

# GREATER LONDON AUTHORITY

## REQUEST FOR MAYORAL DECISION – MD2178

### Title: Appointment of the GLA's Monitoring Officer

#### Executive summary

Under the Greater London Authority (GLA) Act, the GLA is required to have three statutory officers: a Head of Paid Service, a Chief Finance Officer and a Monitoring Officer. These roles have unique status in the Authority as they are the only roles to which appointments must be made, and terms and conditions determined, by the Mayor of London and the London Assembly acting jointly.

Following the promotion of the current Monitoring Officer, Ed Williams, to the post of Executive Director of Secretariat, it is proposed that Emma Strain, Assistant Director of External Relations, be appointed as the Authority's Monitoring Officer with effect from the date that both the Mayor and the Assembly have approved the appointment. The appointment is being made following a competition among senior staff.

#### Decision

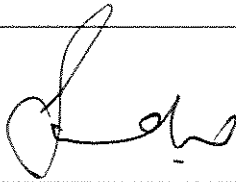
That the Mayor approves, noting that it is a joint decision with the Assembly, the appointment of Emma Strain, Assistant Director of External Relations, as the Authority's Monitoring Officer and that the Mayor also approves the terms and conditions of her appointment to this role as set out in this decision form.

#### 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:

2/10/17

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

### **Decision required – supporting report**

#### **1. Appointment of GLA Monitoring Officer**

- 1.1 Under the GLA Act, the GLA is required to have three statutory officers: a Head of Paid Service, a Chief Finance Officer and a Monitoring Officer.
- 1.2 These roles have unique status in the Authority as they are the only roles to which appointments must be made, and terms and conditions determined, by the Mayor and Assembly acting jointly.
- 1.3 Following the promotion of the current Monitoring Officer, Ed Williams, to the post of Executive Director of Secretariat, an opportunity arose for another senior member of staff to assume the GLA's Monitoring Officer role.
- 1.4 The Statutory Officers Protocol – Staffing, which has been approved by the Mayor and Assembly, sets out the recruitment process for the GLA's Statutory Officers and it states that:

*The Mayor and the Assembly acting jointly may attribute the function/role of a statutory officer to an existing post occupied by an existing member of staff (and therefore designate that postholder as a statutory officer), without following an external recruitment and selection process ...*

*However, in these circumstances, the Head of Human Resources should, where appropriate, seek expressions of interest from appropriately senior and experienced officers/postholders as to their posts being attributed with the function of statutory officer, and:*

- *in the event that there is only one suitable expression of interest, the postholder may be permanently designated as a statutory officer if the Mayor and the Assembly agree to the designation and terms and conditions; or*
  - *in the event that there is more than one suitable expression of interest, an appropriate selection and appointment process shall be determined by the Mayor and the Assembly ... acting jointly.*
- 1.5 Expressions of interest were sought for the functions of the Monitoring Officer from senior officers, defined as those forming the Senior Management Team (SMT) – i.e. staff at Head of Service and Assistant Director level and above. Two such expressions of interest were received and both applicants were interviewed by a panel comprising lead Assembly Members and the Mayor's representative – his Chief of Staff – with the GLA's Head of Paid Service also in attendance.
  - 1.6 Following the interview process, it is proposed that Emma Strain, Assistant Director of External Relations, be appointed as the Authority's Monitoring Officer with effect from the date that both the Mayor and the Assembly have approved the appointment.
  - 1.7 It is proposed that a supplement of £12,000 per annum will continue to be paid to the Monitoring Officer to recognise the additional duties involved in carrying out the role.

#### **2. Equality comments**

- 2.1 Equal opportunities are integral to all GLA appointments.

### **3. Financial comments**

- 3.1 As explained above, it is proposed to leave unchanged the supplement payable in recognition of the additional duties. There are no other financial implications arising from this report.

### **4. Legal comments**

- 4.1 The Mayor and the Assembly acting jointly must appoint a Monitoring Officer (section 73(1) of the GLA Act – as amended).
- 4.2 The terms and conditions of the employment of the Monitoring Officer are to be such as the Mayor and the Assembly acting jointly think fit (section 73(1C) of the GLA Act – as amended).
- 4.3 There is no express power within the GLA Act (as amended) for the Assembly to delegate functions that are exercisable by the Assembly and the Mayor acting jointly. Accordingly, the Mayor and the full Assembly must take the decision to appoint the Monitoring Officer, and determine the terms and conditions of appointment.
- 4.4 Section 73(1B) incorporates sections 7 and 8 of the LGHA in respect of the appointment of the Monitoring Officer who is appointed as an employee of the Authority. Section 7 of the LGHA requires that staff must be appointed on merit. Section 8 of the LGHA requires relevant authorities to adopt standing orders in respect of staff, as required by regulations. The provisions and effect of those regulations that relate to statutory officers have been incorporated within the Statutory Officers Protocol – Staffing, which is incorporated into Standing Order 12 of the Authority's standing orders.

### **Appendices**

None.

**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:**

Tom Middleton has drafted this report in accordance with GLA procedures and confirms the following:

✓

**Sponsoring Director:**

Jeff Jacobs 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 2 October 2017.

**EXECUTIVE DIRECTOR, RESOURCES:**

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

Signature

*M. D. Alce*

Date

*2. 10. 17*

**CHIEF OF STAFF:**

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

Signature

*D. Bellamy*

Date

*2/10/2017.*