

# **Leicester City Branch**

Pilot House, 41 King Street, Leicester LE1 6RN Tel: 0116 2995101 Fax: 0116 2248733 Email: Unison.Leicestercity@Virgin.Net

# RESPONSE TO HUMAN RESOURCES REVIEW DRAFT BUSINESS CASE

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#### 1. FOREWORD

- 1.1. UNISON is of the view that the Human Resources Review is far larger both in terms of scale and potential impact than has been acknowledged to date. Consequently, the potential damage to both the organisation and staff morale within Leicester City Council has been severely underestimated. The reduction in staffing proposed, (40 45 less than current numbers), has no evidence base. It is not apparent how this figure was arrived at or indeed, whether current workloads can support a reduction of such numbers, particularly when it is recognised 'that no scientific calculation of the optimum HR establishment is possible'.
- 1.2. UNISON are also extremely concerned with the timing of such a major review. It was recommended that it was paramount that there would be a transitional period\_of at least six months following the creation of the two new departments, which replaced Education and Social Care and Health. This period was designed to ensure safe transitions and give services the opportunity to 'bed in' within new departments. The new corporate directors should be given the benefit of stable HR units in these departments at this time.
- 1.3. Further, UNISON would request that when the Equality Impact Assessment is carried out it considers the fact that out of the five departmental Human Resources Managers, 4.5 are women. Consideration should be given as to how the objectives of WIMI, (Women into Management Initiative.), are met within this report. It also needs to be acknowledged that the workforce in the areas affected by the review is predominantly female.
- 1.4. Interesting comparisons/contrasts can be made between the Draft Business Case for HR and the reports prepared by Deloittes on the ICT review. The first of these is that the authors are external to the Authority 'due to a requirement for the review to be performed by an impartial third party able to provide objective assessment and recommendations'. The question has to be asked as to why the HR review did not warrant such impartiality and objectivity.
- 1.5. Further, what we have in the Deloittes report is an examination of the needs of the organisation, yet the HR case presents one model then proceeds to 'justify' that model.

# 2. INTRODUCTION

- 2.1. The Business Case acknowledges that the service currently provided is a good one and that it is highly valued etc and as such the aim is to build on these positive aspects. Yet, what is proposed is a 'fundamental change' in service. Such a proposal seems contrary to the first statement. The rationale for the change does not appear to come from a demonstrable need for change itself rather the assertion that 'technology and other service developments warrant [it]'.
- 2.2. Putting to one side the issue of technology and over reliance thereon, (regarding which see later), it is hard to see how a service which is on the whole good and 'excellent in part' requires such a fundamental overhaul.

- 2.3. As far as UNISON can determine the main driver for this reform is **finance** and the requirement to make unrealistic savings either because of the budget process or in pursuit of 'Gershon efficiencies'.
- 2.4. What is of note in this respect is that it was originally indicated that the 'target' for the review was approximately £300,000. How this has mutated into £1.3 million is unclear.
- 2.5. The author of the Business Case asserts that it '... document[s] the costs and benefits of migrating from a currently Corporate Core.' UNISON and its members would suggest that it does neither.

# 3. SUMMARY

- 3.1. The case for radical transformation is not evidenced anywhere within the document.
- 3.2. At page 5 of the document, Para 2.2, (although we believe that should be 3.2), the assertion is made that within the present arrangements are 'elements of inefficiency and duplication emerging'. Yet despite such bold assertions nowhere is this objectively evidenced. What are presented are a number of perceptions from managers and generalised statements from the reports author and a number of tables that illustrate highly questionable data.
- 3.3. We will consider the claims of 'inconsistent management information, inconsistent processes and application of policy [etc]' later. Our initial response to that statement would be that this responsibility does not necessarily lie with HR advisors, but is often the result of differing cultures, aims and objectives of departments and their managers.
- 3.4. What is telling is the final sentence of that paragraph 'Our present service is now demonstrably expensive...' Indeed the majority of the report concerns itself with issues of cost rather than service, to the extent that it appears this conclusion was the starting point and the authors worked back from this stance to justify it.
- 3.5. With regard to the shared service model being the way of the future, we will consider the 'evidence' on this later in our response. It needs to be noted however that for a number of the Authorities cited this move is a recent one, and as such, no data exists (or has been sought) on the consequences of this course of action.
- 3.6. In respect of the issue of technology, UNISON would like to receive the information that has been gathered on the IT systems used by those comparator Authorities cited in the report.
- 3.7. Resourcelink is not yet fit for purpose. The system is not capable of dealing with simple payroll matters let alone those tasks which would be essential in a centralised HR function. It requires far greater investment in respect of both time and money to ensure that it is. The draft business case does not indicate how and when this will happen nor does it cost this work.
- 3.8. Para 3.5 acknowledges that success is dependent on a number of factors, including increasing the self-reliance of managers, simplifying HR policies and streamlining procedures, etc.

- 3.9. UNISON would suggest that this amount of work could not be achieved in the short to medium term, particularly if consideration is given to the high levels of change in other areas currently (e.g. Job Evaluation, creation of the two new departments and budget cuts being implemented).
- 3.10. With regard to the need to maintain the morale of HR, staff 'through a well-planned process of change'. Without wishing to rehearse old arguments, it needs to be stated for the record that this got off to an exceptionally bad start with the way in which the 'consultation' was initially handled. As such, it has become not a question of maintaining morale but **rebuilding** that morale. The trust and confidence of many staff involved in this process has been severely damaged. Management need to recognise that this represents a further risk to this project and numerous other projects within the authority, which rely on the skills and expertise of those currently employed within HR.
- 3.11. The gains to be made from successful implementation of the proposed arrangements are not demonstrated within the business case. In part, this is because the current 'deficiencies' are not properly outlined or evidenced and more fundamentally, because a proper cost/benefit analysis has not been done.

# 4. OBJECTIVES OF THE BUSINESS CASE

- 4.1. In respect of the 'Objectives of Business Case' it is unclear how either business improvement will be achieved as a result, or how focus on the customer will be enhanced. It is also of concern that savings of £2million are anticipated, both in terms of the amount and the fact that it is considered to be part of 'efficiency savings as part of the Council's overall budget strategy'. UNISON request clarification on whether further savings will be expected as a result of 'Gershon' efficiencies or whether Budget/Gershon are now one and the same. UNISON do not believe that anyone needs to be reminded of the ethos of the Gershon Report, nevertheless it is not apparent that the aim of this review is to 'release resources to the frontline', thus the conclusion can only be that this is budgetary driven.
- 4.2. With reference to Para. 4.2, UNISON would again take issue with the assertion that the business case in any real way examines or defines 'case for and extent of the migration to a Shared Service Model'.
- 4.3. The document starts with the underlying assumption that this is the required model and works backwards from this stance. The result is that the case is poorly made out; with little analysis and is 'evidenced' by flawed data.

# 5. DEFINITION AND SCOPE

5.1. Many UNISON members have raised the issue of who is 'in' and who is 'out' of the scope of the review as a cause for concern. The draft business case is narrowly focussed on the services provided by the HR teams within departments. As we have already identified the evidence /information gathered on this is poor. However, it seems there has been no attempt to look at the work of the separate Health and Safety and Staff Development/Training teams. No doubt, this was what led to those staff feeling 'marginalised'.

- 5.2. Further, other staff teams have discovered late in the day that they are covered by the scope of the review, and as such did not have the opportunity to input at an earlier stage.
- 5.3. UNISON are unclear as to why Policy Officers were not considered for inclusion in this review rather than examining their roles at a later date, as there is a definite overlap in their work and function. To isolate them from proposals at this point is only likely to lead to duplication and confusion later on.

# 6. OPTIONS

- 6.1. The Draft Business Case 'outlines' three options: do nothing, wholesale centralisation, or a Shared Service Centre. Whilst the 'triage' process may not have permitted 'a detailed analysis of every conceivable option', by it's very definition triage should have involved a **proper** analysis of the current situation, (the positive and the negative) and what was required to support/service the Council into the future, i.e. <u>form should follow function</u>.
- 6.2. What we in fact have within the business case is unsound data, which led to flawed conclusions about activity and costs, which in turn gave rise to claims about savings, which cannot be substantiated. UNISON would submit that this is not the most appropriate way in which to approach such a major piece of work.

# 7. HR AT LEICESTER CITY COUNCIL

- 7.1. Reference is made to the Best Value Review of HR (2002) and its findings. It is apparent to many that much has changed since then. Not only are there fewer departments, (from seven to five), but each of these departments has seen radical internal change. Over the last four years Departmental HR Units have adopted a more 'strategic, interventionist type role' in relation to operational matters/strategies both within departments and corporately. To use an out of date review as justification for the draft business case is irrational.
- 7.2. With regard to the 'wonders' of Resourcelink, the assumptions made about its capabilities and how advanced implementation is within departments are clearly without foundation. Significant problems are still being encountered with the system, it is currently unable to fulfil those requirements envisaged for it by the draft business case, and indications are that it is a long way from being able to. At the present time, Resourcelink is no more than a new payroll system, and without sufficient investment in terms of both time and money, that is what it will remain.
- 7.3. The number of managers who have gone through the 360-degree competency assessment and the Integrated Management Development Programme is cited as both confirmation of the need for change and evidence that managers now have the capacity/capability to place less reliance on HR support of the current type. Such a conclusion is clearly without basis and indeed no supporting evidence is offered because it cannot be.

- 7.4. UNISON has a number of concerns about the degree to which managers have been consulted in respect of the business case. It is apparent that there has been very little active engagement of operational managers on the proposals and that the potential impact on their activities has not been (fully) explored with them. It is the case that pressures have grown to the point where there are capacity issues with regard to their day-to-day managerial activities. If they are to be expected to take on additional burdens then a more proactive exploration of their views ought to be sought.
- 7.5. The analysis of current Training and Health and Safety activities within departments appears to be confined to a couple of lines at Paras.8.5-8.7 of the Business Case. To relegate the wide ranging and complex work of these units to only a couple of lines is both offensive to the staff engaged in these activities and fails to give elected members a basis on which to make informed decisions on these functions.
- 7.6. There has been a complete failure to grasp training demands that have arisen due to central government initiatives such as the Common Assessment Framework and Integrated and Qualified, (which followed the Victoria Climbie tragedy). This failure has led the reports author to conclude that there is a case to reduce the numbers of staff delivering such training, and will mislead elected members into doing the same.
- 7.7. Further work needs to be undertaken in respect of data collection/information gathering from Training and Health and Safety Teams across departments before this case is put to Councillors in order that they clearly understand precisely what training is provided and why. Both they and the Project Board need to understand that the majority of training in Social Care and Health, and Education, (now Adult and Community Services and Children and Young People's Services), is delivered to meet government targets and standards, without which residential units will not meet legal requirements and social workers will not be able to re-register. This would obviously present a problem for the Council in terms of service delivery!
- 7.8. There is no exploration of the link between Staff Development/Training and performance indicators, in particular the impact on these indicators of the proposals.
- 7.9. The creation of two new departments has increased demand for training and development strategies, as have the integration projects within Adult Mental Health and Learning Disabilities. The model is not explicit as to how this demand will be met within the new model.
- 7.10. The level of multi-agency and partnership working currently undertaken by training units in the former Social Care and Education departments is not detailed in the report; thus, it has not been considered how this work will continue in the new model.
- 7.11. Reliance on external providers for training inevitably proves more costly, and issues arise as to the content/standard of training if is not tailored to the organisations needs.
- 7.12. The same dangers exist in respect of both the training and HR aspects of the review i.e. detachment from operational strategic planning.
- 7.13. With regard to data on Health and Safety there ought to be some exploration of and cost/benefit analysis of exposure of the Council to claims as a result of a centralised service when considering 'efficiency'. It appears this has not been done.

- 7.14. The centralisation of Health and Safety, (even with a high degree of out posting), has the potential to create other conflicts for those charged with ensuring compliance of the Corporate Landlord. The Authority's record on this is poor at the present time and seems unlikely to improve under the proposed arrangements. If the intention is to bring the roles together under the same umbrella, UNISON have no doubt that, it will be Health and Safety that is compromised.
- 7.15. The issue of accountability for health and safety arises within the proposed model; currently this lies with service directors in departments. The model consolidates the management of the health and safety function within the one chain, with a Corporate Director at its head, UNISON take the view that this will put subordinate officers in an invidious position should a challenge of the centre be required. Objectivity and impartiality are undermined by the proposed structure.
- 7.16. The Business Case fails to take account of and/or is contrary to current best practice and standards contained in Health and Safety guidance.
- 7.17. In respect of references to differing levels of resources within departmental Health and Safety units no account has been taken of the varying levels of both activity and risk. Without analysis of the latter, the former is meaningless.

# 8. COST AND STAFFING BASELINE

8.1. The conclusion that the Council pays differently across depts for 'basically the same work' is not evidenced by the graphs and tables contained within the report. As has already been stated, virtually no analysis of the work done by departments has occurred so it is difficult to see how the conclusion can be drawn that the work is the same. Had a more sophisticated analysis of both the complexity and volume of work within departments occurred it might have provided a more transparent picture of what actually transpires.

#### 9. ACTIVITY ANALYSIS

- 9.1. Again, the data collected via this exercise needs to be treated with extreme caution. As no agreed definitions were used it is impossible to know whether like with like is being compared, (see later for comment).
- 9.2. The author states that it would be dangerous to base conclusions solely on the information contained in tables 5 and 6, yet in the absence of any other information this is exactly what will occur.

# 10. THE HR QUESTIONAIRE

10.1. UNISON has not had sight of this questionnaire but understand that it went out in two different formats. It is unlikely that this would lead to the collection of consistent data. The levels of response are exceptionally low from those outside the HR field and it is

unclear how sound conclusions can be drawn from the data collected. What would have been useful would have been a more pro-active attempt to engage 'customers' and a more thorough scrutiny of their responses.

- 10.2. It is of note that the views of one the largest 'stakeholders' i.e. schools has not been sought and indeed how schools will access/ benefit from the proposed model seems not to have been considered.
- 10.3. In respect of the 'criticisms' cited in the report it is not apparent precisely who these are aimed at. The statements are highly generalised and perhaps, understandably, reflect a lack of knowledge/expertise by those who made them.
- 10.4. There are probably many managers who view HR activities as 'over complicated and too many policies and procedures and the inconsistent interpretation and application of some policies... [sic]'. As previously stated it would be inequitable to hold HR units responsible for this. Employment law has become increasingly complex over the years and what may appear to be a risk adverse stance is in fact an attempt to ensure that the Council does not face litigation as a result of its actions.
- 10.5. It is Unison's experience that issues of inconsistent interpretation and application of policy/procedure does not emanate from HR departments but from managers themselves and whilst it is important to address this matter, no evidence exists within the business case as to how the model will rectify this. Indeed, under the 'self service' model the likelihood is that the number of inconsistencies will only increase.
- 10.6. UNISON would agree that there are a number of policies/procedures currently that are unfit for purpose and need revision in order to ensure that they comply with legislation. However, this factor alone does not warrant the move to the model proposed and UNISON suggests that a far less radical solution would address many of the concerns raised by customers.

#### 11. WORKSHOP FEEDBACK

11.1. It is of concern that attendees of these workshops were misled as to the status of these events. They were not informed that this was part of the 'consultation' process until after the event. When it was asked whether this was consultation the response was that it was not. The fact that relatively few managers attended these events means that the results do not give a true picture of 'customer satisfaction'. Further, it is never demonstrated how the perceived weaknesses identified at the workshops will be addressed/resolved by the proposed model.

#### 12. OTHER DATA

12.1. The data on formal procedures at Table 7 does not reflect actualities. Both UNISON and HR staff can demonstrate that these statistics are very inaccurate. At what stage a formal procedure warrants inclusion in the 'official' statistics may be the cause of the discrepancy, however as a consequence the volume of work of HR teams is not truly depicted. Many incidents do not reach a 'formal' stage, yet require a huge input from HR,

(and the Trades Unions), to resolve them. UNISON would submit that the 'snapshot' gained by the reports author of current HR is a very out of focus one.

# 13. HOW DO WE COMPARE

- 13.1. The conclusions that are invited by this section and table 8 in particular are both offensive and irrational. Is it being asserted that the numbers of staff within HR somehow determine the Authority's CPA score? The fewer the staff the higher the score?
- 13.2. Despite the fact that readers are warned 'this information should be treated with a high degree of caution' and 'the absolute validity of making these comparisons is questionable' It is this very 'evidence' that is being used to support a move to the proposed model.
- 13.3. It appears that every table/graph comes with a health warning, yet we are asked to believe that in aggregating the contents, a transformation occurs and an accurate picture is somehow produced.

# 14. CASE STUDY EXAMPLES

14.1. UNISON has severe reservations about both the factual accuracy of the examples cited and the conclusions that we are being urged to draw from them.

# Coventry

14.2. Coventry has only recently moved to phase two of their HR review. Even their proposals at this stage are nowhere near as radical as those proposed in Leicester. It focussed its change on centralising administrative transactions, the creation of a workforce development team and a small Strategy and Planning team.

# Derby

14.3. UNISON's research revealed that the position at Derby is entirely the reverse of that stated within the Business case. Our understanding is that Derby **decentralised** their HR function 5 years ago.

# **Leicestershire County**

- 14.4. UNISON has been in contact with the person whose role it is to look at HR within the County. It has been reported to us that they are <u>currently</u> looking at whether there is a business case for a shared services, model but have not implemented any changes yet. There is no centralised recruitment centre and both Education and Social Services still have their own HR departments.
- 14.5. The misleading account of the situation within the Authorities above leads us to question all of the information provided in this section of the Business Case. What is of note from the case study examples is that those Authorities, which it is claimed, have moved to a shared service model have only done so very recently. Further, they have limited their shared services to the more obvious functions such as transactional activities.

- 14.6. Given that changes are only recent, the impact from a service delivery and customer satisfaction perspective cannot be known. What we do know however is that the majority of these Authorities have long since completed major pieces of work such as Job Evaluation and the creation of Adult and Children's Departments. The situation in Leicester is nowhere near as stable and therefore we would submit, not in a position to consider such a radical proposal at this moment in time.
- 14.7 With regard to the comparators record on Health and Safety, UNISON is aware that a number of these Authorities have been successfully prosecuted by the Health and Safety Executive, (some of them more than once).

# 15. THE SHARED SERVICE MODEL OF HR SERVICE PROVISION

- 15.1. Paragraph 10.7 lists a range of benefits that organisations have found following adoption of the model. This is not evidenced in the business case and as previously stated, many organisations cited have only recently moved or begun to move to this model so cannot be evidenced. Given this where has this information come from?
- 15.2. A small list of 'issues raised' is included at 10.8, yet there is no list of possible disadvantages of the model e.g., how will it be ensured that HR functions within the Council do not become totally fragmented and remote? There is surely a danger that the Shared Service Centre; Corporate HR support; Training and Development and Business Support Partners are simply new silos.
- 15.3. Concern has been voiced in respect of the allocation of HR functions as per Table 11 of the report. That Protection of Vulnerable Adults Scheme, (PoVA), and the Protection of Children Act, (PoCA), are viewed as 'administrative functions' by the reports author only confirms UNISON's belief that very little examination of the true nature of activities in departments has been carried out. Ensuring compliance with these legislative requirements (and thus safeguarding vulnerable adults and children) is not simply a paper shifting exercise. It requires the detailed preparation of submissions to the Secretary of State. To assert that this can be done at an administrative level is akin to Legal Services devolving their court work to a clerk. It would certainly save money, but is it really a safe and appropriate thing to do? Who will be held accountable should these proposals result in incidents relating to vulnerable adults or children?
- 15.4. Further evidence of this lack of knowledge is apparent in references to Workforce Development Training. This appears as something entirely separate from the departments in which staff are based. It is therefore unclear how the links will be made between the training centres of excellence and the departments. How will departments ensure that the training needs of their staff (many of which are specific legal/national requirements) are met? The current proposals are likely to give rise to greater bureaucracies.

# 16. ORGANISATIONAL ARRANGEMENT

16.1. The structure included at diagram 2 has been described, (outside of the report), as indicative only, the business case itself refers to it as 'guiding principles'. Whatever the case it seems premature to start to look at potential structures before the second phase of the review. It adds nothing to the report and ought to be removed.

- 16.2. At Para 11.12, it is asserted that the new structure can be designed with 40-45 staff less than present numbers. The assumption on which this conclusion is based takes no account of the current situation in the Council.
- 16.3. As already stated current workloads for HR staff are extremely high; (JE, the creation of two new departments, BSF, the Education White Paper, Remodelling the School Workforce and Departmental Reviews). In many of the comparator Authorities this work has already been done.
- 16.4. To forge ahead with such radical change at this time can only serve to create uncertainty for those staff whose job it is to support these projects. There is a real risk that rather than face an uncertain future, staff will leave and expertise and experience will be lost. UNISON would submit that a reduction in staffing to the levels proposed would place an unmanageable burden on those who remain.
- 16.5 The current review within Chief Execs/RAD is about to enter its second phase and yet no link is made between potential outcomes there and the proposed model within the Draft Business Case. How will the functions of the Service Director Business Improvement, (i.e. business improvement and performance management), be aligned to the model?

# 17. RISK PLANNING.

17.1. Despite the acknowledgement of the high degree of risk and the 'scope for things to go badly wrong', the risk register included within the report does not adequately reflect this. The list needs to be a far more comprehensive and thorough analysis of <u>all</u> risks is needed as well as associated costs.

# 18. MIGRATION APPROACH

18.1. From a philosophical standpoint, Para.12 provides some interesting themes for discussion, however from events to date it is apparent that this more about theory than practice. No imperative argument for change has been put forward and there has been no attempt to 'win hearts and minds'.

# 19. FINANCIAL IMPLICATIONS

- 19.1. Very little detail is provided in respect of the figures quoted throughout Para.15 UNISON would submit that the associated costs of this project are likely to be higher than predicted and the savings lower, (based upon experience drawn from organisational reviews of this type!).
- 19.2. Financial implications/risks that have not been accounted for, either sufficiently or at all, are; the possible loss of schools as a customer; the service level agreements that exist between Health and Safety and Training Units and the Voluntary sector being jeopardised; and likely increase in staff turnover during this period.

19.3. Further, in respect of the legislative frameworks, which surround work with children and vulnerable adults, a failure to get this work right, will have a far greater cost than a merely financial one.

# 20. CONCLUSION

Below is a summary of UNISON's concerns in respect of the draft business case.

- 1. The Draft Business Case contains spurious data and is lacking in detail both in terms of other service providers and current Leicester City Council practice.
- 2. It lacks detail in respect of current Training and Health and Safety provision across departments.
- 3. It shows a lack of consultation with key stakeholders.
- 4. No account has been taken of the (in)capacity of operational managers to take on further devolved functions.
- 5. The case assumes a degree of I.T. quality that neither currently exists nor looks likely to without additional resources.
- 6. The case dangerously omits detail and current best practice on Health and Safety and work with children and vulnerable adults.
- 7. No detailed data is provided on the current breadth and depth of training arrangements.
- 8. The case reflects the lack of consultation with HR staff from the inception.
- 9. The case omits any detailed cost/benefit analysis.
- 10. The case does not evidence the benefits of the proposed model nor why such a radical model is necessary.
- 11. It takes no account of current HR demands and compares LCC with other authorities that do not have similar demands.
- 12. It takes no account of current best practice within this Authority or its current ranking/status.
- 13. The case has not evidenced any financial gains to be made by moving to the proposed model; and dangerously underplays the risks and costs viz Health and Safety, Employee Relations and Workforce Development, of 'getting it wrong'.
- 14. The case is emphatically not supported by HR professionals and UNISON, both as staff representatives and as major users of the service.
- 20.1. The Draft Business Case reads like two entirely separate and unrelated documents. The evidence presented in the first part is flawed and misleading and does not and could not support the conclusion that is reached.
- 20.2. To rely so heavily on the fact that this is the emerging model for other Authorities as justification for change is to ignore the fact that Leicester is a four star Authority already. The current HR provision has not prevented this attainment, however UNISON believes that those four stars will be at risk if this review continues in this way.
- 20.3. There is no doubt a case for improvement and efficiencies in the delivery of HR. UNISON and many of its members within HR could support the creation of a centre for administrative functions. UNISON also believes that Job Evaluation is a task best placed in

a corporate centre. Recruitment and Retention may also be a function best administered from the centre. Considerations of this nature would require further discussion and consultation, but there may be a way forward that is not only economically viable but actually takes account of the needs of the organisation into the future. However, as a whole the Draft Business Case does not make the case for the more radical model that it proposes.

- 20.4. Past experience shows that where the 'next big idea' is simply seized upon, without thought or analysis, and implemented, the price for getting it wrong is invariably paid by staff.
- 20.5. UNISON urges the Project Board and Elected Members to take a step back from this process to give proper time to consider <u>all</u> the implications.

Janet McKenna Unison Branch Chair On behalf of UNISON's Branch Negotiating Team

Cc.

UNISON Branch Negotiating Team Leicester City Council Elected Members Leicester City Council Corporate Directors Leicester City Council Human Resources Managers Rodney Green Chief Executive Leicester City Council