

# GREATER LONDON AUTHORITY

## REQUEST FOR MAYORAL DECISION – MD2328

### **Title: Governance arrangements for implementing and managing the statutory functions relating to the Adult Education Budget**

#### **Executive Summary:**

In preparation for the Secretary of State for Education delegating statutory functions relating to the Adult Education Budget (AEB) to the Mayor of London from the 2019/20 Academic Year (1 August 2019), this decision sets out the GLA's governance arrangements for implementing and delivering the AEB.

#### **Decision:**

The Mayor approves the:

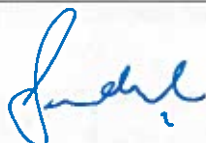
- Adult Education Budget (AEB) governance arrangements, including the establishment of an AEB Mayoral Board which will be the key forum for ensuring that the statutory functions relating to the AEB are implemented and delivered effectively. The draft constitution, terms of reference and membership are set out at Appendix A;
- Reconstitution and repurposing of the Skills for Londoners Taskforce as the Skills for Londoners Board which will consider and make recommendations to the Mayor in relation to the Skills for Londoners Strategy, AEB and other skills and employment priorities, programmes and projects. The draft constitution, terms of reference and membership are set out at Appendix B; and
- Establishment of the London Occupational Skills Board, as prefaced in the Skills for Londoners Strategy, which will enable business / employer representatives to advise on how to improve and align skills provision, including specialist and higher-level skills provision (considering progression routes to higher education), to meet skills needs in London. The draft constitution, terms of reference and membership are set out at Appendix C.

#### **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:**

31/7/18

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

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

#### **1 Introduction and background**

- 1.1 London, and the Mayoral Combined Authorities, are expecting to take on responsibility for the Adult Education Budget (AEB) in their respective areas from the 2019/20 Academic Year (1 August 2019) subject to a formal transfer of powers from the Secretary of State for Education.
- 1.2 In preparation for the transfer of these powers, and to satisfy the Secretary of State that the functions will be delivered effectively, the Mayor needs to put in place robust governance arrangements. This Mayoral Decision establishes the key decision-making bodies for ensuring that the statutory functions relating to the AEB are implemented and delivered effectively.
- 1.3 See MD2255 – Devolution of the Adult Education Budget to the Mayor for further information on the Mayor's decision to accept the AEB functions, subject to the final arrangements being confirmed by the Secretary of State for Education.

#### **2 Objectives and expected outcomes**

- 2.1 Under the legislative framework which permits the transfer of the AEB functions to the Mayor, he is required to take all related decisions personally<sup>1</sup>. 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.
- 2.2 As such, the Mayor is establishing a new AEB Mayoral Board, which he will chair, to ensure that all statutory functions relating to the AEB are implemented and delivered effectively. This new forum will complement the Mayor's standard decision-making processes, ensuring he has a dedicated forum to actively consider programme implementation, delivery and performance ahead of any final decisions through his standard Mayoral decision-making processes, notwithstanding that decisions cannot be delegated under the GLA's usual financial thresholds. The draft constitution, including membership and terms of reference, is set out at Appendix A – this is subject to change when it is considered at the Board's inaugural meeting.
- 2.3 Although accountability for all AEB related decision-making will sit with the Mayor, he recognises the need to engage with key stakeholders including London's boroughs, Further Education (FE) Colleges, Independent Training Providers (ITPs) and businesses, particularly in relation to ensuring strategic priorities are being met, and addressing local need. Therefore, he is repurposing and reconstituting his existing Skills for Londoners Taskforce (as originally established under MD2051) into the Skills for Londoners Board. The new Board will help drive the Skills for Londoners Strategy (published in June 2018) and inform the GLA's thinking on AEB as well as other skills and employment funding priorities. The draft constitution, including membership and terms of reference, is set out at Appendix B – this is subject to change when it is considered at the Board's inaugural meeting.
- 2.4 As set out in his Skills for Londoners Strategy, the Mayor is also creating the London Occupational Skills Board with business / employer representatives to advise on how to improve and align skills provision, including specialist and higher-level skills provision (considering progression routes to higher education), to meet skills needs in London. This would support London-based industry to deal with workplace change, adapt to the changing demands of the global economy, and inform the Mayor's work on the Skills for Londoners Strategy. The Board's draft constitution, membership and terms of reference is set out at Appendix C – this is subject to change when it is considered at the Board's inaugural meeting. Members of the London Occupational Skills Board will be appointed

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<sup>1</sup> Section 39A of the Greater London Authority Act 1999

following an open and competitive recruitment process, with the exception of a nomination from TUC LESE (TUC London, East & South East).

- 2.5 Subject to the Mayor's decision to proceed, the new bodies will be established as soon as possible, with inaugural meetings of the AEB Mayoral Board and the Skills for Londoners Board expected in September 2018 and the London Occupational Skills Board in October/November 2018.
- 2.6 All governance arrangements are subject to change when considered at the Boards to which they relate and may also be amended once clarity on the final form of the delegation of functions from the Secretary of State to the Mayor has been provided.

### **3 Equality comments**

- 3.1 Section 149(1) of the Equality Act 2010 provides that, in the exercise of their functions, public authorities – of whom 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; and
- 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 re-assignment, 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 paper about future governance arrangements and any future decisions relating to the AEB made pursuant to those arrangements which will be subject to separate decision forms.
- 3.3 The public sector equality duty will be complied with in relation to any decisions made about the composition of the Boards proposed in this paper. London's diversity is its biggest asset and the Mayor of London strives to reflect London's diversity in all his external Board appointments. Where appointments are made through an open and competitive recruitment process<sup>2</sup>, the actions below will be followed:

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; and
- 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 Mayoral Decision sets out a robust governance framework for implementing and managing the AEB and has in principle agreement from London Councils as well as other key stakeholders.

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<sup>2</sup> This is only likely to apply to the members of the London Occupational Skills Board as set out in Appendix C to this MD.

## **5 Financial comments**

- 5.1 As set out in the draft constitution at Appendix A, the GLA's statutory chief finance officer will be a member of the AEB Mayoral Board meaning that all key decision-making in respect of the AEB and its administration will be subject to financial input and oversight in advance of the Mayor's standard formal decision-making process.

## **6 Legal comments**

- 6.1 The section of the GLA Act relating to delegation of ministerial functions to the Mayor also excludes the standard delegation powers of the Mayor. The governance procedure outlined is designed to ensure that any functions are exercised in accordance with the legislation.

## **7 Planned delivery approach and next steps**

<b>Activity</b>	<b>Timeline</b>
Publication of governance arrangements and communications	July 2018
Nominations sought and appointments made to the Skills for Londoners Board	July 2018
Open recruitment process for appointments to the London Occupational Skills Board begins	July/August 2018
Inaugural meeting of the Skills for Londoners Board	September 2018
Inaugural meeting of the AEB Mayoral Board	Sept/Oct 2018
Interviews and appointments made to the London Occupational Skills Board	Sept/Oct 2018
Inaugural meeting of the London Occupational Skills Board	Oct/Nov 2018

### **Appendices and supporting papers:**

**Appendix A:** Adult Education Budget Mayoral Board – Draft Constitution

**Appendix B:** Skills for Londoners Board – Draft Constitution

**Appendix C:** London Occupational Skills Board - Draft Constitution

**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:**

Michelle Cuomo Boorer/Lucy Owen 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 30 July 2018.

**EXECUTIVE DIRECTOR, RESOURCES:**

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

Signature

Date

30.07.18

JOHN MIDDLETON O.J. DEPUTY OF MAYOR CLARKE

**CHIEF OF STAFF:**

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

Signature

Date

25/7/2018.

D. Bellamy

