1,863,675</u>

National Office

Detailed Income and Expenditure Account

FOR THE YEAR ENDED 31 DECEMBER 2012

	Schedule	2012		2011	
		£	£	£	£
Membership Subscriptions			2,153,337		2,203,889
Bank Deposit Interest			17,266		23,303
TUC ULR Project			219,644		179,382
Sundry Receipts			2,924		1,688
			<u>2,393,171</u>		<u>2,408,262</u>
Staff Costs					
Salaries, Pensions, National Insurance		907,284		860,354	
Staff Recruitment		6,116		5,715	
Staff Training		12,154		8,999	
Staff Expenses		48,932		47,291	
Car Leasing Charges		—		—	
		<u>974,486</u>		<u>922,359</u>	
TUC ULR Project		219,644		179,382	
Accommodation Costs					
Rates, Light and Heat		25,635		21,680	
Repairs and Renewals of Building		32,585		26,075	
Insurance		5,972		5,880	
Professional Indemnity Insurance		2,700		2,650	
Office Move		6,820		8,427	
Sundry		2,068		1,473	
		<u>75,780</u>		<u>66,185</u>	
Operating Costs					
Printing, Stationery and Equipment		82,883		59,198	
Reference Books and Papers		1,355		862	
Postage		11,826		9,622	
Telephone		5,421		5,163	
		<u>101,485</u>		<u>74,845</u>	
Computer Maintenance and Support		83,170		55,290	
Cost of Publications	1	156,454		157,299	
Depreciation		11,124		11,465	
		<u>250,748</u>		<u>298,899</u>	
Committee, Conference and Branch Costs					
Committee Expenses		132,362		132,640	
Cost of Conferences	2	119,111		89,409	
Branch Grant		116,558		121,769	
Branch Conference Funding		35,053		38,777	
Branch Training		51,702		40,892	
Health & Safety		1,807		6,185	
Welsh Language Translations		—		252	
Membership Recruitment		12,614		15,993	
Union Learning Fund		(30)		(35)	
		<u>469,177</u>		<u>445,882</u>	
Subscriptions and Affiliations					
Fees – TUC		22,237		21,506	
Fees – Other		1,689		5,860	
Fees – GFTU		7,691		7,540	
		<u>31,617</u>		<u>34,906</u>	
Donations – Edridge		28,906		26,962	
Donations – Autonomous Groups		11,000		12,000	
Donations – General		508		880	
		<u>40,414</u>		<u>39,842</u>	
Ballots		12,328		16,893	
Political Lobbying/Media		36,011		33,478	
Women Strategy		6,252		2,318	
Health & Safety		6,307		—	
Tribunal Expenditure		—		120,679	
Conference Consortium		—		(1,200)	
		<u>602,106</u>		<u>1,138,680</u>	
Financial Costs					
Audit and Accountancy		9,450		9,700	
Bank Charges		1,510		1,761	
Legal and Professional Fees		14,208		12,620	
		<u>25,168</u>		<u>24,081</u>	
National Office surplus for year			<u>2,249,417</u>	<u>24,081</u>	<u>2,629,586</u>
Add: Branch Offices (deficit)/surplus			143,754		(221,324)
			<u>(26,398)</u>		<u>3,377</u>
Total (deficit) for year before tax			<u>117,356</u>		<u>(217,947)</u>

Branches

Detailed Income and Expenditure Account

FOR THE YEAR ENDED 31 DECEMBER 2012

	2012		2011	
	£	£	£	£
Grants from National Office		116,558		121,769
Hardship Grant		—		—
Conference Funding from				
National Office		35,053		38,777
Individual Contributions		5,655		5,624
Bank and Building Society Interest		—		5
Donations		89		269
Sundry Income		10,018		5,937
		<u>167,373</u>		<u>172,381</u>
Branch Expenses				
Expenses of other Officials	14,238		18,592	
Printing, Postage and Stationery	1,936		3,035	
Branch Meetings	20,005		15,432	
Bank Charges	68		78	
Training	9,08		6,713	
Donations	4,445		3,758	
Net Cost of Annual and				
Branch Conference	135,808		108,536	
Hardship Fund	—		—	
Other Branch Expenses	7,253		12,860	
		<u>192,771</u>		<u>169,004</u>
(Deficit)/Surplus of Income over Expenditure for the Year before Taxation		<u>(25,398)</u>		<u>3,377</u>
Charged to General Fund		192,771		169,004
Transfer from Hardship Fund		—		—
		<u>192,771</u>		<u>169,004</u>

Publications Account

FOR THE YEAR ENDED 31 DECEMBER 2012

Association's Publications	Schedule No. 1			
	2012		2011	
	£	£	£	£
Cost of publications				
Printing — Newsletter		59,098		60,795
— Journal		56,943		59,472
— ICCJ Monographs		—		—
— Changing Lives		—		—
— Cafcass Journal		6,473		6,406
Postage — Newsletter and Journal		71,649		57,108
		<u>194,163</u>		<u>183,781</u>
<i>Less:</i>				
Sales — Journal and Newsletter	—		78	
— ICCJ Monographs	40		43	
Changing Lives	—		13	
Inserts — Journal and Newsletter	1,710		1,740	
		<u>1,750</u>		<u>1,874</u>
		192,413		181,907
Income from other publications	1,585		—	
Royalties — Napo journals	34,374		24,608	
Sundry Publications	—		—	
		<u>35,959</u>		<u>24,608</u>
Net cost of publications transferred to Income and Expenditure Account		<u>156,454</u>		<u>157,299</u>

Conference Account

FOR THE YEAR ENDED 31 DECEMBER 2012

Conference Account	Schedule No. 2			
	£ 2012	£	£ 2011	£
Cost of Annual Conference	98,109		79,679	
Less: Registration Fees	<u>(21,869)</u>		<u>(17,492)</u>	
Net cost of Annual Conference		76,240		62,187
Trainees Conference Expenditure	49,037		1,129	
Less: Registration Fees	<u>(25,828)</u>		<u>—</u>	
Net cost of Trainees Conference		23,209		1,129
Family Court Conference Expenditure	6,226		3,438	
Less: Registration Fees	<u>—</u>		<u>—</u>	
Net cost of Family Court Conference		6,226		3,438
Professional Conference Expenditure	—		—	
Less: Registration Fees	<u>—</u>		<u>—</u>	
Net cost of Professional Conference		—		—
Women in Napo Conference	248		8,712	
Less: Registration Fees	<u>—</u>		<u>(300)</u>	
Net cost Women in Napo Conference		248		8,412
Race for Justice Conference over accrual	—		—	
Less: ULF contributions	<u>—</u>		<u>—</u>	
Less: Registration Fees	<u>—</u>		<u>—</u>	
Net cost of Race for Justice Conference		—		—
Cost of Managers Conference		14,816		(5)
Cost of PSO Conference		5,265		15,650
Cost of Health & Safety Forum/Conference		—		5,623
Centenary Conference		—		5,000
YOT Seminar		—		—
Hostels Seminar		—		4,192
Other Project Income		(6,893)		(16,217)
Total cost of Conferences		<u>119,111</u>		<u>89,409</u>

ACCOUNTS & ANNUAL REPORT

for the year ended 31 December 2012

(Abbreviated Version)

Administrative Details

Registered Charity No: 803493

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

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

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

Report of the Trustees

Trustees

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

Anne King	(Avon & Somerset)	Appointed as Trustee September 2006, and elected as Chair October 2008
Nick Paul, MBE	(London)	Appointed November 2008, and elected Vice Chair in May 2011
David Cox*	(Gloucestershire)	Appointed June 2007 (Appointed Treasurer September 2007)
Alessandra Evans	(Thames Valley)	Appointed November 2008
Liz Bywater	(Kent)	Appointed September 2009
Doug Stevenson	(London)	Appointed July 2012

**David Cox stood down as a Trustee as from July 2012*

Staff

Richard Martin Secretary*

David Cox Honorary Treasurer. Business Officer (from 1/12/12) & Bookkeeper

Sarah Byatt Administrator

**Richard Martin retired on 31/12/12, and Karl Deakin was appointed Secretary as from 1/12/12 for handover purposes*

Chairs Report

Introduction

The Trustees have continued the practice, started last year, of providing an abbreviated version of the Annual Report & Accounts, for inclusion in the Napo Annual Report. The Accounts presented are the full version, with the exception of the list of investments, which will be available with the full version of the Annual Report, before the Napo AGM in October 2013. 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 31/12/12 on behalf of the Trustees, though where appropriate I have referred to operations in 2013.

Edridge – 2012 A year of Change

We reported last year on the significant changes that would be taking place on the retirement of Richard Martin, our previous Secretary, to every aspect of the way we operate, and changes in the roles of every staff member. Those changes had been implemented by the end of December, including relocation of office facilities, and the adoption of a high level of technology to streamline our operation. The staff changes were implemented on 1/12/12, and our new operational arrangements were in place by mid December 2012.

We are grateful to Napo, in particular Keith Waldron Office Manager, for assisting in the provision of data storing and remote desktop facilities for our staff on the Napo computer system. Napo staff are also now assisting in forwarding our post to our administrative office, since Napo Head Office has now become our postal address for all post.

The Edridge Fund of Napo

Staff Changes

We appointed a new Secretary after a recruiting campaign which was targeted on the legal profession. Karl Deakin, our new Secretary, is a solicitor working in Local Government, but with considerable experience in working with and advising in the voluntary sector. We are grateful to Ian Lawrence, General Secretary of Napo, for assisting in the selection process.

A great deal of what Richard Martin did was as an administrator, and that element of his work has been shared out between our Administrator Sarah Byatt, previously Administrative Assistant to Richard Martin, and David Cox, who now has the role of Business Officer, in addition to his existing roles as Honorary Treasurer, Bookkeeper, and other miscellaneous duties. David has now stepped down as a Trustee in order to fulfil his new roles. As part of these changes new Job Descriptions have been prepared for all staff.

Trustee Changes

We welcomed the election of Doug Stevenson (London Branch) as a new Trustee in September 2012, to replace David Cox. In the course of 2013 two Trustees reach the end of their term of office, and at the time of writing the process of seeking nominations for new Trustees has been started. It is significant that whilst we have retained a good gender balance within the Trustee Group, we are all located in the South, and two of the Trustees are retired members.

Donations and Fund Raising

We were greatly helped by Napo with an increase in their annual donation of nearly £2,000, and there was a welcome increase in our regular donations of over £1,800, following our special appeal at the end of 2011. For the second year running our income from Fund Raising is nearly twice what it had been in 2010, and part of this has been a significant increase in our 50/50 Lottery Club membership. There was also a significant increase in our investment income. The level of income from occasional donations made by branches and individuals has remained the same as last year, which had been a two thirds increase over 2010.

Thus we are once again able to say that through the tremendous efforts of members, and others, we have been able to maintain our income, despite the economic recession, and the trend towards falling donations experienced in most of the Charity Sector.

However, as I write this in the second half of 2013, we have to warn that our analysis of income at the half year stage of 2013 indicates a slight fall in our regular donations, and significant reductions in our income from general donations and fund raising. There was also a reduction of £1,300 in the Napo donation. This has largely been offset by significant bequests we have received in 2013, and a large single donation from a Corporate Charity, **but the trend in ordinary donations is worrying.**

Edridge Investments

Our Investment Portfolio increased in value significantly in the course of the year, enabling us to withdraw £10,000 for the second year running, to keep our cash flow at a safe level. We have seen a continuing increase in our portfolio valuation overall during 2013, and in view of our Budget forecast on our half year review, we may need to consider once again withdrawing substantial funds from the investments, provided market conditions remain buoyant.

Last year we reported that we were considering changes in the management of our portfolio to achieve ethical investments. We have not made any radical changes, after our discussions with our Investment Managers, but we now have a position where the Trustees will review the nature of our investments in the course of the year, and seek individual changes in investments if the need becomes apparent. We will continue to keep this under review.

Governance

In the course of 2012 we identified many of the areas where we needed to make changes, and work was started on some of these. However, the decision to appoint a professionally qualified Secretary will give us the opportunity to further refine what needs to be done. This will include a major review of our Trust Deed, and any proposed changes will be discussed with Napo. We have also reviewed the pay rates for our staff and increased them to equate with Napo pay rates.

The Edridge Fund of Napo

Applications for Assistance

Applications for assistance in 2012 remained at the same high level we experienced in the previous year. The nature of problems faced by applicants continued to be as in previous years, though we have seen a significant number of applicants who have got into difficulty with Pay Day loans. Illness and relationship problems have continued to be major causes of difficulty for applicants. The total amount paid in grants was £3,566 less than the previous year, partly due to a slightly reduced number of applications, and the Trustees have continued to target the amount paid to reflect the immediate needs.

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 have been to Napo members, and once again we have paid to Napo members more than we received in the Napo grant. Of the total, 13 applications were refused, usually on grounds that the applicants were not eligible, and a further 11 applicants were referred to the Unison Welfare Fund.

One of the issues the Trustees intend to consider further is the extent to which Edridge can assist applicants through debt-management guidance, so as to augment, or in some cases as an alternative to, payment of grants.

Final thoughts

We have successfully achieved major changes in the way we work, and the roles of the staff carrying out that work. The changes, including the renewal of computer equipment, have not been expensive, and what we have now is a streamlined and efficient service. However, this has been done without losing the compassion and need to empathise with the people we help.

The Edridge Fund has been fortunate to be able to respond to the increased need for assistance by virtue of the support we receive, but we have also been very lucky with our Investments and that will not necessarily continue. We also face an uncertain future, in the same way that Napo does. Thus in the near future the Trustees will need to consider strategies to cope with changing circumstances.

The fact remains that if a small proportion of the Napo membership were to donate comparatively small sums of money every month, our future would be assured, even in the difficult times that lie ahead. This would be vital if we are to continue to support our colleagues in need, at a time when that need is unlikely to diminish.

We also need to have more people taking an interest in working with Edridge, either as Trustees, or volunteering to take over some of our work, and we need the Trustee Group to represent the country as a whole. We also need younger people working with us to reflect the age of most of our applicants.

Finally, I have to thank the many people who help us, in particular our local representatives, who work tirelessly to promote the work of the Fund. In this context I can say that in recent times we have become closer to Napo Head Office, who have helped us greatly with our modernization, and continue to help every day with our operation. I must also thank our Administrator Sarah Byatt, who has worked hard to assist in implementing our system changes. However, the biggest vote of thanks must go to David Cox, who worked tirelessly throughout the year to evaluate, develop and then implement the huge office changes. The fact that things have gone so well is largely down to his industry and expertise.

Anne King – Chair

August 2013

Independent Examiner's Report on the Accounts

In accordance with Charity Commission requirements we submitted our accounts for an Independent Examination, and on 19th August 2013 the accounts were approved. A copy of the Independent Examiner's Report will be available with the full version of our Accounts & Annual Report, to be published in October 2013.

David Cox – Honorary Treasurer

August 2013

Statement of Financial Activities

(incorporating an Income and Expenditure Account)

FOR THE YEAR ENDED 31 DECEMBER 2012

	<i>Notes</i>	<i>2012</i> £	<i>2011</i> £
Incoming Resources from Generated Funds			
Voluntary Income			
Regular Donations and Gifts		11,488	9,610
Contribution from Napo		28,906	26,962
Activities for generating funds			
Fund Raising (including 50/50 Club subscriptions)	7	6,260	6,224
Investment and Interest Income			
Investment Income		4,440	3,773
Bank Interest (including Investment Account)		Nil	—
Incoming Resources from Charitable Activities			
Contributions from members, branches and others		9,908	9,354
Net Profit on Christmas Cards		964	209
Total Incoming Resources		<u>61,966</u>	<u>56,132</u>
Resources Expended			
Costs of Generating Funds			
Promotional activities		236	261
Investment Management Fees	5	2,185	3,201
Website Expenses		504	504
50/50 Club Prizes	7	1,096	966
Sub Total		<u>4,021</u>	<u>4,932</u>
Net Resources available for Charitable Application		<u>57,945</u>	<u>51,200</u>
Costs of Charitable Activities			
Grants paid		49,524	53,090
Management and delivery of the charity's purpose	2	16,180	13,580
		<u>65,704</u>	<u>66,670</u>
Governance Costs	4	1,019	1,630
Total Resources Expended		70,744	73,232
Net Operating Surplus/(Deficit) for the Year before Gross Transfers		<u>(8,778)</u>	<u>(17,100)</u>
Gross Transfers between Funds	9	(10,000)	(10,000)
Net Incoming Resources before Gains and (Losses)		(18,778)	(27,100)
Other Recognised Gains (Losses)			
Realised gains/(losses) on investments		11,992	18,532
Unrealised gains/(losses) on investments		6,645	(15,777)
Net Movements in Funds		(141)	(24,345)
Total Funds Brought Forward		<u>175,135</u>	<u>199,480</u>
Total Funds Carried Forward		<u>174,994</u>	<u>175,135</u>

Balance Sheet

AS AT 31 DECEMBER 2012

	Notes	2012		2011	
		£	£	£	£
Fixed Assets					
Tangible (Fixed) Assets	1		Nil		Nil
Investments	9		166,772		160,127
			<u>166,772</u>		<u>160,127</u>
Current Assets					
Debtors	8	3,847		3,637	
Cash at Bank and in Hand		8,016		14,088	
		<u>11,863</u>		<u>17,725</u>	
Creditors:					
Amounts falling due within one year					
Accruals	6	3,641		2,717	
Net Current Assets					
			<u>8,222</u>		<u>15,008</u>
Total Assets Less Current Liabilities					
			<u>174,994</u>		<u>175,135</u>
Net Assets					
			<u>174,994</u>		<u>175,135</u>
Income Fund and Reserve					
General Reserve as at 31 December 2011			<u>174,994</u>		<u>175,135</u>
Total Funds available to the Fund					
			<u>174,994</u>		<u>175,135</u>

These financial statements were submitted to the Trustees for approval at their meeting on 25 July 2013, and were approved, subject to a satisfactory Independent Examination.

ANNE KING
Chair of the Trustees
25 July 2013

DAVID COX
Treasurer
25 July 2013

KARL DEAKIN
Secretary
25 July 2013

Notes forming part of the Accounts

FOR THE YEAR ENDED 31 DECEMBER 2012

1. ACCOUNTING POLICIES

The accounts have been prepared using the same policies published in previous Annual Reports, with the exception of the policy on depreciation of fixed assets. An explanation is in our Full Report.

2. MANAGEMENT AND DELIVERY OF THE CHARITY'S PURPOSE

	Notes	2012	2011
		£	£
Staff Costs	3a & 2c	9,306	8,151
Rent	2c	2,930	2,880
General Office Costs/Equipment			
Maintenance		1,724	1,450
Equipment Purchase	2a	592	401
Insurance		599	599
Depreciation on Fixed Assets	1	Nil	73
Bank Charges		93	25
"Succession" Expenses	2b	936	
		<u>16,180</u>	<u>13,580</u>

The notes on pages 39 & 40 form part of the accounts.

2. MANAGEMENT & DELIVERY OF THE CHARITY'S PURPOSE (continued)

- (a) Relates to purchase of new computer equipment for the Administrator's office.
- (b) This is the cost of recruiting a new Secretary and leaving presents for the retiring Secretary, less contributions to be received from Edridge Staff and Trustees, and a contribution from Napo.
- (c) Staff costs and rent were higher than last year, as on 1/12/2012 Edridge staff took up their new roles, on revised pay rates and increased hours, and rent was being paid on two offices for one month. There was also an overlap between the retiring Secretary and his successor.

3. TRANSACTIONS WITH RELATED PARTIES

REMUNERATION	£
Payments to Trustee for Services	504

- (a) The payments listed are included in the figure for staff costs and amount to 2 hours per week for accounting services provided by the Treasurer David Cox, whilst he was still a Trustee.

4. GOVERNANCE

	2012	2011
	£	£
Staff and Trustees Expenses	771	955
Independent Examiner's Fee	Nil	Nil
Napo Conference Expenses	248	434
Trustees Training	Nil	2401
	<u>1,019</u>	<u>1,629</u>

5. INVESTMENT MANAGEMENT FEES

	2012
	£
Total Fees charged for the year	3,096
<i>Less refund of excess charge</i>	911
	<u>2,185</u>

- (a) We received a refund in respect of portfolio charges which had been incorrectly applied over several previous years.

6. CREDITORS

	2012
	£
Staff costs (<i>payable to Napo</i>)	3,191
Grant to be paid in 2013, but authorised	450
in 2012	<u>3,641</u>

The Edridge Fund of Napò

7. FUND RAISING

	2012
	£
Fund Raising and Sponsored Events	3,848
50/50 Club Subscriptions*	2,412
	<u>6,260</u>

* The net benefit to the Fund of the 50/50 Club was therefore £1,316 during 2012.

8. DEBTORS

	2012
	£
Gift Aid Tax Refund for 2011/2012 (estimated)	1,800
Gift Aid Tax Refund for 2012/2013 (estimated)	1,800
Christmas Cards (based on receipts in 2013 'till 31/3/13)	72
Contributions to Leaving presents for retiring Secretary	175
<i>(received during 2013)</i>	<u>3,847</u>

(a) Carried over from the 2011 accounts as the Claim was not made during the year, though will be made during 2013, once new staff have been registered with HMRC.

9. INVESTMENTS

The complete list of our investments will be available in the full report. The valuation is based on the report of our Investment Managers, reflecting the position as at 31/12/2012. It will be noted that we withdrew £10,000 from the portfolio, and this is reflected in the realised gains reported in the Statement of Financial Affairs.

CONSTITUTION

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

1. Name

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

2. Objects

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

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

3. Political Fund

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

4. Membership 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 not employed by probation Trusts.*
- (vi) *Other staff employed by probation trusts or Cafcass who share the professional aims of the Association but who are not eligible for full membership under clause 4(a).*
- (vii) *Retired full members.*

(c) Associate members shall be:

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

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

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

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

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

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

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

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

5. Subscriptions

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

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

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

6. Conduct of Meetings

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

7. Voting

- (a) All full members, and professional associate members, subject to clause 6(f), shall be entitled to one vote each in every division of any General Meeting at which they are present.
- (b) All full members, and professional associate members subject to clause 6(f), shall be entitled to one vote each in every division of any meeting of their branches at which they are present.
- (c) Except as provided for in clause 7(d) all full members shall be entitled to one vote each in every ballot of the Association or of their branches.
- (d) In all ballots under Section 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 the Chair, four Vice-Chairs, and the Treasurer, of the four Vice-Chairs, three will be employees of a Probation Trust and one will be an employee of Cafcass.
- (b) The officers shall be elected by a secret ballot of full members, to be held at a convenient time prior to the AGM. They shall take office at the AGM following the election. They shall hold office until the AGM two years after they took office. They shall be eligible for re-election. The Chair and Vice-Chairs may serve a maximum of two terms (four years) successively in the same office. The Treasurer may serve a maximum of three terms (six years) successively in that office.
- (c) Candidates for election as an officer shall be nominated in writing by branches with the consent of the nominee. Nominations shall be delivered to the General Secretary not less than three calendar months before the date of the AGM.
- (d) Should an officer for any reason cease to hold the office to which she or he has been elected before the period of office expires, the NEC shall be empowered to fill the vacancy by:
 - (i) the appointment of an acting Chair, Vice-Chair or Treasurer,
 - or;
 - (ii) inviting nominations for the vacant post and conducting an election by secret ballot of all full members.
- (e) An officer acting or elected in accordance with clause 9(d) shall serve until the completion of the term originally to be served by the officer they have replaced. The period of office shall be deemed to be a full term if it exceeds twelve months; any shorter period shall be disregarded for the purposes of clause 9(b).
- (f) The Chair shall preside at General Meetings and NEC meetings at which she or he is present. The Chair shall have discretion to invite a Vice-Chair to preside.
- (g) The officers shall have the power to act between meetings of the NEC in the interests of the Association. They shall report to the next meeting of the NEC on all such actions and decisions taken.
- (h) The officers shall act as employers on behalf of the NEC. They shall report to the next NEC on all such actions and decisions taken.
- (i) The officers shall act as trustees on behalf of the Association in accordance with Section 10. They shall report to the next NEC on all such actions and decisions taken.

10. Trustees

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

11. Officials and Administrative Staff

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

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

12. Appointment of Employees

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

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

13. General Meetings

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

14. Annual General Meetings (AGM)

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

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

15. Special General Meetings (SGM)

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

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

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

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

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

16. National Executive Committee

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17. Committees of the NEC

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

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

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

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

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

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

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

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

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

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

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

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

22. Workplace Meetings

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

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

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

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

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

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

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

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

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

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

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

23. Sections

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

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

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

24. Expenses

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

25. Representation of Members

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

26. Legal Assistance

- (a) The NEC shall maintain a 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 2013

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

Probation Trusts

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

DISCIPLINARY RULES

Definitions

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

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

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

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

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

General

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

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

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

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

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

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

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

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

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

RULES FOR THE CONDUCT OF BALLOTS

1. General Rules

- 1.1 Under clause 7(k) of the Constitution, the NEC has established the following Rules for the Conduct of Ballots. Any ballot conducted under clauses 3(a), 9(b), 9(d), 12(c), 21(g), 21(k), 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.

BRANCH HARDSHIP FUND

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

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

Notes

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OFFICERS AND STAFF OF THE ASSOCIATION

ELECTED OFFICERS 2012/2013

Co Chair/ Chair:	Lisa Robinson (until April 2013) Tom Rendon
Vice Chair (Cafcass): Vice Chairs (Probation):	Tony Mercer Caroline Bewley and Eve Chester (job share) Megan Elliott Nick Smith
Treasurer:	Keith Stokeld

STAFF

General Secretary:	Jonathan Ledger (until January 2013) Ian Lawrence
Assistant General Secretaries:	Harry Fletcher (until April 2013) Ian Lawrence (until February 2013)
National Officials	Sarah Friday Ranjit Singh Mike McClelland Tania Bassett
ULR Manager (England): ULR Manager (England): ULR Manager (Wales): ULR Project Worker:	Briony Sutcliffe Marilyn Owens Aziz Bouleghlimat Jacqui Paryag
Finance Officer:	Theresa Boorman
Office Manager:	Keith Waldron
Administrators:	Alison Bonner Anne Burbidge Annoesjka Valent Cynthia Griffith Jacqui Paryag Kath Falcon Margaret Pearce Shireena Suleman Taytula Burke

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