

GREATER LONDON AUTHORITY

REQUEST FOR MAYORAL DECISION – MD2830

Title: Updates to GLA Governance Documents

Executive summary:

A number of the GLA's key governance documents have recently been refreshed, as follows:

- i. the Mayoral Decision-Making in the GLA document, which sets out the arrangements through which the Mayor exercises and, where appropriate, delegates their powers
- ii. the Financial Regulations, which ensure we safeguard and properly account for public money and spend it economically, efficiently and effectively. The Regulations also provide a framework for setting and monitoring budgets, and for financial controls and administration
- iii. the Contracts and Funding Code, which sets out arrangements for how the GLA procures services from other parties, and enters into grant agreements, in a way that meets value for money and good practice requirements
- iv. the Expenses and Benefits Framework, which sets out what and how expenses and benefits may be claimed by elected Members and staff in the course of their GLA duties.

This Decision Form highlights the main proposed changes and appends the proposed revised documents. The Expenses and Benefits Framework also requires approval by the London Assembly and, as Head of Paid Service, the Chief Officer. The other documents will also be shared with the London Assembly for information.

Decision:

That the Mayor approves:

- i. the revised Mayoral Decision-Making in the GLA document (Appendix A)
- ii. the revised GLA Financial Regulations (Appendix B)
- iii. the revised Contracts and Funding Code (Appendix C)
- iv. the revised GLA Expenses and Benefits Framework (Appendix D):
 - (a) as a joint decision with the London Assembly in relation to the Framework's application to the GLA's statutory officers and to the Mayor and Assembly Members; and
 - (b) in relation to the Framework's application to those 13 GLA members of staff directly appointed by the Mayor under Section 67(1) of the GLA Act 1999.

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:

27/4/22

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

Decision required – supporting report

1. Introduction and background

- 1.1. As part of its commitment to high standards of governance and transparency, each of the GLA's core governance documents are subject to regular review. Four of these – Mayoral Decision-Making in the GLA, the Financial Regulations, the Contracts and Funding Code, and the Expenses and Benefits Framework – have recently been reviewed.
- 1.2. The table below sets out the purpose of each document and the main changes proposed. The full versions are appended to this form.

TITLE AND PURPOSE	MAIN CHANGES
<i>Mayoral Decision-Making in the GLA</i> Sets down the framework within which the Mayor's powers are reserved and delegated – and decisions are taken and recorded Appendix A	• Delegating to senior officers the Mayor's powers in respect of certain land and property transactions through the introduction of a new Minor Property Disposal provision. • Simplifying the Urgency and Unavailability arrangements applying to certain Mayoral decisions. • Clarification of a number of provisions, including, but not limited to, the operation of delegations, the applicability of GLA policies to GLA companies, and circumstances in which a new Decision Form is required where there has been a change to the original decision • The section on GLA Companies, and the relevant Appendix, have been updated to reflect the establishment in November 2020 (through MD2616) of a subsidiary company of London Treasury Limited, called LSR GP Ltd.
<i>Financial Regulations</i> Regulations guiding how the GLA manages its financial affairs; and more specifically how it sets and monitors budgets, exercises financial controls and undertakes financial administration Appendix B	• Three entirely new, or extensively re-written, sections (7-9) in the document, relating to: ○ arrangements for budget transfers and how they are approved ○ arrangements for approval and treatment of budget carry forwards ○ pay budgets and how they are calculated and managed. • Income receipt: requiring budget holders to give advance notice and work closely with Financial Services (including where a delegation has been given) – and to ensure that income is sufficient to cover staffing costs and overheads. • More explicit detail on processes relating to budget-setting, budget-monitoring and emergency spend.
<i>Contracts and Funding Code</i>	• Overview of responsible procurement as a method of delivering social value.

Rules and processes for procurement and entering into contracts and other formal arrangements including grant funding Appendix C	• Additional guidance on when a contract or grant funding route is suitable. • Inclusion of additional information about procurement governance and pipeline management. • More detailed guidance on contract management expectations. • Clarification of thresholds for review of Single Source Requests.
<i>Expenses and Benefits Framework</i> Sets down the limitations, rules and procedures for claiming expenses and receiving benefits at the GLA. Appendix D	• Simplifying approval thresholds/workflows. • Updated rules in respect of travel arrangements to reflect change of office locations. • Updated arrangements for abatements in respect of expenses for attending party conferences • Changes to subsistence limits. • Updated text relating to provision of mobile devices. • Updating details of benefits available to staff, e.g. reimbursement of flu jabs and bicycle loans.

- 1.3. In each case, minor factual changes have also been made, such as updating the titles of posts or teams.
- 1.4. The Expenses and Benefits Framework is required to be adopted jointly by the Mayor and the Assembly and will be considered by the Assembly (currently scheduled for the Annual Meeting of the Assembly on 9 May 2022). It must also be approved by the Head of Paid Service (Chief Officer) through a separate decision so as to apply to other GLA staff as appointed under Section 67(2) of that Act.
- 1.5. Following the Mayor's approval of the other documents, the Assembly will also be notified for information. All staff will be notified through internal communications when the revised documents are published, and more detailed guidance and support is provided by teams in the GLA, principally Performance & Governance and Financial Services.

2. Objectives and expected outcomes

- 2.1 The objective is, through updating these documents, to continue to provide for strong governance arrangements that enable the GLA to conduct its business in line with the law and proper standards; and safeguard and properly account for public money, spending it economically, efficiently and effectively.

3. Equality comments

- 3.1. Under section 149 of the Equality Act 2010, the Mayor and the GLA are subject to the public-sector equality duty and must have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and foster good relations between people who share a relevant protected characteristic and those who do not.

- 3.2. These documents ensure that the GLA takes decisions and manages its resources with probity and value for money and therefore assists the GLA in delivering for all Londoners. No specific adverse impacts for any groups sharing a protected characteristic have been identified.
- 3.3. Mayoral Decision-Making in the GLA sets down a formal decision-making process that reinforces the need to consider equality implications. The Contracts & Funding Code includes new provisions relating to responsible procurement and ensuring, through our contracting arrangements, we support social value.

4. Other considerations

Risks and issues

Risk	Mitigation	RAG rating
Governance documents become out of date/unfit for purpose	Built-in review dates and tracking of these by senior officers	Green
Governance documents are not understood or adhered to	Communications to remind managers and staff of importance Financial Services and Performance & Governance Teams review all Decision Forms	Green

Link to Mayoral strategies and priorities

- 4.1. Robust corporate governance arrangements, including as set out in each of these documents, support the full breadth of the Mayor's priorities as well as the efficient and effective use of public money and the GLA's commitment to openness and transparency.

Conflicts of interest

- 4.2. There are no conflicts of interest to note from any officer involved in the drafting or clearance of this Decision Form.

5. Financial comments

- 5.1. The documents refreshed and included here for approval form a framework for ensuring probity and value for money in the conduct of the GLA's day to day business. It is essential that they are reviewed periodically and updated to reflect changes in the operating environment. Whilst there are no direct costs arising from the approval of these documents, they will have a wide-reaching impact on budgetary management across the organisation.

6. Legal comments

- 6.1. In line with a range of applicable statutory requirements and good practice the GLA's governance arrangements are designed to ensure it:
- conducts business in line with the law and proper standards
 - safeguards and properly accounts for public money and spends it economically, efficiently and effectively
 - sets clear expectations for the Mayor, Assembly Members and GLA staff – and in particular that their conduct upholds the seven principles of public life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

- 6.2. Where the documents mentioned in this form confer the ability to take decisions on specific post holders (e.g. the Statutory Deputy Mayor, the 11+2, and other GLA Staff) that involve the exercise of Mayoral powers, they are authorised to do so under sections 38(1) and 380 of the GLA Act 1999 and any other specific statutory power enabling them to do so.
- 6.3. The approval of the revised Mayoral Decision-Making in the GLA document (Appendix A) is a Mayoral decision as its contents involve the delegation of functions of the GLA exercisable by the Mayor by (as relevant) GLA staff and the Statutory Deputy Mayor under sections 38(1) and 380(1) of the GLA Act and any other relevant statutory provisions.
- 6.4. The approval of the revised GLA Financial Regulations (Appendix B) and the revised Contracts and Funding Code (Appendix C) is a function of the GLA that is exercisable by the Mayor under section 35(2) and (3) of the GLA Act, on the basis that the exercise of the relevant statutory powers they involve has not by legislation been made to be one exercisable by the Assembly (alone) or by it and the Mayor acting jointly.
- 6.5. The revised Expenses and Benefits Framework covers GLA elected members (the Mayor and Assembly members), the GLA's statutory officers (Head of Paid Service, Monitoring Officer and Section 127 Officer), and GLA staff, both as appointed by the Mayor (the 11+2) and by the Head of Paid Service (Chief Officer). Therefore its approval is a tripartite approval by (1) the Mayor in relation to section 67(1) staff¹, (2) the Mayor and Assembly jointly in relation to themselves and the statutory officers² and (3) the Head of Paid Service (Chief Officer) in relation to all other GLA staff appointed under section 67(2)³.

7. Planned delivery approach and next steps

Activity	Timeline
Approval of Expenses and Benefits Framework by Assembly and Head of Paid Service	May 2022
Publication of new documents and related internal comms	May 2022
Assembly informed of changes to all documents	May 2022
Ongoing review	2022-2024

Appendices and supporting papers:

Appendix A – Draft Mayoral Decision-Making in the GLA

Appendix B – Draft Financial Regulations

Appendix C – Draft Contracts and Funding Code

Appendix D – Expenses and Benefits Framework

¹ See s 70(1) GLA Act

² See the requirements for joint Mayoral and Assembly decisions as to the level of Elected Members' allowances under s 24(7) and as to the terms and conditions of the following joint appointments: the Chief Officer/ HOPs (s 72(1C), the Monitoring Officer (s 73(1C) and the s127 Officer (s 127A(3), GLA Act 1999

³ See section 70(2) GLA Act

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:

Andrew Nathan has drafted this report in accordance with GLA procedures and confirms the following:

✓

Sponsoring Director:

David Gallie 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 11 April 2022

✓

EXECUTIVE DIRECTOR, RESOURCES:

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

Signature

Date

D. Gallie

26/4/22

CHIEF OF STAFF:

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

Signature

Date

D. Bellamy

27/4/22