



Magna Carta and the Jelfie

In recognition of the anniversary of the signing of the Magna Carta, 799 years ago, Napo along with the Justice Alliance and the Speak up for Justice Campaign got into the selfie craze with their own version, the Jelfie (justice selfie). Branches across England and Wales started the I'm Standing Up For Probation campaign to mark the end of Trusts on the first of June. Since then the phenomenon has spread across the branches, the union and it seems the world with Jelfies being sent in from as far away as Taiwan. Napo has tried to put as many as possible on the website and Napo hopes that we can continue this in the coming months.

The Justice Alliance has its own version 'I'm for Justice, Are You?', which we are also asking Family Court Section members to join in, during Magna Carta Week. Between us we are showing a collective response to Grayling's attack on the whole Justice System.

The irony that the Justice System is in the midst of its biggest fight ever at the time when we should be celebrating the core values of the Magna Carta, access to justice for all, seems to be lost on the Secretary of State, who has, at the time of writing, made no mention of the document or its anniversary. Maybe he will next year when the

country will apparently be celebrating the 800th anniversary with planned events across the country.

Let's make sure there still is a Justice System for 2015. One that works to ensure that everyone has access to justice, that it's not just for the rich and that the government is held accountable for their attempts to decimate the justice system for profiteering purposes. That's why we must, we should and we can win this fight.

Tania Bassett
National Official Press, Parliament and Campaigns



Women in Napo
Page 5



Family Court Conference 2014
Page 6



What is happening with Probation training?
Page 7

Working across the divide

Now that staff have been split into different organisations, there is a developing issue around working across the divide.

Whilst members are unlikely to be happy with the new, wholly illogical, Target Operating Model, at least it does given them a degree of clarity about what functions their organisation is supposed to undertake, be it NPS or CRC. However, due to poor workforce planning coupled with a deeply flawed assignment process, large gaps are becoming apparent on both sides of the fence and staff are increasingly being asked/expected to perform work that they thought was now the responsibility of those on the other side and staff resources are being borrowed/lent between the NPS and the CRCs.

Compliance

Members are asking whether they should comply with such requests/management instructions. Napo has issued advice (BR 67/14 and BR 70/14) which is available both from branch officials, as well as being in the 'Members Only' section of our website. This article seeks to give a brief resume of that advice.

The Target Operating Model is based on the complete separation of roles into either CRCs or the NPS. In studying the Model, it is difficult to comprehend how it can operate in an environment where this split is blurred. Yet this is exactly what many staff are now facing. Very late in the day, documentation appeared from NOMS appearing to facilitate and authorise such work. Schedule 28 of the CRC contracts and the Service Level Agreements between NOMS as a Commissioning Authority and NOMS

/NPS as a provider of Probation services seem to make this interchange of staff resources possible. There should also be signed Interface Protocols between individual CRCs and the NPS.

Whilst all staff in Probation remain public sector employees, the problems associated with conflicting interests are reduced. Thus, it will be argued by your respective employers that this transitional state allows for the borrowing and lending of staff.

Secondment arrangements

Indeed, the Probation unions have just reached agreement over secondment arrangements which will allow for such a system to operate in perpetuity in the interests of maintaining training opportunities, allowing for professional development and providing change and respite from stressful roles. However, it must be borne in mind that these agreements are intended to facilitate practitioner development and will be a formal contractual agreement with your employer. They are not designed to enable your employer to pick and choose which tasks you do according to operational need, nor do we want our members to be put under pressure to try to make a flawed system work. As such, we have issued guidance about how to deal with any such expectations.

Having taken legal advice, the rather depressing reality is that any management instructions to undertake work across the divide should be complied with, albeit not without seeking to establish a few things along the way (a template letter is available in BR 67/14 for this purpose).

If formal secondments are being offered

on a voluntary basis, then this is fine. The standard secondment agreements referenced above should be utilised in this instance. But if the matter is more an instruction, rather than a voluntary agreement, then members are advised, using the letter, to:

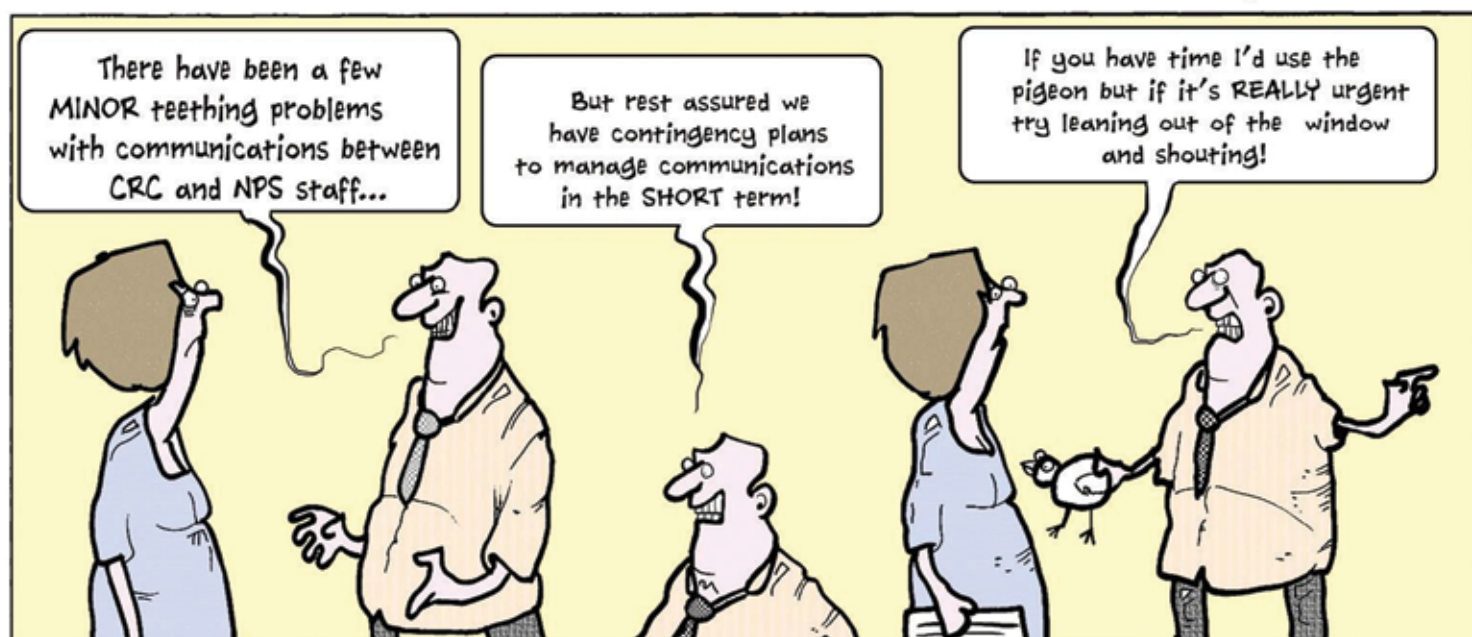
- Seek a written copy of the authority upon which such instructions are being issued (SLA, CRC contract extract, Interface Protocol etc)
- Seek indemnification against potential future proceedings arising from operating outside the organisational remit
- Seek a meeting to review current workload.

The logic must be that one does not compromise the ability to perform the expected duties of one's employer in favour of somebody else.

Having said that the authority to require staff to work across the divide appears to exist, flowing initially from the Offender Management Act 2007, there remain, at the time of writing, significant missing pieces of the jigsaw – notably a Probation Instruction concerning the authorisation of an 'Officer of a Provider of Probation Services'. Napo has queried the non-appearance of this Instruction and expressed the view that its absence might in fact mean staff are operating ultra vires.

It remains our considered position that working across the divide effectively nullifies the Target Operating Model which can only be demonstrated as 'standing-up' (to use NOMS speak) if staff work only to their Employer's particular remit.

Mike McClelland
National Official



Interim cover arrangements

We met as an Officers group on 3 June 2014. The priority for that meeting was to identify interim cover arrangements between now and the NEC on 9 July. There will be proposals put to the NEC for consideration to cover the period up until the AGM in October.

Meanwhile, the interim arrangements are as follows:

Regional link officer

South West – Megan Elliott

Wales – Chris Winters

South East – Keith Stokeld

National Committees

Steering Committee (and AGM planning) –

Yvonne Pattison

Negotiating Committee/NNC – Chris

Winters

Napo staffing

Megan Elliott and Keith Stokeld

Probation Institute

Keith Stokeld

In addition Megan Elliott who is link officer to Campaigning Committee will be the Officer liaison/support for Napo staff covering the campaigns@napo email box and

Yvonne Pattison will do same for the info@napo email box.

There are clearly other commitments which will need covering, including Officers Group reports to the NEC, contributions to Napo News, attendance at meetings which we will cover between us within our existing resources.

All existing regional, committee links and other responsibilities remain as before.

We would like to thank members for their patience and support during this period of adjustment.

Megan Elliot, Yvonne Pattison, Chris Winters – National Vice Chairs, Keith Stokeld – National Treasurer



Megan Elliot.



Yvonne Pattison



Chris Winters.



Keith Stokeld.

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TR – Computer Chaos and Reduction in Service Delivery

Despite the announcement from the MOJ that the IT update for the National Probation Service and the 21 Community Rehabilitation Companies went well, Napo was inundated with emails from concerned members in the first weeks post 1 June with issues about IT.

NDelius, the IT system that allows staff to record all contact with offenders and produce reports, was down for up to four days prior to the split. When it was back up and running a huge number of issues were identified. Examples of these, which have been reported to parliamentarians in the weekly Napo bulletin, include:

- Court results were not able to be entered into the system for three days and this was still an ongoing issue in most areas a week later.
- A number of individuals and their records disappeared completely during the update.
- CRC staff have reported that they are unable to access the records of NPS staff but are still expected to cover supervi-

sion appointments due to staff shortages. They are unable to check an individual's risk of harm status, other risk registers such as child protection and sexual offences or any ongoing issues that the offender may have linked to their risk management.

- Reception and administration staff are unable to access NDelius to see who the offender's appointment is with, produce appointment letters or access the case records.
- There have been significant delays to transferring cases to the new organisations yet staff are still being expected to operate across the divide in order to make the new system work. NPS staff are still supervising CRC cases and vice-versa but are not able to record any contact information on the system.

A threat to safety

These issues raise significant concerns in relation to staff safety, effective information sharing, child protection, victims and

public safety, and should be resolved as a matter of urgency. Napo is deeply worried that preventing access to offender records and inadequate IT systems could lead to risk not being managed effectively. MPs were asked to raise questions about:

- When IT systems will be fully functioning?
- The lack of access to systems for staff that raise serious safety concerns
- When the Minister envisages that staff will only undertake work for the organisation they are employed by?

Tania Bassett

National Official Press, Parliament and Campaigns

Elfn Llywd MP has also tabled an Early Day Motion (EDM 111) raising these concerns and calling on the MoJ to undertake a proper risk assessment and not to privatise probation when it is unsafe to do so. Members are asked to urge their MPs to support it – details on the website www.napo.org.uk

Ian Lawrence writes



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TR – is Grayling about destroying the unions as well as the Probation service?

There are a few theories as to why Chris Grayling has engineered a fight with the Probation unions and Napo in particular as part of his grandiose and chaotic Transforming Rehabilitation experiment. Some say he thought we would just roll over others that he knew we would do nothing of the sort and are the biggest threat to his plans.

As all of us (and Ministers themselves) know, we could have had an intervention and assistance strategy for the under-12 month custodial cohort in place a long time ago and certainly by now, if only the political will had been there to support it. This could have been delivered within a reduced number of Probation Trusts allowing for efficiency savings which would have supplemented a relatively modest financial support package from the MoJ and Treasury to get this initiative properly underway and, at the very least, in some sort of shape so as to allow for an evaluation process that would have given a reliable indication of who would be best placed to deliver in the long term. As we now know, that clearly did not fit with the ideology.

We make Ministers feel uncomfortable

I remember a lively exchange with Jeremy Wright soon after the TR agenda had been formally launched when he responded to my suggestion that front loading the under-12-month custodial assistance programme and putting it in the service's hands would yield immediate results, and of course would mean that the vast majority of the 50,000 people who are released back into society each year were less likely to pitch up again in the justice system years later.

He was not exactly as assured as you would have expected given his successful track record as a lawyer and senior politician, but his riposte was that he could

not risk public money. Yet that is exactly what his Government has done ever since (and are still doing) by not only spending over £9 million of taxpayers money just on consultancy fees, and a huge hidden sum somewhere in the MoJ budget (which it seems even Parliament has been unable to identify as yet) along with sponsoring a huge army of civil servants within NOMS and the MoJ to help implement this disaster.

We have refused to let this issue lie down and it's a constant irritant for the Coalition.

Exposing the Market

We have also seen the construction of an artificially commercial market that, as you can see elsewhere in *Napo News*, is now visibly in crisis as a number of potential contractors cite operational and commercial barriers as the reason for declining a seat at the auction.

While it is obvious that any contractor who wins a CRC contract will be investing their own money, the flawed Payment by Results (PbR) scheme and the Fee for Service will be publically funded; that's cash which otherwise would have gone into NOMS and Probation. As we now approach the critical period which we have been told will see final bids for the CRCs being submitted at the end of June with an intention to announce preferred contractors by the end of October, this really is crunch time for Grayling's flagship project, during which he will be asked some tough questions not only as a result of our Parliamentary briefings but, increasingly we suspect from his own side, as rumours abound about a possible Cabinet reshuffle.

We still stand in the way

So in addition to the above, it seems that the next key obstacle remaining in the way of Ministers being able to claim a pre-election TR sell off is of course the collective combination of Napo, Unison and GMB. We recently signalled our intention in a joint statement to our members that we intend to do all that we can to make life difficult for the coalition in this critical stage of the campaign. Unlike the contractors who can pick and choose and turn up in the criminal justice sector whenever they see fit, the unions will be here for the long term.

As the privateers are now quickly discovering, the TR avenue is not necessarily paved with gold, and the fact that the Probation

unions have been able to secure commitments on employment rights and collective bargaining that are vastly superior to those that the Capitas, Sodexos and Sentinels of this world are normally used to when they win public sector contracts elsewhere, has caused a number of them to go back whingeing to their favourite Minister.

We wait in anticipation for the probable assault on these agreements if Grayling decides that these have tipped the balance against his friends, but the best way of stopping that happening is by being a Napo member and joining us, whether you are in the NPS or CRC. We are organising ourselves in both organisations and are working to create the new transitional bargaining structures that will enable us to try and help you through all this.

The Chivalry Road staff team and your Officers are totally committed to the need to issue regular advice and information as we progress our campaign and negotiations on a number of fronts, but we cannot deliver daily miracles. We also ask that all of our members take stock of the resources available to those who are ranged against us.

Collectivism is our best defence

The message for our members remains as stark as it was back in May 2013; stopping the TR share sale and/or seeing it not take place this side of the general election by exposing this calamity for what it is, must remain the central objective.

Strong and determined membership of a trade union still represents the most reliable protection against attacks on your terms and conditions even though it is easy to forget that in the midst of this unprecedented assault on what you do and what you stand for. Our opponents in the Coalition want nothing more than to see weakened union density figures in the new TR world as the shambles unfolds. Despair and disillusion will make life easier for the NPS to push those budget cuts through that they will already be planning, and it will help those CRC contractors who might get through to maximise their profit margins at your expense. Don't make it easier for them.

Follow Napo

Find out what's happening and keep up with campaigns and events

Facebook: www.facebook.com/NapoHQ

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YouTube: NapoNewsTV

www.napo.org.uk

Women in Napo profiles Katie Lomas

Katie Lomas is currently Branch Convenor in West Yorkshire. She was previously the branch's Women's Officer for two years.

How long have you been active in Napo and what branch post do you hold?

I have been active in Napo for over three years although for my first year I think I was still finding my feet! I am now the Branch Convenor (in my second year in this post). This is a difficult role in such turbulent times but I am enjoying the challenge.



Why do you think it is important to be an active woman in Napo?

For some years our branch officers group was predominantly male. No disrespect to my wonderful male colleagues but this was hardly representative of a 70% female workforce. In an effort to redress the balance we created the role of women's officer and I took this on for the first two years of its existence. Having a space reserved for a woman in the Officers' group really helped and showed that the union Exec and Officers' group are accessible to all. I am very proud to say that we now have four female officers and one male officer. The Exec overall is 60% female which is a much better picture than before. I am glad that more female

Have there been any women activists who have helped or inspired you?

There are so many women that inspire me, far too many to list! I find it quite inspiring to look at the 'top' of Napo and see three strong women from the North occupying the National Vice Chair roles. I know that Napo has some way to go to achieve the goals set by the WiN strategy but it's great to see and hear women being more involved at NEC, at committees and at AGM.

I am also inspired by Frances O'Grady

colleagues are recognising their place in the union. At a time when women are suffering disproportionately in our society from the impact of austerity it's good to know we can redress the balance in some small way. Women face many challenges in becoming active in their union and women in Napo are no different. By showing and sharing my activism I hope that I can give others just that tiny spark of confidence they need to start their own journey to activism.

who is the General Secretary of the TUC. When I read in an interview that she comes from a traditional Irish family where trade unionism was expected it really struck a chord with me as I come from a family of people who have devoted their lives to public service and standing up for others.

What you think are the most important issues for women in Napo?

Obviously TR is the greatest challenge we've ever faced, as a union and as individuals working in Probation. It's vital that we don't let this 'omnishambles' undo all of the good work of the WiN strategy. In such testing times it is easy to retreat to a safe place and hide; but every member of Napo is needed for the campaign. Sadly I fear that women's activism could be the first to go as too often women face enormous difficulties in terms of competing demands on them.

I often talk to colleagues who tell me that their union activism has to stop because of the massive pressure on them in terms of

unpaid work in the home, childcare and other caring responsibilities. We need to find a way to make activism more accessible to women so that we can all work together to save Probation.

I truly believe that women activists can make a difference in politics but only if we are free to be activists.

What does your branch do to encourage women members to become active in Napo?

I've already mentioned the women's officer role and its success in changing the makeup of our branch exec. I also encourage women activists to attend training as this not only helps to develop skills but also confidence. Making contacts in other branches/unions while on training or at conferences also helps. I also try to make the branch accessible, presenting loads of complex information at once isn't always accessible so I try to send a summary with full information for those that want to dive in. Busy colleagues can then choose to read the summary and feel they are up to date. It's really important to spot women (or men) who might want to get more involved and offer a bit of nurturing to build their confidence. I hope that all of us are good at working out what our clients need to thrive, we just need to apply that to our colleagues too!

If you are interested in taking part in the Women in Napo profile please contact Megan Elliott or Sarah Friday (melliott@napo.org.uk or sfriday@napo.org.uk)

women
+ in **napo**

AGM Monitors Training 14 July 2014

'Monitoring' is an established practice at Napo AGM and it is undertaken by members volunteering their time to ensure that all members attending the meeting are able to experience AGM as a safe and welcoming environment and moreover that all members are able to fully participate and contribute.

The arrangement for this year's monitoring has changed in two ways. Firstly, there is no longer an upper limit on the number of monitors who can volunteer their time. Secondly, volunteer monitors will stay at the accommodation arranged by their respective branches.

If you wish to volunteer as a Monitor, it is expected that you will have undertaken

Napo's Monitors training within the last three years. In this circumstance to register your place as a volunteer Monitor please email Deirdre Heinrich at dheinrich@napo.org.uk. If you have not completed the training in the last three years and you wish to volunteer, then you must first register to complete the Napo Monitors training, email Deirdre for a course outline and registration form

The Napo AGM Monitors training course will be taking place at Aston Business School in Birmingham on 14 July 2014. As places are limited (maximum 10 people) places are reserved for members who have not undertaken the training in the last three years.

Family Court Conference 2014



Over 70 members from the Family Court Section gathered in York for the annual Professional Conference on 15 May and enjoyed another fascinating and varied agenda. A range of high quality speakers and workshops promoted much discussion and debate, again highlighting the value of Napo as the professional body, as well as union, for those who work in and care about family law.

We started with a positive opening address from Napo General Secretary Ian Lawrence, reflecting on a difficult year for Napo members which we've faced up to with unity, resolution and enormous professional pride. Accordingly, Napo continues to punch above our collective weight in battles with a government that know nothing of the value of what members do, whilst Napo influences public debate and discussion on professional issues, highlighting as an example the work of the Family Courts Parliamentary Group.

After Ian came keynote academic speaker Dr Elizabeth Yardley, the Director of Birmingham City University's Centre for Applied Criminology, part of the School



Dr Elizabeth Yardley.

of Social Sciences. Elizabeth outlined the findings of her team's research into family annihilators – the rare but tragic and disturbing cases where a parent, usually the father, murders his children and often himself. Dr Yardley's team have categorised these annihilators with findings that challenge wider public and media percep-

tions of the 'type' of person who would carry out such an act. Discussion centred around if such cases were potentially predictable and was this something that should be screened by agencies. However, this was



Simpson Millar workshop.

balanced by the risk that blame could then be put upon any agency that 'failed' to spot such a tragedy. Dr Yardley argued for a greater sense of community responsibility towards each other as a more positive way forward in this and family situations, with people inside the community taking collective responsibility for supporting each other.

Cuts to Legal Aid

Clare Linden and Emma Hopkins-Jones from Simpson Millar LLP Solicitors led both a discussion and workshops on the impact of cuts in legal aid on family court proceedings and justice. This not only highlighted the difficulties arising from the huge rise in litigants in person but also other consequences such as the reduced use of expert witnesses impacting on the quality of justice and a 36% reduction in the amount of publicly funded mediation lawyers. Both predicted this would change as a result of the Children's and Families' Act where different legal aid rules will apply.

One particularly harrowing impact of the legal aid cuts was the failure to date of 'Exceptional Case' funding requests, in par-



Ian Lawrence.

ticular with cases involving domestic violence. In the first nine months after the cuts only eight ECF applications were granted out of 617 applications.

In support of our campaign to challenge the cuts and defend the service, Napo is re-running our tracking survey, measuring the impact of the cuts on service delivery. Members at the conference were asked to complete the survey which is also being emailed to members. To contact us about the survey email info@napo.org.uk.

Staff welfare in Cafcass

In between Dr Yardley and Clare and Emma from Simpson Millar, members received a presentation from Jabbar Sardar and Daryl Maitland from Cafcass HR. They summarised the work they're leading around supporting staff welfare and engagement. Napo understands that new ways of working (which leave staff potentially more isolated from each other), workload pressures, and wider economic and social pressures that impact upon work are important issues which make genuine engagement and security around work more challenging. Communication, honesty and openness are critical, so it was positive to see Cafcass HR open to being challenged by members and a positive sign of how we are increasingly able to work together.

Over the coming months we'll be following this up with a number of Napo surveys and consultations, including around the creation of a new Advanced Social Worker grade. Please look out for these and our new regular Napo FCS Newsletter.

As ever, perhaps the most rewarding part of the day was the afternoon workshops, where members had opportunities to explore other issues more deeply. People get fewer opportunities for such quality professional time out and this is at the heart of what Napo in the FCS is about.

Dean Rogers

Assistant General Secretary

What is happening with Probation training?

The current PQF contract with higher education providers is due to expire in 2016. The expectation is that the entire structure will be reviewed leading up to this and probably revised as a consequence.

The split of staff into the NPS and CRCs casts further doubt over the future of the scheme. Chris Grayling has implacably refused to fetter CRCs by mandating any specific requirements on them in terms of the training they should provide for their staff. Instead the CRC Services Agreement currently being discussed with potential bidders is vague on the issue – staff must ‘have appropriate and relevant qualifications, training and experience pursuant to the “Core Skills in Probation Practice” and the guidelines published from time to time under section 10 of the Offender Management Act...’. Napo understands that these guidelines are likely to be rewritten and re-issued in the autumn.

Skill shortage

What is evident is that a skills shortage is already developing, if only through natural wastage of qualified staff. Though of course this is exacerbated by people deciding they are just fed up with the new world of Probation and walking away. The estimate, probably very conservative, is that the NPS needs to train 300 new Probation Officers a year just to keep pace with natural wastage.

Following the split on 1 June, there is effectively no central body charged with co-ordinating training arrangements for CRCs. This accords with the Secretary of State’s ‘no ties’ directive. Meanwhile NOMS Training have been working furiously to construct a web based application system for graduates with relevant degrees seeking to enrol on the next graduate diploma course which is due to start in September. The expectation is that there will be no shortage of applicants. The longer route for existing staff via VQ3 to VQ5, which of course is now much more relevant to CRC staff, has been given much less attention. Well none really – for the above reason.

The likelihood is that residual training arrangements, and plans, will transfer across from Trusts into CRCs and as such, VQ3 training for PSOs is likely to continue.

Indeed Chris Grayling’s ‘line’ rather conflicts with the long standing commitment of auto enrolment of all new PSOs onto VQ3 training. One suspects that the latter commitment will survive at least while CRCs remain in the public sector. But the ability to progress to VQ5 seems at least temporarily to be unavailable to PSOs in CRCs and indeed in the NPS too.

PQF training pathways

In recent months, Napo has been pressing for existing PQF training pathways through VQ3 to VQ5 to remain mandated across both CRCs as well as the NPS at least until 2016 when the contracts are due to be renewed. Initial intelligence would suggest that the bidders would be quite happy to utilise PQF, at least initially, but the SoS will not require it’s use. It is simply made available to them should they choose to make use of it, and formal secondment arrangements, in both directions, have been agreed so as to enable appropriate learning opportunities at all levels across both organisations.

The conclusion to a recently issued NOMS document on PQF says that within the first couple of years of CRCs, a natural career pathway will develop with potential probation officers progressing from CRCs to NPS to undertake qualification training.

It goes on to say there will also be the opportunity to design a new programme to fit the future delivery arrangements from 2016 and that this will provide a chance to revisit the option of a training route for experienced staff without a relevant degree. What is being offered at the moment is an interim solution simply to maintain a sufficient throughput of newly qualified staff.

Placements

Napo does not think this is satisfactory and

will continue to say so, although, like everything else within Probation just now, turmoil and expediency appears to be the order of the day. Even this interim solution is not without its problems in terms of trainers/assessors not being in the right places post-split and also the provision of placements and learning opportunities. Doubtless CRCs will start asking the question, ‘What’s in it for us?’ when faced with requests for place-

ments for NPS learners.

Further details of current NOMS thinking on the subject can be found as a link from the News section on Napo’s website.

Napo will continue to promote a comprehensive learning structure available to all staff in both the NPS and CRCs.

Mike McClelland

National Official

Napo Branch Reps’ Course Programme 2014

‘Equality & Diversity’

22-24 September 2014

Aston University Conference Centre

This course looks at the duties of employers in relation to equality and diversity, and providing a workplace that is safe and treats workers with dignity. It is an opportunity for those representing members to discuss the different approaches to diversity in employment law and what that means in the workplace.

‘Developing Skills’

10-12 November 2014

Southampton City College

This course is for reps who have already attended the Representing Members course and have had experience of representing individual members on grievance and disciplinary cases, as well as negotiating on collective bargaining issues. You will build on the skills and knowledge you have already gained, and look at the more detailed aspects of casework and its impact on Napo’s negotiating agenda.

Napo will continue to pay travel expenses.

However, your Branch will be asked to contribute £150 per delegate towards the cost of your accommodation.

Your registration form must be countersigned by your Branch to endorse your attendance and the contribution towards your accommodation.

Completed registration forms should be returned to: Cynthia Griffith, Napo, 4 Chivalry Road, London SW11 1HT, or by fax: 020 7223 3503, or email.

If you have any other queries, please contact Cynthia on 020 7223 4887 or email cgriffith@napo.org.uk

Closing date for registrations – 6 weeks before each course is due to commence. Early registration is recommended.



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Why TR bidders are getting nervous

Private companies like to make money and NOMS is famous for throwing plenty of it away when negotiating contracts, sometimes described as like playing cards with a drunk – you can't help but make money out of it, especially if the rest of the table work together.

So why is the Great Probation Sell-Off generating such a nervous reaction from the 'market'? Why are so few bidders looking to play at NOMS table? In the week of the split the biggest charity bidding independently, the Shaw Trust, became the latest to announce a withdrawal from the Devon and Cornwall CPA. In May, both the right of centre Social Market Foundation and the NCVO criticised draft TR contracts for scaring off smaller, third sector bidders. A senior NOMS official admitted that in many CPAs 'tendering exercise' was a more accurate term than 'competition' as the latter implies more than one bidder. NOMS have confirmed at least some Trusts would have needed more quotes to let a window cleaning contract than their area will have bidders to deliver the whole service!

The most obvious reason why the market is thin is it barely exists in the first place. However, there are several key reasons why it isn't eager to play - all of which highlight how Napo's campaign has impacted on the

process and can still work to prevent the sell-off.

Wary of TR risks

Chief amongst these is that, whilst even the most cavalier companies can be greedy they are rarely stupid. The risks of TR are enormous. Both SERCO and G4S suffered huge fines, losses and even more difficult reputational damage from spectacular contract failures. They blame NOMS for not being clear enough about exactly what was required and not paying them enough to overcome unforeseen difficulties. Few fancy being the next SERCO.

As a result of past NOMS' failures identified by the Public Accounts Committee, NAO and others, NOMS is being a little more careful this time – at least in that the draft contract has at least 25 termination clauses whilst offering no get out of jail free cards to bidders who run into trouble when the contract becomes more difficult than anticipated. But whilst this may reassure the PAC, it increases the risk for bidders, who'd invest heavily in winning contracts only to see them taken off them

before getting even close to making a profit. This risk is amplified by NOMS still not being able to tell them exactly how or what they'll be expected to deliver.

Added to this is the general economic climate. Whilst we read we're coming out of recession, bidders can see as clearly as probation staff struggling to recall their last pay rise, that the government is showing no sign of increasing public spending. Again all the financial risk is stacked against the bidders.

Staffing problems

Now add in the restrictions upon the contract from the staffing situation. Probation is a people business with a reputation for delivering excellent results that any company will be measured against. But probation is difficult. Companies will need staff who are trained, knowl-

edgeable and willing. There are 500 vacancies across the country and still no arrangements in place to train new POs any time soon. Companies will already need to pay 16% employer pension contributions (not usual in the private sector) or huge extras to agencies.

Of course Grayling's dream had all the innovation and saving coming from new experts joining the market –

charities desperate to access his funds and do things the current system didn't allow. Again, these were the delusions of someone drunk on power. The reality is firstly, charities involved in probation don't see the need for a hugely risky experiment. Secondly, charities have been squeezed hard by the recession and the Coalition's grant freeze. NOMS is paranoid it would be criticised for wasting taxpayers' money so a PbR scheme only comes on line several years into the contract, if and when reoffending falls. Very few charities can survive the wait and are effectively forced out of the market by the PbR mechanism.

Nervousness

Napo intelligence tells us that most of those who remain interested are nervous. Bids will mostly be high and cautious. NOMS may not be able to afford the bidders' asking price but has left itself little time to entirely restructure the contracts and little scope to increase the public and taxpayer risk – not least because of Napo's campaigning raising awareness amongst the public and parliament. And for every £ more that the CRCs cost at least a £ more gets taken off the NPS budget to make the Treasury's books balance.

This was always ideologically driven and the question now is what to do. There are three options. The first is ploughing ahead despite the economic risks to business and the taxpayer. The second is drawing back from share sale and (from the Coalition viewpoint) hoping to start again after the next election. The third is completely drawing back and reassessing how probation should be organised, including talking to local charities and combining local delivery with commissioning freedoms.

At least a few bidders will be looking at their hand and quietly hoping the share sale folds.

Dean Rogers

Assistant General Secretary



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DON'T GAMBLE WITH JUSTICE!



The government is taking a huge risk with the justice system. Their reforms will reduce access and endanger public safety.

Sign our petition to stop outsourcing, prevent more cuts to legal aid, keep policing and prisons in public ownership, and halt privatisation across the justice system.

www.speakupforjustice.org



The 'YUC's Speak Up for Justice campaign is supported by FDA, GMB, napo, PCS, POA, UNISON, Unite. Many of our supporters work closely with the Justice Alliance.

What is Gay Pride and why is it so important?

There are a number of versions or definitions of what this means; and I guess it is different things to different people but I'd like to give you a sense of what it means to the LGBT community and if, like me you didn't know, it may give you a better level of understanding about these events which have become important worldwide on the LGBT calendar.

Gay pride or LGBT pride is the positive stance against discrimination and violence toward lesbian, gay, bisexual, and transgender (LGBT) people to promote their self-affirmation, dignity, equality rights, increase their visibility as a social group, build community, and celebrate sexual diversity and gender variance. Pride, as opposed to shame and social stigma, is the predominant outlook that bolsters most LGBT rights movements throughout the world. Pride has lent its name to LGBT-themed organisations, institutes, foundations, book titles, periodicals and even a cable TV station and the Pride Library.

Ranging from solemn to carnivalesque; Pride events are typically held during LGBT Pride Month or some other period that commemorates a turning point in a country's LGBT history.



History of Pride Events

The 1950s and 1960s in the United States was an extremely repressive legal and social period for LGBT people. In this context American homophile organisations such as the Daughters of Bilitis and the Mattachine Society coordinated some of the earliest demonstrations of the modern LGBT rights movement. These two organisations in particular carried out pickets called 'Annual Reminders' to inform and remind Americans that LGBT people did not receive basic civil rights protections. Annual

Reminders began in 1965 and took place each 4 July at Independence Hall in Philadelphia.

The anti-LGBT discourse of these times equated both male and female homosexuality with mental illness. Inspired by Stokely Carmichael's 'Black is Beautiful', Gay civil rights pioneer and participant in the Annual Reminders, Frank Kameny, originated the slogan 'Gay is Good' in 1968 to counter social stigma and personal feelings of guilt and shame.

Stonewall riots

Early on the morning of Saturday, 28 June 1969, lesbian, gay, bisexual, transgender and questioning persons rioted following a police raid on the Stonewall Inn, a gay bar at 43 Christopher Street, New York City. This riot and further protests and rioting over the following nights were the watershed moment in the modern LGBT rights movement and the impetus for organizing LGBT pride marches on a much larger public scale.

In November that year, activists Craig Rodwell and his partner Fred Sargeant, Ellen Broidy and Linda Rhodes proposed, to a Eastern Regional Conference of Homophile Organisations (ERCHO) meeting that demonstrations be held annually in New York as a reminder of the events.

In the 1980s there was a major cultural shift in the Stonewall Riot commemora-



tions. The previous loosely organised, grassroots marches and parades were taken over by more organised and less radical elements of the gay community. In 1983 the march was renamed 'Lesbian and Gay Pride' and in the 1990s became more of a carnival event.

London Pride

'Pride London' was formed in 2004. Since 2004 a political rally in Trafalgar Square has been held

straight after the parade. In late 2012, a group of individuals from within the LGBTQ community formed London LGBT+ Community Pride. The company organised the Pride in London festival and parade in 2013 and has been awarded a contract to organise Pride in London for five years by the GLA.

The month of June was chosen for LGBT Pride Month to commemorate the Stonewall riots. As a result, many pride events are held during this month to recognise the impact LGBT people have had in the world.

For a list of Pride events/parades in the UK during 2014 visit <http://www.visitbritain.com/en/US/LGBT-Pride-Festivals-and-Parades.htm>

Please send in your reports and photo's to kfalcon@napo.org.uk and we will try to add them to Napo News Online

Yvonne Pattison
National Vice Chair

PSO Forum 2014

The 2nd PSO Forum of 2014 will be held on Wednesday 2 July 2014 at Friends Meeting House, 173-177 Euston Road, London 1 2BJ from 11.00 am – 4.00 pm.

The abolition of Probation Trusts on the 1 June 2014 and the creation of the National Probation Service and the 21 Community Rehabilitation Communities will cause chaos across the service and create particular issues for PSO grades. It is of vital importance that we hear what impact this is having on your role as a PSO and how we can continue to provide support to members and take forward any issues raised through the proper channels in order that we can address them.

At this meeting we will also be discuss-

ing and adopting the PSO Forum AGM motion. I invite PSO Forum reps to discuss with their PSO colleagues in the branch the opportunity to submit a proposal for a motion that can be considered by the PSO Forum to formally adopt and present at the October AGM in Scarborough.

National Napo will fund one PSO member from each Branch to attend. Branches are welcome to send additional PSO members, but their expenses will need to be met by the Branch.

If you would like to attend the meeting, please contact your Branch Chair/Secretary in the first instance, or Cynthia Griffith at Chivalry Road for further details.
Tel: 020 7223 4887, email: cgriffith@napo.org.uk

Desisting theory and practicing realism

I was reminded recently about the value of the personal relationship within the process of moving someone from offending. An officer told me that one person finishing their order had asked to see her manager; not to make a complaint but to say this was the first order they had completed and it was all down to the quality of the relationship with their officer.

Why did it work? It is probably safe to say that the supervisory arrangement took account of a number of things:

- There was probably within relationship tolerance, as well as a constructive approach to boundaries and an acknowledgement there would be set backs.
 - It most probably took account of the concept of individualism and both parties' cultural and environmental background.
 - Hope was probably offered about the value of change while working on the relationship the client had within their family and community.
 - There was most likely a moving away from labelling the person as an offender and an appreciation that they had rights.
- Add to this self-determination and an examination of personal strengths as well as weaknesses, along with recognising the office environment was not where it ended or began, and it is not hard to see the principles involved.

Practising desistance theory seems to have come under a serious challenge during the implementation of TR. Throughout my years in Probation, in-service training has been a mixture of informing me what practice I should be applying and briefings about the way things have to be done. Skills

for effective engagement, development and supervision along with pro-social modelling were classic examples. It is hardly surprising that at recent training events I have attended, participants expressed cynicism about what it meant for their current practice.

For me probation staff have sought to uphold the values and skills derived from experience underpinned by theory that informs their practice. At times the direction of the service has shifted with seismic proportions from one dynamic to another, reflecting the political climate of the time. These include psychoanalysis, through to cognitive therapy, what works, risk management, specialism, generic practice, pushing everything to partnership agency and back full circle to the officers.

New choreography

Remember the 'New Choreography of Probation' from Ethnie Wallis, setting the steps for the National Probation Service. How things have moved on. Now with Delius it is more to the left click, to the right click, bother back to the beginning again, now where did I save that document?

At Court, for me the probation officer regardless, of grade, commands a great deal of respect because of the professional manner in which they have represented the service. Maintaining this has undoubtedly been at a price but I still find the person asked for when ever sentencing becomes an issue is the 'Probation Officer' (sic).

Neither courts nor solicitors will ask what the RSR score is or what the Case Allocation Tool revealed. The second question after 'is the report available' is 'what's the proposal?'

A sign of confidence and faith in Probation practice? Sometimes, but what gives those assessments their value. It is spending time with those we work with in supervision; an investment now compromised by the burden of data inputting. Previously the emphasis was on meeting targets and it is now the assignment of cases. Some time ago Napo exposed the findings that 27% of time was devoted to face to face work and the rest spent mostly sitting in front of computers. This was used as part of the justification for TR, but what is happening now? I suspect more time is spent on computers under the new arrangements and we need to identify and document this as part of the cost of TR.

Although I am no fan of TR, we need to be ready to explain why 'the freedom of CRC' is not about returning to innovation that paves the way for the building blocks of desistance theory. Undoubtedly, the historic mantra of 'resource following risk' has paved the way for the National Probation Service. Under such constraints the NPS part of the service will become even more restrictive when it comes to developing innovative practice. This is a debate in itself.

The next stage of our campaign is to highlight what makes Probation and its staff unique and an essential fabric of the criminal justice system, not a commodity for sale. TR is not a means to an end, but it may be an end to what it means to put theory into practice.

Keith Stokeld

National Treasurer

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Edridge Fund update

TR transition problems

We have been receiving a number of applications from Probation staff, who are worried about their personal cash flow during the period of transition from Probation Trusts to their new employers, which in some instances involve considerable delays before they get their first salary payment from the new employer. In a number of cases the Trustees have been unable to assist, because from the information provided the applicants have not appeared to have a longer term financial problem, and we have also established that there are arrangements in hand for the new employers to make advances of pay.

The Trustees are, however, always prepared to reconsider applications they have refused, if further information can be provided which explains the situation more clearly. The bottom line is that the Trustees have a duty to ensure that applicants are in a situation of financial distress and hardship before providing assistance, and that this is of a longer term nature.

New Application Form

We now have a new application form, which has been available on our website since last month. The form asks the same questions, but we think it is easier to complete. The main change is that we have attached a Diversity Questionnaire to the end of the form, and this is separated from the application form before it is sent to the Trustees, so is completely anonymous. It will enable us to monitor our grant making decisions to ensure that we are following our anti discrimination policy.

At the moment the form has to be downloaded, and then sent to us by email or post, but we are now looking at a system where the form could be completed online. The main problem is ensuring that the form is transmitted to us in a secure manner. We will report further on this in *Napo News*.

Volunteers and a new Trustee needed

One of our Trustees is coming to the end of their term of office in September, and



in the near future Napo will be sending a circular to all branches, seeking nominations of people who would like to undertake this task. If you have thought of doing this in the past, but never got round to doing anything about it, now is the time to do so. If you are interested please email office@edridgefund.org or call our voicemail on 020 3397 7025, and we will get one of the Trustees to call you.

We also have a need for voluntary help with specific tasks, which could often be tailored to suit the specific skills of the volunteer. At the moment we do have one task which we do need help with, and it involves use of spreadsheets, though not to any advanced level. It would not take a great deal of time, but it is something our staff are finding it difficult to get done on top of everything else. This is but one area where we could do with help, but there are others; if you are useless with spreadsheets give us a call, or email and we will talk to you.

The Trustees & Staff of the Edridge Fund of Napo

Statement to Members

STATEMENT TO MEMBERS ISSUED IN CONNECTION WITH NAPO'S ANNUAL RETURN FOR PERIOD ENDED 31 DECEMBER 2013

AS REQUIRED BY SECTION 32A OF TRADE UNION AND LABOUR RELATIONS (CONSOLIDATION) ACT 1992

Income and Expenditure

The total income of the union for the period was £2,220,842. This amount included payments of £2,014,952 in respect of membership of the union. The union's total expenditure for the period was £2,287,123. The union does not maintain a political fund.

Salary paid to and other benefits provided to the General Secretary, President and members of the Executive

The current General Secretary of the union was paid £62,143 in respect of salary and £1,500 in respect of Pension.

The former General Secretary of the union was paid £119,093 in respect of Remuneration & Compensation and £989 in respect of Pension.

Irregularity statement

A member who is concerned that some irregularity may be occurring, or have occurred, in the conduct of the financial affairs of the union may take steps with a view to investigating further, obtaining clarification and, if necessary, securing regularisation of that conduct.

The member may raise any such concern with such one or more of the following as it seems appropriate to raise it with: the officials of the union, the trustees of the property of the union, the auditor or auditors of the union, the Certification Officer (who is an independent officer appointed by the Secretary of State) and the police.

Where a member believes that the financial affairs of the union have been or are being conducted in breach of the law or in breach of the rules of the union and contemplates bringing civil proceedings against the union or responsible officials or trustees, he should consider obtaining independent legal advice.

INDEPENDENT AUDITORS' REPORT TO THE MEMBERS OF NAPO

We have audited the financial statements of Napo for the year ended 31 December 2013, which comprise the Income and Expenditure Account, Balance Sheet, Statement of Total Recognised Gains and Losses and the related notes. The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice).

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

RESPECTIVE RESPONSIBILITIES OF OFFICERS AND AUDITORS

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

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

SCOPE OF THE AUDIT OF THE ACCOUNTS

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 the union'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 financial statements. In addition, we read all the financial and non-financial information in the Annual Report and Constitution to identify material inconsistencies with the audited financial statements and to identify any information that is apparently materially incorrect based on, or materially inconsistent with, the knowledge acquired by us in the course of performing the audit. If we become aware of any apparent misstatements or inconsistencies we consider the implications for our report.

OPINION ON THE FINANCIAL STATEMENTS

In our opinion the financial statements:

- give a true and fair view of the state of the union's affairs at 31 December 2013 and of its results 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.

MATTERS ON WHICH WE ARE REQUIRED TO REPORT BY EXCEPTION

We have nothing to report in respect of the following matters where the Trade Union and Labour Relations (Consolidation) Act 1992 requires us to report to you if, in our opinion. Proper accounting records have not been kept by the union; or the union has not maintained a satisfactory system of control over its transactions; or the accounts do not agree with the accounting records; or we have not received all the information and explanations we require for our audit

PK Audit LLP

Chartered Accountants

Statutory Auditor

22 The Quadrant, Richmond, Surrey TW9 1BP

Keith Stokeld, Treasurer

Ian Lawrence General Secretary

UNITY IN NAPO

CONFERENCE
& AGM
9-11 OCT 2014
SCARBOROUGH

The theme of the 2014 AGM is 'Unity in Napo'. At a time when the government is tearing the Probation Service apart and staff are being divided to meet the TR split there is one place that we can all stand firm together and remain united; and this is at our annual conference. It is also where we can unite with our colleagues in the Family Court Section.

We want this year's AGM to be an expression of the unity – unity in opposition to Grayling's TR plans; unity in continuing our determined campaign to save our Probation Service; and unity in supporting each other through the current traumatic period.

Key Note Speakers

Thursday 9 October

2.45pm – Q&A Sessions with Justice Minister, Jeremy Wright

4.00pm – Parliamentary and Campaign Reports from Justice Unions and Family Court Unions Parliamentary Group Chair and Secretary, Elfyn Llwyd MP and John McDonnell MP.

Friday 10 October

11.30am – Family Court Session with guest speakers including Justice Minister, Simon Hughes (TBC)

11.30am – Probation Session – Question Time discussion panel with Shadow Justice Secretary, Sadiq Khan (tbc), probation academic Professor Loraine Gelsthorpe from Cambridge University, former Avon and Somerset Trust CEO, Sally Lewis and Justice Alliance Co-founder, Matt Foot.

2.00pm – Key note speaker, Phyll Opoku, Director and Co-Founder of UK Black Pride and PCS Campaigns Director.

What else is going on

As usual the AGM will discuss and vote on a wide range of motions from members and branches and there will be a full programme of fringe events on the Thursday and Friday early evening and Friday lunchtime.

Early indications are that we will have more exhibitors than ever at this year's AGM. It is a good chance to talk to Napo's Member Services providers, find out about the work of Napo's national committees and the Staff Associations and gather information from the many and varied campaigns to which the union is affiliated.

Childcare

Subject to demand a free crèche or childcare service will be available for attendees who require it.

Family Court Section AGM

The Family Court Section AGM will be held from 11.00 to 13.00 on Thursday 9 October in the Promenade Lounge, at the Spa Complex, prior to the commencement of the full AGM.

Entertainment

Thursday 9 October

Get out your dancing shoes on and get the glad rags out for an evening to remember with the UK's number 1 Jive and Swing Band, the Jive Aces.

Friday 10 October

Be ready to dance 'til you drop with local band the Goose Horns, with lead singer Napo's own Michelle Daley.

Registration is now open

Registration fees have been frozen at the 2012 and 2013 rate of £45 (£25 unemployed and retired members). You should register by **19 September** to take advantage of this early bird rate. After this registration for all classes of member and guest will be £60.

Register online at www.napo.org.uk or download a registration form and return it with a cheque. You can request a paper registration form from events@napo.org.uk or ring 020 7223 4887.