

GREATER LONDON AUTHORITY

REQUEST FOR MAYORAL DECISION – MD2972

Title: Amendments to the London Occupational Skills Board and Skills for Londoners (SfL) Board constitutions and the Adult Education Budget Assurance Framework

Executive summary:

The London Occupational Skills Board (LOSB) was originally established by MD2328 in July 2018 as a key advisory body to the Mayor following a commitment in the [Skills for Londoners \(SfL\) Strategy](#). It is chaired by the Deputy Mayor for Business and has been operating as the SfL Business Partnership since its inaugural meeting on 25 February 2019.

The coronavirus pandemic, and the increasing need to prioritise London's jobs and skills, have led to the recent publication of the [Skills Roadmap for London](#) and a timely review of the SfL Business Partnership's constitution to maximise collaboration in support of London's recovery from the Covid-19 pandemic. The Mayor is being asked to repurpose and reconstitute the SfL Business Partnership and the key proposed changes are set out in this report. This Mayoral Decision (MD) form seeks approval for amendments to the SfL Business Partnership constitution (Appendix A). The key amendment to the constitution is to introduce nominated members from four major business representative bodies, plus the London Economic Action Partnership (LEAP) (London's local enterprise partnership), to complement the existing membership of individual employers appointed through an open recruitment process. The SfL Business Partnership is proposed to be renamed the Jobs & Skills Business Partnership, and will have its first meeting under its new constitution in June 2022.

In addition, a decision is sought to make a minor amendment to the SfL Board constitution to include a representative from Higher Education as a member of the Board.

Finally, a decision is also sought to amend the Adult Education Budget (AEB) Assurance Framework, namely 'Part 2: Schedule of officer responsibilities' (Appendix B), to allow officers to execute any AEB operational functions in line with GLA corporate requirements, rather than through a defined local structure. The amendments maintain accountability for all AEB operational matters at Assistant Director level, but allow some flexibility for officers to design and develop local programme governance processes to ensure the appropriate level of consideration and scrutiny of the programme.

Decision:

The Mayor approves the:

- i. reconstitution and repurposing of the London Occupational Skills Board (formerly known as the SfL Business Partnership) as set out in the updated constitution at Appendix A, noting that it is renamed the Jobs & Skills Business Partnership with the key amendment that membership will now include nominees from four major business representative bodies, and LEAP, to complement the existing individual employers' members
- ii. minor amendment to the SfL Board's constitution at Appendix B, which includes the additional representation of the Higher Education sector on the Board
- iii. minor amendments to the AEB Assurance Framework, namely 'Part 2: Schedule of officer responsibilities' at Appendix C, to allow officers to execute any AEB operational functions in line with GLA corporate requirements rather than through a defined local structure.

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:

20/4/22

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

Decision required – supporting report

1 Introduction and background

- 1.1 In July 2018, the London Occupational Skills Board (LOSB) was formally established by MD2328 as part of wider governance arrangements in support of the mayor receiving delegated powers and funding in relation to the Adult Education Budget (AEB) from August 2019. It acts as a key advisory board to the Mayor bringing a strong business/employer voice on how to improve and better align skills provision to meet employers' skills needs in London.
- 1.2 The LOSB was previously known as the Skills for Londoners (SfL) Business Partnership, working closely with the Mayor's SfL Board, the Business Advisory Board and LEAP – London's local enterprise partnership.
- 1.3 As chair of the SfL Business Partnership, the Deputy Mayor for Business recently renamed the LOSB the Jobs & Skills Business Partnership. These proposals seek to amend its constitution and membership to maximise collaboration in support of London's recovery from the Covid-19 pandemic.
- 1.4 With regards to the SfL Board, until recently Higher Education (HE) had been informally represented on the Board through one of its sitting members. To ensure that HE is formally represented going forwards, the attached SfL Board constitution has been updated to include an additional member nominated by London Higher.¹
- 1.5 Whilst the Jobs & Skills Business Partnership and the SfL Board advise the Mayor on jobs and skills, including the delegated AEB funding and powers, he must (under the legislative framework which permits the transfer of the AEB functions to the Mayor) take all related decisions personally. This is recognised as a matter reserved by law for the personal exercise of the Mayor only under the Mayoral Decision-Making in the Greater London Authority protocol. As such, [MD2498](#) established an Assurance Framework demonstrating to key stakeholders that the GLA has in place the necessary processes to manage the AEB programme effectively.

2 Objectives and expected outcomes

Reconstitution and repurposing of the London Occupational Skills Board constitution

- 2.1 Under these proposals, the newly constituted Jobs & Skills Business Partnership will continue to help steer, challenge and oversee the strategy and programme of activities of the London Recovery Programme's Helping Londoners into Good Work Mission, to ensure Londoners and businesses get the skills they need to succeed.
- 2.2 The revised Jobs & Skills Business Partnership constitution is attached at Appendix A for approval. In summary, the amendments:
 - update the terms of reference to:
 - align with the Mayor's ambition for London to be a net zero-carbon city by 2030
 - support the actions in the Skills Roadmap for London
 - support the wider London Recovery Programme and activities developed under the Helping Londoners into Good Work Mission.
 - update the membership to include nominees from:

¹ London Higher is an 'umbrella' body representing over 40 universities and higher education colleges in London.

- four major business representative bodies (London First; the Confederation of British Industry; the Federation of Small Businesses; and the London Chamber of Commerce and Industry)
- LEAP – London’s local enterprise partnership.²

- 2.3 These members will join the existing members who were recruited via an open and competitive recruitment process, with the exception of a nomination from the Trades Union Congress – London, East and South East region.

Minor amendments to the SfL Board constitution

- 2.4 The revised SfL Board constitution is attached at Appendix B for approval. In summary, the constitution has been updated to include a representative from Higher Education as a member of the Board. This member will be a representative of London Higher.

Minor amendments to the Adult Education Budget Assurance Framework

- 2.5 As indicated above, the Mayor has published a voluntary Assurance Framework setting out the processes and procedures in place to manage the AEB effectively.
- 2.6 The Assurance Framework includes sections on governance and decision-making; financial assurance and auditing; data management; AEB policy; and commissioning and managing procured and grant-funded provision. It also includes a ‘Schedule of officer responsibilities’, which currently defines the operational matters that can be undertaken by officers as well as prescribing how that approval process works. For example, before the Assistant Director can sign *any* contract variation, it must have been considered by the full internal Programme Board (even when there is little to no change to the overall volumes, values or services of the contract) as well as the specialised AEB delivery groups. This does not constitute the best use of the Programme Board’s time, which would be better focused on higher-level decisions and other matters such as financial and performance monitoring.
- 2.7 The proposed amendments to the Schedule (as attached at Appendix B) maintain the current responsibilities in full but remove the defined internal approval processes. This allows officers to set the approval approach for AEB operational functions in line with GLA corporate requirements rather than through the current structure.
- 2.8 This approach is consistent with other GLA-managed programmes with all AEB operational matters remaining at Assistant Director level but with some flexibility for officers to design and develop local programme governance processes to ensure the appropriate level of consideration and scrutiny of the programme.

² LEAP also has a seat on the SfL Board, but this remains vacant whilst the future of local enterprise partnerships remains under consideration by HM Government.

3 Equality comments

- 3.1 Section 149(1) of the Equality Act 2010 provides that, in the exercise of their functions, public authorities – of which 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.

Relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

- 3.2 The Mayor is required to comply with the duty set out above in making the decision set out in this MD. London's diversity is its biggest asset, and the Mayor of London strives to reflect London's diversity in all his board appointments. Where appointments are made through an open and competitive recruitment process, the GLA will:
- promote its commitment to diversity in recruitment application packs and adverts
 - reach the widest possible candidate pool by using a range of recruitment methods and positive action – for example, targeting under-represented groups through social media channels
 - define the selection criteria in terms of measurable skills, experience, knowledge and personal qualities
 - assess candidates against the role specification in a consistent way throughout the process.

4 Other considerations

- 4.1 The Mayor remains committed to fairness, openness and transparency in order to give confidence that any decisions made are proper, based on evidence and capable of being independently scrutinised. This MD sets out a clear governance framework for the Jobs & Skills Business Partnership, including terms of reference and membership that reflect current Mayoral priorities.
- 4.2 There are no conflicts of interest to declare from those involved in the drafting or clearance of this decisions.

5 Financial comments

- 5.1 There are no financial implications arising from these proposals.

6 Legal comments

- 6.1 Section 39A of the Greater London Authority Act 1999 (the GLA Act 1999) permits the delegation of eligible ministerial functions to the Mayor, subject to certain limitations and conditions. The Secretary of State for Education delegated specific functions of the AEB to the Mayor of London under section 39A of the GLA Act 1999. The terms and conditions of the delegated functions are contained in a letter dated December 2018. Section 39A (6) provides that the Mayor must take all AEB decisions personally and this is specified in the Mayoral Decision-Making in the Greater London Authority protocol. In exercising the delegation functions, the Mayor must have regard to the statutory guidance issued by the Secretary of State, as amended from time to time. The Mayor has also signed a Memorandum of Understanding with the Secretary of State for Education, dated January 2019, entitled "Delegation of Certain Adult Education Functions to the Greater London Authority." This sets out the agreed understanding of how the delegation will operate.
- 6.2 In taking the decisions to be requested, the Mayor must have due regard to the Public Sector Equality Duty – namely the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010; and to advance equality of opportunity, and foster good relations, between persons who share a relevant protected characteristic (race, disability, age, sex, sexual orientation, religion or belief, pregnancy and maternity, and gender reassignment) and persons who do not share it (section 149 of the Equality Act 2010). The Mayor is referred to paragraph 3 of this report.

7 Planned delivery approach and next steps

Activity	Timeline
Mayoral appointment letters issued to new Jobs & Skills Business Partnership members	As soon as practicable after Mayoral approval.
Inaugural meeting of the Jobs & Skills Business Partnership under its new Constitution	20 June 2022

Appendices and supporting papers:

Appendix A: Jobs & Skills Business Partnership – Draft Constitution

Appendix B: Skills for Londoners (SfL) Board – Draft Constitution

Appendix C: Revised 'Part 2: Schedule of officer responsibilities' which forms part of the Adult Education Budget (AEB) Assurance Framework

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOI Act) 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 approval or on the defer date.

Part 1 Deferral:

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

Part 2 Confidentiality: Only the facts or advice considered to be exempt from disclosure under the FOI Act should be 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:

Claire Sherer has drafted this report in accordance with GLA procedures and confirms the following:

✓

Sponsoring Director:

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

✓

Mayoral Adviser:

Jules Pipe 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 April 2022.

✓

EXECUTIVE DIRECTOR, RESOURCES: Anna Casbolt on behalf of David Gallie

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

Signature

Anna Casbolt

Date

19/4/22

CHIEF OF STAFF:

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

Signature

D. Bellamy

Date

18/4/22