

# Subject: Consultation on Shared Services Proposal – Provision of Committee Services to MOPAC

<b>Report to:</b>	<b>GLA Oversight Committee</b>
<b>Report of:</b>	<b>Chief Officer</b>
<b>Date:</b>	<b>24 May 2023</b>
<b>Public Access:</b>	<b>This report will be considered in public</b>

## 1. Summary

- 1.1 This report represents consultation by the Mayor with the London Assembly, as required in law, in relation to a proposed shared services arrangement between the Greater London Authority (GLA) and the Mayor's Office for Policing and Crime (MOPAC) in respect of committee services / secretariat functions.

## 2. Recommendation

- 2.1 **That, prior to any decision by the Mayor under section 401A of the Greater London Authority Act 1999 (as amended), the Committee notes the proposed establishment of administrative arrangements for the discharge by the GLA of the relevant parts of MOPAC's committee services/secretariat function and gives any comments on those proposals as it deems necessary.**

## 3. Background

- 3.1 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.

- 3.2 MOPAC has approached the Assistant Director, Committee & Member Services at the GLA to explore the possibility of the GLA entering into a shared services arrangement with MOPAC to provide committee services support to certain MOPAC boards.
- 3.3 The Mayor is minded to give approval under the powers given to him in relation to shared services within the GLA Group by section 401A of the GLA Act 1999 (as amended). As part of the decision-making process, the Mayor is seeking the views of the London Assembly (via this Committee) on the principle of entering into that shared services arrangement. A decision to enter into the proposed arrangements will also need to be taken by MOPAC. The project sponsors for the proposal are Rebecca Arnold, Assistant Director, Committee and Member Services and Kenny Bowie, Director of Strategy and Oversight, MOPAC.

## **4. Issues for Consideration**

- 4.1 It is proposed to establish administrative arrangements between the GLA and MOPAC for the discharge by the GLA of the relevant MOPAC functions under section 401A of the Greater London Authority Act 1999 (as amended). Section 401A(3) of the Act allows GLA Group constituent bodies (which include the GLA and MOPAC) to establish such arrangements for the discharge by any one or more constituent bodies on behalf of any other constituent body of any functions of that other which are of an administrative, professional or technical nature.
- 4.2 If the proposal, as set out in the attached outline business case, is approved by the Mayor following consultation with the Assembly, the GLA and MOPAC will then enter into a detailed, formal agreement. It is proposed that, subject to consultations and final approvals, the arrangements would come into effect in July 2023.
- 4.3 Under the terms of that agreement, it is expected that the Team will provide Secretariat support to the new London 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 clerking support for other groups/boards within MOPAC, as required.
- 4.4 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 and procedures, 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).
- 4.5 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.

## **5. Legal Implications**

- 5.1 Under section 401A of the Greater London Authority Act 1999 ("the Act"), the Mayor may, after consultation with the Assembly, authorise the GLA and any functional body to enter into arrangements for the discharge by the GLA or any functional body on behalf of one or more of the other, of any function of that other which are of an administrative, professional or technical or nature. 'Administrative, professional or technical' services are not defined in the Act, but would include democratic or committee clerk services and procedural advice.

- 5.2 The power of the Assembly to consult on these matters under section 401A of the Act has been delegated to the GLA Oversight Committee. This is permitted under section 54(1) of the Act.
- 5.3 It should be noted that this Oversight Committee report 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 in this report 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.

## **6. Financial Implications**

- 6.1 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.

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### **List of appendices to this report:**

Appendix 1 – Outline Business Case for Shared Committee/Secretariat Services with MOPAC

### **Local Government (Access to Information) Act 1985**

List of Background Papers: None

### **Contact Information**

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## **Outline Business Case for a Shared Committee / Secretariat Services Arrangement between the GLA and LLDC**

### **1. Background**

- 1.1 Baroness Casey's Review into the standards of behaviour and internal culture of the Metropolitan Police Service recommended establishing a public-facing Policing Board for London ('the Board'), chaired by the Mayor. To ensure it is run effectively and efficiently, MOPAC has asked the GLA to provide a professional clerking service to the Board and any sub-committees. To formalise this arrangement, the Mayor will therefore, subject to formal consultation with the London Assembly, be asked to take a decision to exercise the powers conferred on the GLA under section 401A of the GLA Act 1999 (as amended) to enter into the proposed shared services arrangement and to discharge the relevant functions on behalf of MOPAC.
- 1.3 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.
- 1.4 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 GLA's Committee Services 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.
- 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 and procedures, 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 proposed commencement date of the new arrangements is July 2023.

## **2. Standards of delivery**

### **2.1** The functions listed below will be delivered:

- To the highest quality standards (ensuring that ISO 9001:2015 accreditation is achieved for this area of service delivery in due course) and in accordance with all relevant timescales and deadlines (as required by relevant MOPAC/or senior officers)
- In accordance with MOPAC's rules and procedures regarding confidentiality and information security, any relevant statutory requirements
- In accordance with the arrangements that will be set out in the Arrangements for Delegation and Working Arrangement Document that will be entered into between the GLA and MOPAC.

## **3. Functions**

### **3.1** Under the proposal, the GLA will become responsible for the provision of the following services 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
- for 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.

#### **4. Review**

- 4.1 Following commencement of the proposed arrangements, the provision of service to MOPAC will be monitored by the MOPAC project sponsor, the Director of Strategy and Oversight, and GLA project sponsor, the Assistant Director for Committee & Member Services.
- 4.2 The project sponsors will hold informal review meetings on a quarterly basis in order to provide/receive feedback and resolve any issues arising in relation to service delivery.
- 4.3 Revisions to the formal requirements under the shared services arrangement can be discussed and agreed over time as necessary, including in relation to costs, charges and resourcing requirements. Chief Officers of both organisations will be informed in advance of any proposed significant revision to the arrangements, with reports for formal decision prepared as necessary.

#### **5. Staffing matters**

- 5.1 The GLA will commit to ensuring that appropriate members of Committee Services staff are present at MOPAC offices and meeting venues for all relevant formal meetings as required and available for contact during normal working hours.

#### **6. Costs**

- 6.1 Under the arrangement, it is expected that costs of providing the services (anticipated to be equivalent to 1.00 FTE GLA post, and the corporate shared services charge – all costs to be charged on a cost recovery basis only) would be paid by MOPAC to the GLA on an annual basis.

#### **7. Conflicts of interests**

- 7.1 There may be situations where an actual or potential conflict of interest arises between the GLA and MOPAC in relation to processes and/or governance issues. The GLA and MOPAC sponsors would be responsible for resolving any actual or potential conflicts of interests that may arise.
- 7.2 The staff in the GLA Committee Services Team providing services to MOPAC will liaise with and seek advice as necessary (legal or otherwise) from MOPAC officers; the MOPAC staff involved in the day-to-day arrangements which are the subject of this agreement will liaise with and seek advice as necessary from GLA officers.

#### **8. Information security**

- 8.1 It is acknowledged that the confidentiality of MOPAC's information must be maintained at all times and that robust arrangements agreed with MOPAC will be put in place to ensure the confidentiality of such information (which shall include undergoing Metropolitan Police vetting, reference to IT security for information held electronically and the other duties of staff providing services to MOPAC within City Hall).
- 8.2 Both parties will agree to abide by legislation in force from time to time in the United Kingdom relating to privacy and/or the processing of personal and non-personal data; and any statutory codes of practice issued by the Information Commissioner in relation to such legislation. A specific data sharing agreement will also be put in place.

#### **9. Risks**

- 9.1 The following risks and mitigations have been identified:

<b>Risk</b>	<b>Impact</b>	<b>Probability</b>	<b>Mitigation</b>
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 period of provision of clerking to the VRU Partnership Reference Group or in 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 clerking 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
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- 9.2 The responsibility is clearly upon relevant GLA and MOPAC officers to ensure that: the service is kept under review; that feedback is provided in a timely way and then when received is acted upon swiftly; and that all costs are monitored and discussed throughout the period of the agreement in order to mitigate and/or dispose of risks to the delivery of an excellent service.