

Subject: Appointment to Chief Officer Performance Review Panel

Report to: GLA Oversight Committee

Report of: Executive Director of Secretariat

Date: 27 February 2019

This report will be considered in public

1. Summary

- 1.1 This report requests the GLA Oversight Committee consider the appointment of Caroline Pidgeon MBE AM to the Chief Officer Performance Review Panel.

2. Recommendation

- 2.1 **That the Committee appoints Caroline Pidgeon MBE AM to the Chief Officer Performance Review Panel.**

3. Background

- 3.1 The Head of Paid Service Performance Review Panel was established by the GLA Oversight Committee as a working group in May 2012 with the following term of reference:

To conduct, in conjunction with the Mayor, the performance review process for the Authority's Head of Paid Service, reporting relevant matters requiring formal decision and/or for consideration as necessary to the GLA Oversight Committee.

- 3.2 At its meeting of 15 May 2018, the Committee agreed to re-establish this Panel as a working group, and to rename it the Chief Officer Performance Review Panel. It also agreed that the Panel comprise one GLA Conservative Assembly Member, one Green Assembly Member, one Labour Assembly Member and one UKIP (now known as the Brexit Alliance Group) Assembly Member; and that the Committee appoints Members; and appoints the Chair of the Panel.

4. Issues for Consideration

- 4.1 It is now proposed to appoint Caroline Pidgeon MBE AM to the membership of the Panel.

5. Legal Implications

- 5.1 Section 55(4) of the GLA Act provides the Assembly may: “appoint one or more committees (“advisory committees”) to advise it on any matter relating to the discharge of its functions”. The Assembly may delegate its functions (except powers that are exercised jointly with the Mayor) to a committee, sub-committee or individual Member of the Assembly (sections 54(1) and 55(1)), but not to an advisory committee, which may only advise in accordance with section 55(4).
- 5.2 The political balance requirements of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 apply to any committees and sub committees established by the Assembly. This means that the allocation of seats on committees must be proportionate to the number of Members each party Group has on the Assembly as a whole.
- 5.3 Political proportionality must be applied to every ordinary and advisory committee or sub-committee established by the Assembly. The political balance requirements do not apply to the Chief Officer Performance Review Panel since it is not proposed that it is established as an ordinary sub-committee, but as a working group under Standing Order 8.5, and in accordance with the principles established by *R v Warwickshire District Council ex parte Bailey* [1999] COD 184.
- 5.4 As it is proposed that the Chief Officer Performance Review Panel is established as a working group and as such is not subject to access to information rules.
- 5.5 A working group or panel established under Standing Order 8.5 cannot exercise any function of the Assembly or determine any matter, other than to make a recommendation. Standing Order 8.5 also stipulates that a member of a working group or panel unable to attend a meeting may request any Assembly or co-opted member to attend in their stead.

6. Financial Implications

- 6.1 There are no financial implications arising from the report.

List of appendices to this report:

None

Local Government (Access to Information) Act 1985

List of Background Papers:

None

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