

Napo's Industrial Action Ballot will be arriving through your door very soon

Last week we advised you that because of our ongoing dispute with HMPPS on Probation Pay and Workloads, Napo had served notice on HMPPS of our intention to conduct a ballot of our members working in the Probation Service England and Wales. This was a necessary step to ensure that Napo complied with the legal requirement to advise your employer 7 days in advance of the despatch of a postal ballot seeking your support for industrial action should it become necessary. **Your ballot material should start arriving at your home address shortly after 25th July.** It contains an explanatory note as to why we have reached this stage following the deadlock that has occurred between your employer and the trade unions following negotiations on the joint Napo, UNISON and GMB pay claim for 2025.

Next steps

In advance of you receiving your ballot paper, this Q&A sheet seeks to answer a number of questions that have been filtered through to us and which we hope you will find helpful. Napo will be issuing further material in support of the pay and workloads campaign and there will be a number of opportunities for members to take part in specially arranged on-line meetings ahead of the close of the ballot on Friday 22nd August.

Q: Have further talks taken place on Pay since last week's update?

Yes, the unions were called to meet with the Lord Chancellor Shabana Mahmood on Wednesday. Here we reiterated our request for her to make a political decision to authorise a resumption of meaningful pay negotiations. We also made it clear that the position reached in the talks that have taken place previously on the 2025 pay claim - and the failure of the employer to provide the trade unions with a formal pay offer - is not acceptable to us.

Q: So should I wait for more news on the pay talks before taking part in the ballot?

No. There is no guarantee whatsoever at this stage that further negotiations will take place, or that additional funding will be on the table. The ballot also relates to HMPPS's completely inadequate response to the trade unions efforts to have them take meaningful action on excessive workloads. It's therefore imperative that Napo members take part in the ballot and vote **YES** to strengthen the hand of your union.

Q: I've never taken part in an industrial action ballot before so what does this mean?

This ballot is being held to seek our members support for a campaign of industrial action against HMPPS **should it become necessary**. Napo has a proud record of only calling on its members to take such action when all other options have been exhausted, and this is unfortunately one of those occasions. At the same time as consulting our members Napo and our sister unions are continuing to explore every avenue to resume pay negotiations with the employer but, so far, we have yet to receive the necessary authority for this to happen.

Q: What is Napo trying to achieve, and are our demands unreasonable?

We want to secure a realistic pay offer that reflects the points made in our 2025 pay claim alongside UNISON and GMB which we can recommend to our members. While a 12% claim may seem ambitious, this is not a figure that we have simply plucked out of the air, and we have made a well-reasoned and cogent case as to the fact that Probation pay is well behind what Prison staff have received in recent years. It is also an undeniable fact that your real time pay has reduced by 60% over the last decade. Remember also, that our campaign includes a demand on the employer to deliver meaningful solutions that will bring about a reduction of the unsustainable workloads being suffered by our members.

Q: What does industrial action actually mean, and will I have to go on strike or take other types of action?

We totally understand that members will find the possibility of industrial action challenging. We are asking our probation members to show their support for action which will be designed to create very serious operational difficulties for the employer, and which would have a substantial 'knock-on' effect across other parts of the criminal justice system. Ideally, this would be by way of an initial 'work to contract' campaign. Here, members would simply signal to their line manager - using a template email that Napo will provide members with before any industrial action commences - that they have completed their normal working hours (attaching their timesheet to evidence this) and would therefore be unable to provide any more of their labour for free. This would obviously also impact on paid overtime as we would be asking our members not to undertake this as part of the industrial action. If members vote to support an industrial campaign it's highly unlikely that strike action would take place at the start of the campaign, but we believe we must have that option available if needs be. Napo can commence industrial action at any time within six months of the closure of the ballot. Thereafter, we would be legally obliged to re-ballot our members again to refresh such a mandate.

Q: How much pay will I lose?

The employer cannot legally reduce your pay unless you are taking strike action. As the industrial action would include asking our members not to undertake paid overtime then this source of remuneration would not be available to you. You are of course entitled to be paid for any overtime that you have already undertaken prior to you taking part in industrial action.

Q: Can my employer take any action against me?

If you are a member of a trade union participating in lawful industrial action that has been called following a legal and statutory ballot then you are protected against harassment, victimisation

or any other punitive action by an employer. In the event of industrial action, Napo would issue detailed guidance to members. This would obviously include advice about not acting in a way that would allow the employer to invoke conduct or capability proceedings against you.

Q: Do I have to take part in action even if I vote no?

You are free to decide on whether to take part in industrial action if it occurs, but our expectation is that all Napo members will abide by the majority decision if the ballot produces a mandate for action. If industrial action takes place in the near future we would ask any members hesitating to join this to ask themselves what other credible options are open to us as union members to protect all of our interests with this employer. Our view is that solidarity of purpose will be absolutely essential if we find ourselves in such a campaign, and we therefore urge all members to vote **'YES'** to both the ballot questions, and support any action that is called by your union.

Q: Will people know how I voted?

Absolutely not. This ballot is being conducted under the various legislative requirements which includes the right of all our members to privately vote using the return postage label that will be included in your ballot pack. The official independent scrutineer for this ballot is Civica Election Services.

Q: Do I have to vote?

While it is entirely a question of personal choice, we are urging all of our members to use their vote and have their say in this very important ballot. A large turnout will demonstrate the depth of feeling from our members which will reflect the views that we regularly receive through Napo Branch activists and your National Executive Committee, that enough is enough and that our members demand the dignity and respect they deserve for the vital role that they undertake within the criminal justice system and wider society.

Q: What are the other unions doing?

UNISON and GMB will be consulting with their respective governance structures to consider their next steps.

They share our frustration that, despite every effort by the trade unions, we have yet to see a formal pay offer from the employer in response to our joint claim.

Our Sister unions also respect the fact Napo has decided to ballot our members at this stage based on our existing trade dispute with HMPPS on pay and workloads.

Q: Where can I go for further advice and support?

There will be regular information for members and campaign messaging for use with local media and the public that will shortly be made available to your Napo Branch, who you should in the first instance contact for support. In addition, our team of National Officers and Napo

Officials will be on hand to pick up enquiries that reach them via their Link Napo Branches. Please also check your home and work e-mails regularly for urgent updates from Napo HQ and any further information that will also be published on the Napo Website. You can easily log in to this by entering your Napo membership number which is shown in this communication.

Finally please ensure that you contact membership@napo.org.uk if you do not receive your ballot paper by the end of next week. Please also ensure that you have advised our membership section of any change to your personal address or e-mail contact details (Home and Work). Its also important that in any dialogue you have with colleagues who are not Napo members that you urge them to join Napo to ensure that they can have their say in this ballot and be protected in the event of industrial action becoming necessary.