

GREATER **LONDON** AUTHORITY

REQUEST FOR MAYORAL DECISION – MD3349

Title: Delegation of Adult Skills Fund functions 2025-26

Executive Summary:

This decision seeks approval for the Mayor to sign an additional Adult Skills Fund (ASF) delegation letter and revised Memorandum of Understanding (MoU) between the Mayor and the Secretary of State for Education confirming the delegation of certain functions relevant to the ASF. The draft additional delegation, MoU and related documents were endorsed at a meeting of the ASF Mayoral Board on 24 March 2025, which the Mayor attended.

Decision:

The Mayor :

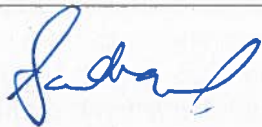
1. approves and signs the additional Adult Skills Fund Delegation Letter ("the Additional Letter"), which will allow the delegation of additional funding powers, specifically for new technical qualifications;
2. approves the revised Memorandum of Understanding with the Secretary of State for Education.

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:

7/7/25

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

Decision required – supporting report

1. Introduction and background

- 1.1. As a part of the delegation of Adult Education Budget (AEB) functions in 2019, the Mayor was required to approve a letter of delegation (“the Letter”) and Memorandum of Understanding (MoU) with the Secretary of State for Education, agreed under the cover of [Mayoral Decision \(MD\)2410](#). The Letter constituted the delegation of the statutory functions, whereas the MoU underpinned the relationship between each party involved and the basis for the transfer of funding.
- 1.2. In line with the introduction of the Adult Skills Fund (ASF) from the 2024-25 academic year (replacing the AEB), the Department for Education (DfE) contacted the GLA and Mayoral Combined Authorities (MCA) in Spring 2024 regarding the introduction of a new MoU which would incorporate a range of updates to ensure it remained up to date with current policy and to provide greater consistency across the GLA and MCAs in relation to ASF functions.
- 1.3. In January 2025, the DfE contacted the GLA and MCAs with a new version of the draft MoU. The updated MoU is attached at **Appendix A**.
- 1.4. In addition, Section 39A (3) of the Greater London Authority Act 1999 requires the Mayor to agree any delegation from the Secretary of State. The Secretary of State for Education wrote to the Mayor on 27 June 2025 providing an additional delegation Letter setting out a further delegation under the Apprenticeships, Skills, Children and Learning Act 2009 Act (“the 2009 Act”). The additional delegation letter (“the Additional Letter”) from the Secretary of State for Education requesting agreement by the Mayor of London and formalising the delegation of the statutory functions is attached at **Appendix B**. This will sit alongside the [Letter](#) signed in January 2019.
- 1.5. Subject to approval by the Mayor, the Additional Letter, and the Letter will constitute the legal mechanism for delegating the statutory ASF functions from the Secretary of State for Education to the Mayor. The MoU underpins this delegation and the mechanism for transferring the annual ASF.
- 1.6. In exercising the delegated functions, the Mayor must have regard to [guidance issued by the Secretary of State for Education](#). This should be considered alongside conditions on the exercise of the transferred functions in the Letter and Additional Letter and the associated MoU.
- 1.7. The updated arrangements outlined in the Additional Letter and updated MoU will be in place for the 2025-26 academic year. It is expected that these arrangements will be superseded with the introduction of changes made to the 2009 Act by the 2025 English Devolution & Community Empowerment Bill that is currently progressing through Parliament, if enacted and brought into force between the government and the GLA and Mayoral Strategic Authorities (MSAs).

2. Objectives and expected outcomes

Additional Letter of Delegation

- 2.1. The Department for Education (“DfE”) have shared an Additional Letter (at **Appendix B**) which has been prepared to sit alongside the existing Letter and updated MoU and will allow the delegation of additional funding powers, specifically for new technical qualifications, to the Mayor. Should the Mayor agree to the delegation of the additional functions, the change will take effect from the date of the Mayor’s signature on the Additional Letter and apply to courses starting from August 2025, to coincide with the start of the new academic year.

- 2.2. In accordance with Section 39A (4) of the GLA Act, before making or varying a delegation, the Secretary of State for Education must consult each of the following:
- each London borough council
 - the Common Council
 - the London Assembly.
- 2.3. The Secretary of State has confirmed in the Additional Letter that they have consulted each London Borough Council, the Common Council, and the London Assembly. DfE have confirmed that those that responded were in agreement that the proposal was a positive step.

Updated MoU

- 2.4. This decision seeks approval for the updated MoU, which includes a range of amendments to the previous version agreed in 2019 as outlined below:
- throughout the document, references to Adult Education Budget (AEB) have been replaced with Adult Skills Fund (ASF)
 - updated legal entitlements in paragraph 2.8
 - clarification of the role of place-based teams within the DfE in section 6.1: Financial Resources
 - changes regarding the Procurement Act 2023 are reflected in section 6.8: Commissioning
 - section 6.9 has been updated to reflect Local Skills Improvement Plan (LSIP) arrangements
 - a new section on Strategic Engagement has been added at 6.11
 - alignment of the MoU to the Get Britain Working and English Devolution White Papers.
- 2.5. The draft MoU can be viewed in full at **Appendix A** to this decision form.

3. Equality comments

- 3.1. This decision deals solely with the mechanics of the delegation of certain educational functions from HM Government to the Mayor, and the provision of funding in relation thereto. The public-sector equality duty under section 149 of the Equality Act 2010 applies to the exercise of any delegated functions.
- 3.2. Section 149(1) of the Equality Act 2010 provides that, in the exercise of their functions, public authorities, of whom the Mayor is one, must have due regard to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 3.3. Relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

- 3.4. The aim of the ASF is to improve opportunities for people who are disadvantaged in the labour market. Many potential ASF participants have the protected characteristics listed above. The GLA's ASF provision will support a range of groups, particularly the most disadvantaged people not currently receiving sufficient support into employment or education. These include young adults who are not in education, employment, or training; people without basic skills; and people who are workless. It will also support Londoners in low-paid/low-skilled jobs.

4. Other considerations

Key Risks & Issues

- 4.1. The following key risks and mitigations have been identified in the drafting of this decision:
- the changes arising from this decision may require amendments to the ASF Funding Rules and the ASF Assurance Framework which together set out robust governance arrangements for managing the ASF to minimise any programme risks.

Links to Mayoral strategies & priorities

- 4.2. The Letter, Additional Letter and the MoU underpin the legal basis for the delegation of ASF functions and transfer of funding, as well as outlining the relationship between the GLA and DfE. As such this decision has broad links into a range of strategies and priorities as laid out below:
- the London Growth Plan will consider how funding, coordination and targeting of skills provision can be strengthened across adult skills, employment support and careers, to support more Londoners to progress and access good jobs
 - a core task for the Growth Plan will be the development of an Inclusive Talent Strategy. This will put people at the heart of London's growth and aim to unleash the potential of all Londoners, and in doing so, the potential of London's economy. The ASF will be a central part of ensuring the interventions set out in the Inclusive Talent Strategy can be achieved
 - the Equality, Diversity and Inclusion Strategy sets out how the Mayor will work to create a fairer, more equal, integrated city where all people feel welcome and able to fulfil their potential. ASF delivery supports the strategy by ensuring Londoners from disadvantaged groups continue to have access to employability and skills support to help them move into and progress in London's labour market.
- 4.3. There are no conflicts of interest from those involved in the drafting or clearance of this decision form.

5. Financial comments

- 5.1. This Decision seeks approval that Mayor signs the additional ASF delegation letter and the revised MoU with the Secretary of State for Education, confirming the delegation of certain ASF functions to the GLA.
- 5.2. As noted in paragraph 1.1, as a part of the delegation of AEB functions in 2019, the Mayor was required to approve a letter of delegation and MoU with the Secretary of State for Education, agreed under the cover of MD2410. The Letter constituted the delegation of the statutory functions, whereas the MoU underpinned the relationship between each party involved and the basis for the transfer of funding.

- 5.3. Once signed, the additional delegation letter will sit alongside the existing delegation letter and continue to constitute the legal mechanism for delegating the statutory ASF functions from the Secretary of State for Education to the Mayor. The MoU underpins this delegation and the mechanism for transferring the annual ASF.
- 5.4. The budget for each year is confirmed annually by the DfE via a grant determination letter and transferred via Section 39A of the GLA Act 1999. The final allocation for 2025-26 academic year was confirmed on 31 January 2025.

6. Legal comments

- 6.1. Section 39A (1) of the Greater London Authority Act 1999 ("the GLA Act 1999") permits the delegation of Ministerial functions to the Mayor, to such extent and subject to such conditions as that Minister thinks fit. This forms the basis for the delegation of ASF functions from the Secretary of State for Education to the Mayor.
- 6.2. The Letter, and Additional Letter (Appendix B) constitute the delegation of the statutory functions, which need agreement from the Mayor pursuant to section 39A (3) of the GLA Act 1999. This Mayoral Decision requests the Mayor's agreement to the additional delegation set out in the Additional Letter. The MoU at **Appendix A** underpins the relationship between each involved party but will not be legally binding.
- 6.3. In taking the decisions requested, the Mayor must comply with the Public Sector Equality Duty; namely the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by or under the Equality Act 2010, and to advance equality of opportunity between persons who share a relevant protected characteristic (age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation) and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it (section 149 of the Equality Act 2010). To this end, the Mayor should have particular regard to section three (above) of this report.

7. Planned delivery approach and next steps

- 7.1. Next steps are set out below:

Activity	Timeline
Approval of the additional delegation letter and MoU	August 2025

Appendices and supporting papers:

- **Appendix A** - Devolution of adult education functions, from academic year 2024-25 - Memorandum of understanding
- **Appendix B** - Additional Letter of Delegation from the Secretary of State for Education formalising the delegation of the statutory functions.

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:

Richard Kember-Lawrence has drafted this report in accordance with GLA procedures and confirms the following:

✓

Sponsoring Director:

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

✓

Mayoral Adviser:

Howard Dawber has been consulted about the proposal and agrees the recommendations.

✓

Advice:

The Finance and Legal teams have commented on this proposal.

✓

Mayoral Delivery Board

This decision was agreed by the Mayoral Delivery Board on the 11 August 2025.

✓

CHIEF FINANCE OFFICER:

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

Signature



Date

3 September 2025

CHIEF OF STAFF:

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

Signature



Date

3 September 2025