

GREATER LONDON AUTHORITY

REQUEST FOR MAYORAL DECISION – MD3179

Title: Greater London Returning Officer Fee – 2024 Elections

Executive Summary:

On 12 June 2018 the Mayor appointed the GLA's Chief Officer to the role of Greater London Returning Officer (GLRO). This role is in addition to the role of Chief Officer (which incorporates the duties of Head of Paid Service) and the GLRO fee is in addition to the GLA Chief Officer salary to reflect the significant duties involved in undertaking the role of GLRO.

Following consultation with London Assembly party leaders, approval is sought for the GLRO's fee for the 2024 elections.

Decision:

The Mayor is requested to agree:


- the fee for the Greater London Returning Officer undertaking the role in respect of the 2024 GLA Elections, comprising a payment of £40,000 to be made in two instalments: one payment of £20,000 to be paid in November 2023 and the second instalment of £20,000 to be paid as soon as is practicable following the delivery of the 2024 GLA Elections.
- that a further payment of £10,000 is to be paid in the 2024-25 financial year, contingent on no significant adverse issues which are within the control of the GLRO being raised by the Electoral Commission in their report which will follow the 2024 Elections.

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: 06/11/2023

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

Decision required – supporting report

1. Introduction and background

- 1.1. The present GLA Chief Officer, Mary Harpley, was appointed to the role of Greater London Returning Officer (GLRO) by the Mayor on 12 June 2018.
- 1.2. The GLRO has received a fee for their responsibilities in the preparation for, planning and management of each of the GLA elections since 2004 and the amount of this fee has been set prior to each of these elections.
- 1.3. The GLRO is appointed by the Mayor, and is to be issued a letter outlining the GLRO fee in advance of the 2024 elections. The letter will confirm that the GLRO role is in addition to the Chief Officer role (which incorporates the functions of the Head of Paid Service), that she will receive payment for fulfilling that role which will be paid as set out in paragraph 1.5 below.
- 1.4. On the appointment of Mary Harpley to the role of Chief Officer, the HOPS contractual terms did not make reference to the entitlement to and/or the amount of the GLRO fee, and as a result, it is the decision of the Mayor alone as to the amount of the fee payable. In addition, there is no specific Cabinet Office guidance that relates to the performance of the GLRO.
- 1.5. It is proposed that the GLRO fee comprises a payment of £40,000 to be paid in two instalments: one in November 2023 and the second following the delivery of the 2024 GLA elections. A further payment of £10,000 will be paid contingent on no significant adverse issues within the control of the GLRO being raised by the Electoral Commission in their report on the elections.
- 1.6. This is higher than the £20,000 payment, including performance element, that was set for the 2020 election (which took place in 2021). This increase in payment is to reflect the scale of the significant responsibility for one of the largest elections in Western Europe: with three elections and an electorate larger than Scotland and Wales combined. The GLRO is a multi-year role, with an increased amount of work taking place outside the election year and it is an ongoing responsibility, in addition to the significant workload of the Chief Officer.
- 1.7. This is especially the case ahead of 2024 given the change in voting system driving a move to a manual count, an additional area of oversight for the GLRO. There is also the potential for a general election to be called on the same day, for which there needs to be preparation whether or not this happens.
- 1.8. There is no guidance on an appropriate fee for the GLRO as it is a unique role that operates at a larger scale than its close comparators. The closest comparisons to the GLRO role are Local Authority Chief Executives and benchmarking suggests that they might receive £29,000 to £44,000 across a four-year cycle. This does not take into account fees for by-elections, for example. The scale and complexity of the London Mayoral election, in comparison, is greater and an appropriate fee should be set accordingly.
- 1.9. The proposal set out in this decision also ensures that, in the event of successful performance, the GLRO receives a higher fee than that paid to the Deputy GLRO and each Assembly Constituency Returning Officer.
- 1.10. Following the report from the Electoral Commission, the Mayor will confirm by letter to the GLRO whether the additional payment is due or not in accordance with the criteria set out in para 1.5 above. Such decision will be published in the Mayor's public Report to the Assembly.

2. Objectives and expected outcomes

- 2.1. The objective of this decision is to set the fee for the GLRO, supporting the desired outcome that the 2024 GLA elections are arranged successfully.

3. Equality comments

- 3.1. The Public Sector Equality Duty set out in the Equality Act 2010 requires the identification and evaluation of the likely potential impacts, both positive and negative, of this decision on those with protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, gender, religion or belief, sexual orientation). The obligations under the Public Sector Equality Duty are placed upon the Mayor. Due regard must be had at the time a particular decision is considered.
- 3.2. No effects of this proposed decision, either positive or negative, are foreseen on persons with a protected characteristic under the Equality Act 2010.

4. Other considerations

- 4.1. There are no direct 'Mayoral' Strategy Implications arising from this approval. However, the proper planning and conduct of GLA elections is an essential element of the Authority's statutory responsibility to support the GLRO.
- 4.2. While this is a decision for the Mayor, Assembly party leaders were consulted on these proposals. The Mayor has been informed of their feedback, where received, which has been taken into account in the finalisation of this proposal.
- 4.3. The GLRO was not involved in the drafting or approval of this decision. There are no other conflicts of interest to note from those involved in the drafting or clearance of this decision form.

5. Financial comments

- 5.1. Mayoral approval is sought to agree the fee for the Greater London Returning Officer undertaking the role in respect of the 2024 GLA elections and the fee be up to £50,000 (being the total of the £40,000 and £10,000 sum outlined above), plus employer's NI and pension contributions, will be funded from the 2024 Elections budget.
- 5.2. Under the Local Government Pension Scheme Regulations 2013 (which came into effect on 1 April 2014), the proposed fee payable to the GLRO is pensionable and will be administered by the London Pension Fund Authority as a separate arrangement from the Chief Officer's salary.

6. Legal comments

- 6.1. The position of GLRO is established by the Greater London Authority Act (GLA Act) 1999 (sections 29, 424(2) and Part 1) and section 35(2C) of the Representation of the People Act 1983 as the person appointed by the Authority (by the Mayor on its behalf under section 35(2) GLA Act 1999 as no other provision is made) as the proper officer for the purposes of discharging the responsibilities of that role under those Acts.
- 6.2. The GLRO is the returning officer for the election of the Mayor and the 11 London List Assembly members. The GLRO also has powers of direction over Constituency Returning Officers for the election and return of the 14 Constituency Assembly members, and has functions under both Acts and the GLA Elections Rules 2007 as regards the organisation of the entirety of the GLA elections. The next ordinary GLA election is to be held on 2 May 2024 in accordance with section 3(1) of the GLA Act 1999.

- 6.3. The payment of the GLRO fee by the Authority is ancillary to the performance of the GLRO's functions under the legislation mentioned above and is made pursuant to the GLA's subsidiary powers under section 34(1) of the GLA Act 1999, which is a power exercised by the Mayor on behalf of the Authority.

7. Planned delivery approach and next steps

- 7.1. Payments to the GLRO will be made as set out in paragraph 1.5 of this decision.

Appendices and supporting papers:

None

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

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:

Shakira Keddo has drafted this report in accordance with GLA procedures and confirms the following:

✓

Sponsoring Director:

Enver Enver 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 6 November 2023.

✓

INTERIM CHIEF FINANCE OFFICER:

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

Signature:



Date:

06/11/2023

CHIEF OF STAFF:

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

Signature:



Date:

06/11/2023

