

GREATER LONDON AUTHORITY

REQUEST FOR MAYORAL DECISION – MD3124

Title: Shared Committee Services – GLA and MOPAC

Executive Summary:

This decision form seeks formal approval for a shared services arrangement between the Greater London Authority (GLA) and the Mayor's Office for Policing and Crime (MOPAC) through which the GLA will provide committee services to relevant MOPAC bodies and boards.

The objectives and expected outcomes of these proposals are a) the effective delivery of relevant services to MOPAC on a cost-effective basis for both organisations; and b) the delivery of efficiencies and service improvements to the GLA Group in relation to support for formal meetings.

Shared services arrangements involving the GLA must be approved by the Mayor following consultation with the London Assembly. This consultation took place via the GLA Oversight Committee meeting held on 24 May 2023.

Decision:

That the Mayor approves:

- i. the establishment of a shared services arrangement between the GLA and MOPAC, under section 401A of the Greater London Authority Act 1999, whereby the GLA will provide MOPAC with committee services for relevant MOPAC bodies and boards
- ii. a delegation to the GLA's Chief Officer to: finalise the terms of, and enter into, the shared service agreement between the GLA and MOPAC; and to update the agreement as and when necessary.

Mayor of London

I confirm that I do not have any disclosable pecuniary interests in the proposed decision and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

Signature:



Date:

17/6/23

PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE MAYOR

Decision required – supporting report

1. Introduction and background

- 1.1. The GLA Committee Services Team (the Team) is a shared services team which is responsible for secretariat support to around 60 committees, panels and boards across the GLA, Transport for London (TfL), London Legacy Development Corporation (LLDC) and Old Oak and Park Royal Development Corporation (OPDC). In practice the Team is split into three, with one element supporting London Assembly meetings, one element supporting TfL/LLDC/OPDC boards and committees and one element supporting a number of Mayoral boards and administering the GLA decisions process. In total the Team provides support to roughly 400 meetings per year.
- 1.2. Approval is now sought for the GLA to enter into a shared services arrangement with MOPAC to provide secretariat support to certain MOPAC boards.
- 1.3. Subject to that approval, a shared services agreement will be drawn up which will specify the detailed support required. Under the terms of that agreement, it is expected that the Team will provide secretariat support to the new policing board to be established by the Mayor and MOPAC following a recommendation of Baroness Casey's Review into the standards of behaviour and internal culture of the Metropolitan Police Service, and any related sub-committees. Over time, the agreement can be flexed to add in secretariat services support for other groups/bodies within MOPAC, as required.
- 1.4. Under the proposal, the GLA (through the Assistant Director of Committee and Member Services and the Committee Services Team) will become responsible for the provision of the following functions to MOPAC:
 - clerking of meetings of boards and bodies as agreed, including: coordination of the agenda-setting process; oversight of the preparation, production and clearance of reports, and minutes; interpretation and recording of proceedings and decisions at such meetings, having regard to any related governance codes, rules and policies; ensuring compliance with any transparency commitments
 - preparation of routine reports and governance reports for those boards and bodies, as required, and other related tasks (for example, creating and maintaining forward plan/work programmes, follow-up/coordination of actions arising from meetings)
 - preparation of Chair's briefings for formal meetings, including coordination of content, drafting as appropriate and securing appropriate clearance
 - management of formal correspondence from relevant boards or bodies/their Chairs
 - provision of procedural and general advice in the conduct of the business of those boards and bodies, including advice on meeting and maintaining any requirements in relation to the membership composition of those boards and bodies
 - meeting logistics – arranging meeting dates, booking rooms, administering Outlook invitations, advising relevant officers of meeting deadlines
 - maintenance of related governance documents – for example terms of reference, membership lists and registers of interests, gifts and hospitality (if needed) and ensuring these are published in line with relevant requirements

- external appointments to those boards and bodies, as required: drafting of advert text and application packs; coordination of formal sign-off of appointments; drafting and coordination of issuing of appointment letters, Terms of Appointment, code of conduct; receiving and retaining signed Terms of Appointment; ensuring Terms of Appointment and code of conduct remain current and standardised; coordination of Member onboarding and ongoing Member support
 - corresponding on behalf of the Monitoring Officer (MOPAC's Chief Executive) regarding registration of interests, providing advice and support as required.
- 1.5. There are no staff affected at MOPAC by the proposed shared services agreement; the relevant provisions of the TUPE legislation therefore do not apply in this instance. Restructure activity will be undertaken, in accordance with the GLA's Organisational Change Policy, to add capacity to the Committee Services Team to meet the service needs. This is anticipated to equate to the addition of 1.0 FTE (full time equivalent) post.
- 1.6. The costs of providing the services (anticipated to be 1.0 FTE post and the corporate charge for shared services posts) will be paid by MOPAC to the GLA annually and on a cost recovery basis.
- 1.7. The London Assembly (through the GLA Oversight Committee) has been formally consulted on the proposal as required by section 401A(6) of the Greater London Authority Act 1999 (the GLA Act) and has noted it without further comment. The report to the Committee, including the business case for the proposal, is attached at Appendix A.

2. Objectives and expected outcomes

- 2.1. The objectives and expected outcomes of these proposals are a) the effective delivery of relevant services to MOPAC on a cost-effective basis for both organisations; and b) the delivery of efficiencies and service improvements to the GLA Group in relation to support for formal meetings.
- 2.2. It is expected that the arrangement will lead to a number of benefits as compared to direct delivery of committee services support to these bodies via MOPAC, because the size, breadth and established nature of the GLA Committee Services Team mean that: 1) MOPAC will benefit from the experience, expertise and best practice embedded in the existing Team, which is certificated by the British Standards Institute for ISO9001:2015, an internationally recognised standard for creating, implementing and maintaining a Quality Management System; 2) access to agenda collation and publication software can be provided at no additional cost; and 3) the Team is in a position to ensure resilience of clerking arrangements in the event of staff turnover or sickness.
- 2.3. It is also considered that delivering committee services via a shared services arrangement also brings wider benefits to the GLA Group in terms of consistency of committee support and enhanced joined-up working.
- 2.4. Following approval of the project, it is proposed that the GLA's discharge of the functions commence in August 2023. To achieve this, the next steps include:
- restructure activity, in accordance with the GLA's Organisational Change Policy
 - development and execution of the shared services documentation necessary to put the section 401A(3) arrangement into effect.

3. Equality comments

- 3.1. Under section 149 of the Equality Act 2010, the GLA is subject to the public-sector equality duty must have 'due regard' to the need to:

- eliminate unlawful discrimination, harassment and victimisation
- advance equality of opportunity between people who share a relevant protected characteristic and those who do not
- foster good relations between people who share a relevant protected characteristic and those who do not.

3.2. Protected characteristics under section 149 of the Equality Act are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage or civil partnership status.

3.3. No adverse equalities impacts have been identified in relation to this proposal. Restructure activity will be undertaken in accordance with the GLA's Organisational Change Policy and Recruitment and Selection Policy.

4. Other considerations

Key risks and issues

4.1. The key risks identified and the relevant mitigations are as follows:

Risk	Impact	Probability	Mitigation
Conflicts of interest may arise in certain circumstances	Low	Low	Arrangements will be put in place to deal with this scenario. No such conflicts have arisen during the operation of similar shared services arrangements for the provision of committee services by the GLA to LLDC, OPDC or TfL.
The confidentiality of MOPAC's information is not maintained	High	Low	The Committee Services Team is an established Team which is well used to handling confidential information in an appropriate way. Robust arrangements will be agreed with MOPAC to ensure the appropriate handling of any confidential information which the Team are required to deal with in the course of their duties.

The project exceeds the planned costs and becomes unaffordable	Medium	Low	A structure for reasonable fees and charges will be agreed and then reviewed on a regular basis. A reasonable and collegiate approach is expected to be adopted by both organisations.
Lack of clarity of scope leading to service delivery problems	Medium	Low	The Working Arrangements Document, that will form part of the final agreement, will include detailed information in relation to the operation of the specific arrangements. This will be discussed in detail and agreed by both organisations prior to implementation of the arrangements, and thereafter kept under review.

- 4.2. The MOPAC and GLA project sponsors will be responsible for managing the risks arising from the project.

Links to Mayoral strategies and priorities

- 4.3. This proposal aligns with the Mayor's priority of ensuring a more efficient and effective GLA Group through greater collaboration; and particularly the principles of avoiding doing the same thing across multiple organisations and driving efficiency through scale. The proposal also aligns with the Mayor's Police and Crime Plan priorities.

Data protection

- 4.4. The shared services agreement will set out robust arrangements for the appropriate handling of MOPAC information and data.
- 4.5. Restructure activity will be carried out in compliance with GLA procedures and an impact assessment will be carried out if appropriate.

Consultation and impact assessment

- 4.6. As noted above, the London Assembly has been consulted (through its GLA Oversight Committee) in accordance with section 401A(6) of the GLA Act. A copy of the report considered by the Committee is appended to this form.
- 4.7. An impact assessment of the related restructure activity will be undertaken if appropriate, in accordance with GLA Organisational Change Policy.

5. Financial comments

- 5.1. The shared services arrangement will operate on a cost-recovery basis and will therefore result in income for the GLA. The detailed costs are subject to formal discussion and agreement between the two organisations and will be reflected in revised budgets for the 2023-24 year.

6. Legal comments

- 6.1. Under section 401A(3) of the GLA Act the Mayor may, after consultation with the Assembly, authorise the GLA to enter into arrangements for the discharge by it on behalf of a functional body of any functions which are of an administrative, professional or technical nature. "Administrative, professional or technical" services are not defined in the GLA Act, but would include democratic or committee services and procedural advice. The effect of section 401A(3) is for the GLA to the discharge the democratic services functions itemised at paragraph 1.4 on behalf of MOPAC.
- 6.2. The role of the London Assembly as consultee on matters under section 401A(6) of the GLA Act has been delegated to its GLA Oversight Committee. This is permitted under section 54(1) of the GLA Act and section 1.7 above indicates that the appropriate consultation has been undertaken.
- 6.3. No MOPAC staff are affected by the proposed transfer of functions. The TUPE legislation does not therefore apply in this case.
- 6.4. The shared services documentation will cover issues such as payments for the services to be provided, and review and termination arrangements. It is proposed that the finalisation of the terms of the proposed section 401A(3) arrangements with MOPAC, and execution of the necessary documentation, will be undertaken by the Chief Officer under the General Delegation given them via the Mayoral Scheme of Delegation.
- 6.5. The proposed arrangement is consistent with the GLA's public procurement obligations under procurement legislation. The European Court of Justice has ruled that public bodies such as the GLA and MOPAC can enter into co-operative arrangements in the public interest where one provides services to the other. In such instances public procurement rules are not triggered. It is considered that the proposed arrangement with MOPAC under section 401A of the GLA Act is consistent with procurement law.
- 6.6. Under sections 38(1) and (2) of the GLA Act the Mayor may delegate the exercise of any function exercisable on behalf of the Authority by the Mayor to any member of staff of the Authority.
- 6.7. It should be noted that this Mayoral Decision relates only to the the proposed establishment of administrative arrangements for the discharge by the GLA of the relevant parts of MOPAC's committee services/secretariat function. However, there is also reference to approval being sought at a later stage for the creation of new posts. Any staffing decisions that need to be made following this decision must be approved in accordance with the GLA Head of Paid Service Staffing Protocol and Scheme of Delegation.

7. Planned delivery approach and next steps

- 7.1. Key activity milestones are as follows:

Activity	Timeline
Consultation of the London Assembly via the GLA Oversight Committee	24 May 2023
Mayoral approval	June 2023
Shared Services agreement finalised	August 2023

Appendices and supporting papers:

Appendix A – Report to the GLA Oversight Committee & Business Case for Shared Services

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will either be published within one working day after it has been approved or on the defer date.

Part 1 - Deferral

Is the publication of Part 1 of this approval to be deferred? NO

Until what date: (a date is required if deferring)

Part 2 – Sensitive information

Only the facts or advice that would be exempt from disclosure under FoIA should be included in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form – NO

ORIGINATING OFFICER DECLARATION:

Drafting officer to
confirm the
following (✓)

Drafting officer:

Rebecca Arnold has drafted this report in accordance with GLA procedures and confirms the following:

✓

Sponsoring Director:

Mary Harpley has reviewed the request and is satisfied it is correct and consistent with the Mayor's plans and priorities.

✓

Mayoral Adviser:

David Bellamy has been consulted about the proposal and agrees the recommendations.

✓

Advice:

The Finance and Legal teams have commented on this proposal.

✓

Corporate Investment Board

This decision was agreed by the Corporate Investment Board on 19 June 2023.

INTERIM CHIEF FINANCE OFFICER:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature



Date

19 June 2023

CHIEF OF STAFF:

I am satisfied that this is an appropriate request to be submitted to the Mayor

Signature:



Date:

19 June 2023