

REQUEST FOR MAYORAL DECISION – MD2633

Title: Adult Education Budget Data Publication and Purchase of Economic Modelling Specialist International (EMSI) Job Postings Data

Executive Summary

The following request for Mayoral Decision (MD) covers:

1. Adult Education Budget (AEB) Data Publication: The GLA will publish quarterly a range of data about its AEB programme in order to ensure transparency, engage stakeholders, bridge information gaps to support a more strategic approach to skills provision, and support learners and employers to make more informed decisions.

As data producers, a structured institutional sign-off process is being proposed to guarantee the highest statistical and research standards. The process will comprise the joint work of the GLA Economics team and the Skills & Employment Unit, relying heavily on the pillars of the UK Code of Practice for Statistics.

This decision briefly describes the content of the AEB data publications and seeks approval for the approach that will be taken each quarter to produce these statistics.

2. Purchasing of Economic Modelling Specialist International (EMSI) job posting data: Job postings data provide unique information about the demand for skills in London. EMSI gathers millions of job postings created by employers. Therefore, it is more granular than traditional Labour Market Information, offering details about the labour market with virtually no time lag (an advantage compared to official statistics).

This data would support the GLA monitoring of the labour market and the GLA's skills and employment policy in response to COVID-19.

Decision:

That the Mayor approves:

- the overarching principles of the quarterly AEB data publication, including the range of data to be published each quarter and the process for informing the relevant parties ahead of each publication;
- expenditure of £20,000 to purchase jobs posting data from EMSI; and
- an exemption from the requirement of the GLA's Contracts and Funding Code to procure such supplies competitively.

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: 12 June 2020

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

Decision required – supporting report

1 Introduction and background

- 1.1 This Mayoral Decision (MD) seeks approval for: the publishing Adult Education Budget (AEB) quarterly data and the proposed clearance process prior to the data publication; the purchase of EMSI jobs posting data; and a related exemption from the requirement of the GLA's Contracts and Funding Code ("Code") to procure such supplies competitively.

Adult Education Budget data publication

General

- 1.2 From 1 August 2019, the Secretary of State for Education delegated responsibility for the commissioning, delivery and management of London's AEB to the Mayor.
- 1.3 In early 2020, the AEB Mayoral Board agreed that AEB programme data should be published following the Department for Education's Further Education and Skills data publication and in line with the UK Code of Practice for Official Statistics (which the GLA has signed up to on a voluntary basis).
- 1.4 A comprehensive list of proposed data to publish at London, Sub-Regional and Borough level is included at Appendix B. The data publication tables in the appendix were approved by the AEB Mayoral Board in February 2020.
- 1.5 The AEB quarterly data publication will cover a range of data on participation, achievements and spend, broken down across a range of metrics, including Mayoral areas of interest. Sub-Regional and Borough tables will be also provided, although these may include slightly less detail in order to protect individuals' identities.
- 1.6 The data publication will be accompanied by a short descriptive note that assists in interpreting the statistics and highlights any key points and data limitations.
- 1.7 Some of the headline estimates from the data publication will also form the basis of the Skills & Employment Unit Dashboard monitoring of the AEB.
- 1.8 Additional information, including further detail on the types of data to be published, is publicly available in the AEB Mayoral Board report "Adult Education Budget Data Publication and Dashboard Key Performance Indicators".

Data sources

- 1.9 In terms of data sources, the GLA receives rich administrative data, the Individualised Learner Records (ILR). The ILR is an on-going, nationally specified collection of data about learners and the learning undertaken by them from providers.
- 1.10 The GLA, DfE and Education and Skills Funding Agency (ESFA) maintain a Data Sharing Agreement (DSA) permitting the monthly transfer of AEB delivery data collected by providers in the Individualised Learner Record (ILR).

The GLA as a data producer

- 1.11 The GLA will produce and publish data following the UK Statistical Code of Practice (to which it has voluntarily signed up).

- 1.12 The production of data tables will involve a strict quality assurance process (broadly set out in Appendix A) to ensure the highest statistical and research standards. The procedure will comprise the joint work of the GLA Economics team and the Skills & Employment Unit.
- 1.13 Ahead of publication, the GLA will provide a four week notice of data they will publish in line with the Code of Practice for Statistics.
- 1.14 Once the data tables and associated narrative are ready for publication, the following process will be followed to inform the relevant parties ahead of publication and in line with the DSA:
- outputs will be shared (for information purposes only) with the AEB Mayoral Board and a restricted list of relevant GLA officers. This would usually take place between 24 to 48 hours prior to publication;
 - in addition, data tables and other outputs may be shared as necessary with the DfE in advance to discuss any issues/concerns prior to publication; and
 - following publication, the data and associated narrative will be reported formally back to the AEB Mayoral Board and Skills for Londoners Programmes Board at the next formal meeting.
- 1.15 Under the delegation arrangements for the AEB programme, the Mayor is required to consider all AEB decisions personally and cannot delegate under the usual thresholds. This decision is designed to agree the overarching principles of the data publication, including the range of data to be published each quarter and the process for informing the relevant parties ahead of the publication. The production of the data tables in itself is considered an operational matter, and, therefore, while the AEB Mayoral Board will be informed of the data to be published ahead of the publication date wherever possible, it is not considered that a formal decision is required each quarter ahead of the publication.

First and subsequent publications

- 1.16 The first GLA publication, including London level figures only, has been delayed from May to 12 June 2020 due to the COVID-19 crisis. This mid-point academic year delayed publication has been approved by the GLA's Chief Statistician, currently the Demography and Policy Analysis Manager and pre-announced in the official channel.
- 1.17 A more complete set of statistics, including sub-regional and Borough figures, is expected to be published in the subsequent quarterly releases i.e. starting from the ILR data return "R10" (i.e. third quarter 2019/20 academic year) onwards.

Purchasing of Economic Modelling Specialist International (EMSI) job postings data

- 1.18 The COVID-19 crisis is a fast-evolving situation, and the economic impact is not yet fully observed in official statistics that are usually published with a two-month time lag. Therefore, to enhance our ability to understand the key developments in the labour market and to implement a rapid response, it is important that the GLA Economics team have access to real time data.
- 1.19 Job postings data provide information about the demand for skills in London. It gathers millions of job postings created by employers. Therefore, it is more granular than traditional Labour Market Information, providing details about the labour market (e.g. specific skills requested by employers) with virtually no time lag.
- 1.20 Approval to purchase job posting data from EMSI is being sought via MD as it will be funded by the AEB administrative budget and therefore the usual delegation thresholds do not apply.
- 1.21 It is proposed that the purchase is made without competing the contracting opportunity. Section 9 of the GLA's Contracts and Funding Code requires where the expected value of a contract for supplies is between £10,000 and £150,000, that the supplies required should be procured competitively. However, Section 10 provides that an exemption from this requirement may be approved where there

is a complete absence of competition for the supplies in question. Officers are of the opinion that this is case for the reasons set out in sections 1.22 to 1.24 below.

- 1.22 Having researched the availability of online jobs postings data (including through discussions with central Government departments), officers identified three potential sources/suppliers. One was discarded on quality grounds, with issues of duplication. The other two (EMSI and Burning Glass) are considered similar quality, matched closely to official statistics.
- 1.23 Officers have had access to Burning Glass data in the past and therefore have a good knowledge of their offer. For the EMSI data, officers attended a seminar on the data and did some research into the product having also explored it in relation to the COVID-19 impact dashboard. EMSI job postings data is collected from a range of different company sites, major job boards, and staffing agencies. In a typical month, EMSI aggregates between 0.8 and 1 million job postings across Great Britain. These postings are then de-duplicated to avoid overstating the demand for a particular job and measure how long the posting is live for and the ratio of duplicates as a measure of recruiting effort. This can then be filtered by to a local level.
- 1.24 Although of very similar quality, the quote for EMSI data offered much greater value for money. As such, EMSI data currently supersedes its two competitors on either quality or price. Consequently, an exemption from the Contracts and Funding Code is sought. The contract will be for one year only to allow for a re-review of the products on the market.
- 1.25 The GLA aims to acquire the data as soon as possible, as research teams will be monitoring the labour market on an ongoing basis to support the GLA's skills and employment policy in response to COVID-19.

2 Objectives and expected outcomes

Adult Education Budget data publication

- 2.1 The proposed process is aimed to ensure the GLA acts in accordance with the UK Code of Practice for Statistics and our DSA with the DfE. Specifically, it is aimed at ensuring:
 - there are sufficient data assurances in place, which are needed to produce timely, accurate and reliable data;
 - public confidence that the data has been objectively and independently handled;
 - safe, controlled and limited pre-publication sharing of the data (with the AEB Mayoral Board and relevant senior management having one day advanced oversight of the data outputs); and
 - transparent adjustments, such as decisions to delay pre-planned publications (e.g. in the context of unforeseen circumstances) or to issue corrections, can be optimally taken at the senior management level in line with the UK Code of Practice for Statistics.
- 2.2 In terms of outputs, the GLA will publish AEB data as soon as possible after the DfE has published national/regional statistics. As mentioned above, the GLA will provide data listed at London levels and, whenever possible, at Sub-Regional and Borough level, subject to disclosure controls.

Purchasing of EMSI job postings data

- 2.3 With the EMSI job posting data, research teams will be able to identify, in a timelier manner, turning points in the labour market. This should support more informed policy and decision making around employment, skills and related issues.

3 Equality comments

- 3.1 Publication of data on participation and achievement of learners with protected characteristics observed in the ILR under the Equality Act will ensure clarity regarding their engagement with the Mayor's AEB programme and could help highlight any policy changes that may be needed to support their achievement.
- 3.2 Additionally, in line with Section 149(1) of the Equality Act 2010 the analysis of EMSI real-time labour market data will help the GLA to identify groups that have been disproportionately affected by COVID-19 and produce policies that:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010; and
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.

4 Other considerations

Links to Mayoral strategies

- 4.1 The need for timely and robust labour market data is critical to the implementation of the commitments made in the Mayor's Skills for Londoners Strategy, to:
- empower all Londoners to access the education and skills to participate in society and progress in education and work;
 - meet the needs of London's economy and employers, now and in the future; and
 - deliver a strategic city-wide technical skills and adult education offer.

Risks arising/mitigation related to the AEB data publication

- 4.2 The GLA has reached agreement with the DfE to publish the tables intended.
- 4.3 The ILR, from which this data will be published, contains sensitive personal data. Any extracts published from it must be compliant with General Data Protection Regulation (GDPR) legislation from 2018. The quantity of data that is being published quarterly makes this a large and complex task given that each publication is an independent product that needs its own quality assurance process, comprising several stages described in Appendix A. It is worth noting that implementing disclosure controls may limit the publication of some of the tables.
- 4.4 Ensuring protection of commercially sensitive data could also prevent some of the proposed data being published.
- 4.5 Contingencies, such as delays due unforeseen circumstances, or any potential changes to the AEB data publication process will be implemented following sections T1-T6, Q1-Q3 and V1-V5 of the aforementioned Code of Practice.

Other

- 4.6 There are no conflicts of interest to declare from those involved in the drafting or clearance of this decision.
- 4.7 The AEB Mayoral Board endorsed the data publication proposals at its meeting on 19 February 2020. A draft of this MD was also circulated to the Board for endorsement in May 2020.

5 Financial comments

- 5.1 Approval is being sought to publish data about the AEB programme on a quarterly basis; the publication of which has no direct financial implications.
- 5.2 Approval is also sought for expenditure of £20,000 to purchase EMSI job posting data which provides details about the labour market with virtually no time lag.
- 5.3 The expenditure of £20,000 to purchase the data will be contained within the overall AEB 2020/21 administrative budget. Any additional costs that might arise will be contained within the ring-fenced AEB and will be subject to further approval.

6 Legal comments

- 6.1 Section 39A of the Greater London Authority Act 1999 permits the delegation of ministerial functions to the Mayor, subject to certain limitations and conditions. This forms the basis of the delegation to the Mayor of AEB functions from the Secretary of State for Education. A particular limitation of the delegation is that the usual power of delegation by the Mayor is not available in respect of s39A delegated functions.
- 6.2 In taking the decisions 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, sex, age, 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). To this end, the Mayor should have particular regard to section 3 (above) of this report.
- 6.3 Section 9.1 of the GLA's Contracts and Funding Code (the 'Code') requires that supplies with a value of that concerned here should be procured competitively. However, the Mayor may approve an exemption from this requirement under section 10 of the Code upon certain specified grounds. One of those grounds is that a contract may let without competition where there is a complete absence of competition for the supplies in question. Officers have indicated that this ground applies and that the proposed contract affords value for money. On this basis the Mayor may approve the proposed exemption if satisfied with the content of this report.
- 6.4 In the event that the Mayor makes the decisions sought, officers must ensure that a contract is entered into and executed by the GLA and EMSI before the purchase of the supplies.

7 Planned delivery approach and next steps

Activity	Timeline
AEB Data Publication	Quarterly. First release on 12 June 2020 (delayed from May due to COVID-19). Subsequently, it is expected that data will be published on the following timetable each year: <ul style="list-style-type: none">• July / August• November / December• January / February• March / April The exact dates will be announced a month in advance.
Purchasing of EMSI jobs posting data	May 2020

Appendices and supporting papers:

Appendix A - Quality assurance process

Appendix B - List of proposed data to publish at London, Sub-Regional and Borough level.

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

If YES, for what reason:

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:

Melisa Wickham has drafted this report in accordance with GLA procedures and confirms the following:

✓

Sponsoring Director:

Sarah Mulley/Halima Khan have 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 1 June 2020.

EXECUTIVE DIRECTOR, RESOURCES:

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

Signature



Date

2 June 2020

CHIEF OF STAFF:

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

Signature



Date

2 June 2020