

Request for Greater London Returning Officer (GLRO) Decision – GLRO 21-07

Title: Scale of Fees – London Elects: GLA Staff deployed in elections roles.

Executive Summary:

For the 2021 Mayor of London and London Assembly Elections, the GLRO has established a Scale of Fees and related eligibility criteria to be applied to GLA staff deployed in roles which support delivery of the election.

Decision:

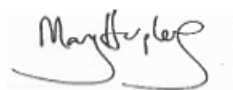
The GLRO is asked to approve:

1. Expenditure of £50,000 to be allocated for payment of fees; and
2. The Scale of Fees, as set out in appendix 1, which sets out the eligibility criteria and the rates which can be applied to eligible roles.

Greater London Returning Officer

The above request has my approval.

Signature



Date

18 December 2020

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

Decision Required – Supporting Report

1. Introduction and Background

- 1.1. The GLRO must obtain the required staff and resources to deliver those parts of the elections they are directly responsible for, taking all necessary steps to ensure resources are available to discharge their functions.
- 1.2. The resourcing model used to deliver the Mayor of London and London Assembly Elections builds on the model used in 2016, whereby the London Elects Programme Team was embedded in the GLA.
- 1.3. A core Programme Team works together towards the common goal of successful delivery of the election: some resources are dedicated full time election roles, others are managing or supporting workstream activity in addition to their business-as-usual role.
- 1.4. In addition to the core team, GLA staff who express an interest in supporting the election are deployed in a range of other roles; without which the election could not be delivered.
- 1.5. In 2016, staff who worked long or anti-social hours were paid an honorarium payment. The total cost of honorarium payments to the volunteer pool of staff was £38,900 and a set of eligibility criteria was agreed. However, it took time to agree the criteria, and to confirm and communicate eligibility.
- 1.6. For the 2021 Elections, the GLRO has agreed that the criteria for payments be agreed upfront including caveats and variations. The overall approach to the criteria seeks to ensure clarity over eligibility for payments, and consistency in application.
- 1.7. The *Scale of Fees* sets out the rationale for payment of a fee:
 - a. The Mayor of London and London Assembly election is different from other ad-hoc activities requiring deployment of GLA staff to carry out duties outside of their substantive post.
 - b. The election is a high profile, statutory obligation, and therefore we need motivated and engaged staff. This justifies a unique approach.
 - c. The election is also outside of the boundaries of the GLA's policy on honorarium and recognition payments, in that the fees are agreed by the GLRO and are not subject to the corporate process for additional payments.
 - d. In 2016, a precedent was set with honorarium payments and TOIL awarded to some staff engaged in elections activity. However, there was no transparent scale of fees.
 - e. Local Authority staff receive fees to support delivery of elections – both the GLA elections and central/local elections – in roles such as poll clerk, or count assistant.
 - f. The majority of GLA election staff will be deployed on count day, and may well have to make some adjustments to their normal start or finish times.
- 1.8. The *Scale of Fees* sets out the principles for payment of a fee:
 - a. All roles have been assessed by workstream leads to ascertain:

- i. the time commitment to the role;
 - ii. the level of responsibility and nature of the role;
 - iii. the working pattern and requirements for the role in comparison to BaU arrangements and contracts; and
 - iv. the location of the role.
- b. The guiding principle is that staff should not be paid twice: for example, staff should not receive an election fee and a payment related to any normal contractual arrangement such as overtime or an out of hours allowance.
- c. There are two categories of fee: Fee 1 applies to staff deployed on count –day; Fee 2 applies to staff deployed in the planning and preparation for the election.
- d. All staff deployed on count day will be eligible for Fee 1 and will be entitled to a day’s TOIL.
- e. Staff deployed in the planning and preparation for the election in advance of count day, outside of their normal contractual/business-as-usual arrangements, may be eligible for Fee 2.
- f. Exceptions: Staff may not be eligible for Fee 1 or Fee 2 if:
 - i. the role has become BaU for a defined period
 - ii. they are already in receipt of a fee for elections work; and
 - iii. they are already in receipt of out of hours allowances or overtime payment which can be applied to the election activity.

2. Issues for Consideration

Key issues and risks

- 2.1. The GLRO wishes to provide an incentive and to recognise the contribution of staff to the delivery of the election
- 2.2. There is a risk that without sufficient incentive, the election would risk being understaffed.

Impact assessments and consultation

- 2.3. In developing a scale of fees, the unique requirements of the London Elects programme have been assessed. For GLA staff deployed on elections roles, consideration has included examination of whether roles are significantly different to the job descriptions staff are contracted to work to, in terms of activity and responsibility, as well as the nature of the work, location, hours and working pattern, e.g. does the work include an overnight shift.
- 2.4. The Elections Working Group, chaired by the GLRO Mary Harpley, and whose members include the Workstream leads from the core London Elects Programme team, was consulted in the development of the Scale of Fees.
- 2.5. UNISON were also consulted on the Scale of Fees in December 2020 and confirmed they were content with the proposals.

Conflicts of interest

- 2.6. As drafting officer, it is likely I will benefit from this decision as it is likely I may be eligible for a fee for elections work, however I have been co-ordinating the production of the decision form and have no role in the actual decision.

3. Equalities Comments

- 3.1 Under s149 of the Equality Act 2010 (the Equality Act), a public authority must have due regard to the need to eliminate discrimination, harassment and victimisation, and any conduct that is prohibited by or under the Equality Act; and to advance equality of opportunity and foster good relations between people who share a relevant protected characteristic and those who do not¹. A person who is not a public authority, but who exercises public functions, such as the GLRO, must, in the exercise of those functions, have due regard to those matters.
- 3.2 On the basis of the Scale of Fees and eligibility criteria it is not considered that this decision will have any particular impact on those with protected characteristics within the scope of the Equality Act.
- 3.3 Workstream leads involved in determining the fee for their staff have a full understanding of equal pay issues.

4. Financial Comments

- 4.1 GLRO approval is being sought for agreeing the Scale of Fees, as set out in appendix 1, which sets out the eligibility criteria and the rates which can be applied to eligible roles. The cost of paying these fees to GLA staff deployed in roles which support delivery of the 2021 Elections is estimated at up to £50,000 and can be met from the GLA's budget provision for the 2021 Elections

5. Legal Comments

- 5.1. The proposal is consistent with the GLRO's functions and is authorised as a payment to GLA staff for performing additional duties in relation to the election.

Appendices and supporting papers:

Appendix 1 – Scale of Fees

¹ These are age, disability, gender re-assignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation

Public access to information

Although the GLRO is not subject to the Freedom of Information Act 2000 (FOI Act), the information in this form will be disclosed upon request and may be made available to the Mayor of London and the London Assembly. Any facts and advice that should not be made available upon request should not be included in Part 1 but instead on the separate Part 2 form. Deferment is only applicable where immediate release would compromise the implementation of the decision being approved.

Is the publication of this approval to be deferred? NO

If yes, for what reason:

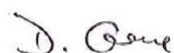
Until what date:

Is there a part 2 form? NO

ORIGINATING OFFICER DECLARATION	<i>Drafting officer to confirm the following (✓)</i>
Drafting officer: <u>Ruth Morgan</u> has drafted this report in accordance with GLA procedures and confirms that the Finance and Legal Teams have commented on this proposal as required and this decision reflects their comments.	✓
The Deputy GLRO has reviewed the request and is satisfied that is correct can be referred to the GLRO for approval	✓

EXECUTIVE DIRECTOR, RESOURCES

I have been consulted about the proposal and confirm that Financial and Legal advice have been taken into account in the preparation of this report.

Signature**Date**

18 December 2020