

Decision Making Framework: The London Assembly and its Committees

Decision Making Guidance

This guidance covers:

- The role of Assembly and its Committees
- Submitting reports to the Assembly and its Committees
- The mechanism for formally recording and communicating decisions made at meetings.
- Guidance on when to use a Delegated Authority Form
- A summary of delegated authority

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Background

The aim of this guidance note is to inform officers of the GLA on how to go about submitting a report to and getting a decision from the Assembly and its committees.

This document does not deal with the Mayor's functions or decisions.

Note: This document is to be read in conjunction with the Authority's corporate Decision Making Framework documents which can be found [here](#), as approved (by the Mayor, for the GLA excluding the Assembly, and by the London Assembly for the functions for which it is responsible) and with any policy and/or guidance documents on the Assembly's scrutiny functions and process approved by the London Assembly and/or Director of Secretariat.

The Authority's Decision-Making Framework and Scheme of Delegation apply to the London Assembly and its functions.

The role of the Assembly

The London Assembly comprises 25 elected members. All 25 are elected at the same time as the Mayor. The London Assembly examines the Mayor's activities, questioning him about his decisions. In undertaking this role, the Assembly is also able to investigate other issues of importance to Londoners, publish its findings and recommendations, and make proposals to the Mayor.

The Assembly also has a role in the GLA's budget-setting process (which includes the budgets for the Authority and all of the Functional Bodies), it has a co-executive role in the appointment of the Authority's statutory officers, holds confirmation hearings in relation to the proposed appointment by the Mayor of persons to fill key offices within the GLA Group and has responsibilities in respect of the London TravelWatch (formally the London Transport Users' Committee).

How the Assembly undertakes its role

The London Assembly holds the Mayor to account through scrutiny of his strategies, decisions and actions. This is carried out by questioning the Mayor, Mayoral representatives or senior staff, Members from the Authority and Functional Bodies and other invited guests directly at Assembly and committee meetings and by conducting detailed investigations (which are published).

Mayor's Question Time (MQT)

Ten times each year the Mayor will appear before the Assembly to answer questions from Assembly Members (for date of next MQT go to [London Assembly meetings](#)). Members of staff holding politically restricted posts may also be required to appear at MQT meetings.

10 days before the meeting the Mayor publishes his report on significant decisions and actions taken since the last MQT meeting. A list of mayoral and Directors' decisions taken since the last MQT is provided to the Assembly as a (publicly available) background paper to the Mayor's Report. This list of decisions is also presented to the next meeting of the Assembly's Budget and Performance Committee for consideration.

In accordance with agreed internal procedures, Assembly Members have until 6 clear working days (usually a Monday, at 12 noon) before the MQT to submit their questions in writing to the Committee Services Team. They are provided to the Mayor's Office in collated form later that day. It is at this point that GLA officers may be asked to provide information to the Mayor that he can use to prepare an answer to the question.

5 clear days before the meeting Assembly Members will prioritise up to 27 questions from amongst those submitted which will be asked orally at the meeting. The rest will receive written answers that must be with Assembly Members within 3 working days after the meeting. The priority list of questions is circulated on the Wednesday prior to the meeting.

All the questions and answers are appended to the minutes of the meeting which can be found at [MQT agendas and minutes](#).

There is also a searchable database of all the questions asked to the Mayor and the answers, since the start of the GLA, [here](#).

Plenary Meetings

In addition to MQT meetings the Assembly holds Plenary meetings approximately ten times a year to which they invite Chairs/Officers from the Functional Bodies, Mayoral Advisers or other people relevant to the subject they wish to investigate and will put questions to them following a similar process as detailed above for MQT. Agendas and minutes for Plenary meetings can be found at [Assembly Plenary Meetings](#). The database of questions and answers referred to above also covers questions and answers at Plenary meetings.

Committees of the Assembly

The GLA's decision making powers rest largely with the Mayor but the Assembly has specific powers in relation to:

- Scrutiny (of Mayoral functions and matters of interest to Londoners);
- The consideration of the proposed designation of Mayoral Development Areas;
- The consideration of Mayoral strategies;
- The GLA budget;
- the appointment of the Authority's statutory officers and confirmation hearings for key functional body offices; and
- London TravelWatch.

Some of these powers may be discharged through the work of Assembly Committees. Further details are given below.

The current list of Committees of the Assembly is:

[Audit Panel](#)

[Budget and Performance Committee](#)

[Confirmation Hearings Committee](#)

[Economy Committee](#)

[Environment Committee](#)

[Fire, Resilience and Emergency Planning Committee](#)

[GLA Oversight Committee](#)

[Health Committee](#)

[Housing Committee](#)

[Planning and Regeneration Committee](#)

[Police and Crime Committee](#)

[Transport Committee](#)

A number of working groups may also be established from time to time. The current working groups are:

[Chief Officer Performance Review Panel](#)

Standing Orders Working Group

The Committees have authority from the Assembly to act on its behalf to undertake work in a given area of the Assembly's responsibilities. The extent of each Committee's authority is set out in its Terms of Reference.

Scrutiny

The primary function of the Assembly's committees is its 'scrutiny' work in respect of the Mayor's functions and activities and in raising matters of importance to Londoners.

Section 59 of the GLA Acts 1999 (as amended) (the GLA Act) states that:

"The Assembly shall keep under review the exercise by the Mayor of the statutory functions exercisable by him. For the[se] purposes, the powers of the Assembly include in particular power to investigate, and prepare reports about-

- (a) any actions and decisions of the Mayor,
- (b) any actions and decisions of any member of staff of the Authority,
- (c) matters relating to the principal purposes of the Authority,
- (d) matters in relation to which statutory functions are exercisable by the Mayor, or
- (e) any other matters which the Assembly considers to be of importance to Greater London."

The Assembly's committees undertake these functions primarily by taking evidence from persons relevant to the particular area under review, either by using meetings of the committees to hold hearings or through written submission, and by publishing their findings in the form of reports.

In addition, the Police Reform and Social Responsibility Act 2011 requires the Assembly to establish a Police and Crime Panel (known as the Police and Crime Committee).

Section 33(1) sets out the functions to be discharged by the Police and Crime Committee, which include:

- (a) To review and make a report or recommendation on the draft police and crime plan, or draft variation, given to the Assembly by the Mayor's Office for Policing and Crime (MOPC);
- (b) To review, put questions to the Mayor's Office for Policing and Crime at a public meeting, and make a report or recommendation (as necessary) on the Mayor's Office for Policing and Crime's Annual Report;
- (c) To keep under review the exercise of the functions of the Mayor's Office for Policing and Crime;
- (d) To investigate, and prepare reports, as necessary, about:
 - any actions and decisions of the Mayor's Office for Policing and Crime;
 - any actions and decisions of the Deputy Mayor for Policing and Crime;
 - any actions and decisions of a member of staff of the Mayor's Office for Policing and Crime;
 - matters relating to the functions of the Mayor's Office for Policing and Crime;
 - matters in relation to which the functions of the Mayor's Office for Policing and Crime are exercisable; or
- (e) any other matters which the Assembly considers to be of importance to policing and crime reduction in the metropolitan police district.

- (f) To submit proposals, as necessary, to the Mayor's Office for Policing and Crime;
- (g) In accordance with Section 60A of, and Schedule 4A to, the GLA Act 1999 (as amended) to hold a confirmation hearing in respect of the proposed candidate for Deputy Mayor for Policing and Crime and to make recommendations to the Mayor on the proposed appointment;
- (h) Requiring, by summons, the Deputy Mayor for Policing and Crime, any member of staff of the Mayor's Office for Policing and Crime, the person who is the occupant of the Mayor's Office for Policing and Crime, and former¹ occupants Mayor's Office for Policing and Crime, and former² Deputy Mayor's for Policing and Crime to (a) attend the Panel to give evidence, or (b) produce to the Panel documents in their possession or control;
- (i) Section 31 and Schedule 7 of the Police Reform and Social Responsibility Act 2011 and the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2011 requires the Committee to fulfil functions in relation to complaints about conduct matters.

[Notes:

- (1) The Police and Crime Committee functions must be exercised with a view to supporting the effective exercise of the functions of the Mayor's Office for Policing and Crime; and
- (2) The special scrutiny functions granted by section 33(1) of the Police Reform and Social Responsibility Act 2011 and by section 60A of and schedule 4A of the Greater London Authority Act 1999 as amended³ may only be exercised at a meeting of the whole Police and Crime Committee, which must be quorate in accordance with the GLA's Standing Order 2.4]

The Policing and Crime Act 2017 also requires the Assembly to establish a Fire Committee (known as the Fire and Resilience Committee.

Schedule 2A sets out the functions to be discharged by the Committee, namely:

- (1) To review and make a report or recommendation to the Mayor on any draft document or revision given to the Assembly by the London Fire Commissioner which is prepared and published by the London Fire Commissioner in accordance with the Fire and Rescue National Framework and which:
 - (i) sets out the Commissioner's priorities and objectives, for the period covered by the document, in connection with the discharge of the Commissioner's functions, or
 - (ii) contains a statement of the way in which the Commissioner has had regard, in the period covered by the document, to the Framework and to any document within paragraph (a) prepared by the Commissioner for that period.
- (2) To keep under review the exercise of the functions of the London Fire Commissioner
- (3) To investigate, and prepare reports, as necessary, about:
 - Any actions and decisions of the Mayor and/or Deputy Mayor for Fire in relation to the GLA's fire duties and responsibilities, as set out in the Policing and Crime Act 2017;

¹ Within the 8 years prior to the date of the summons

² Within the 8 years prior to the date of summons

³ These are functions are to: (a) review the draft police and crime plan, or draft variation, given to the Assembly by the Mayor's Office for Policing and Crime in accordance with section 6(6)(c), and (b) make a report or recommendations on the draft plan or variation to the Mayor's Office for Policing and Crime; and to hold a confirmation hearing in respect of the appointment of the Deputy Mayor for Policing and Crime and exercise the Committee's power of veto if the candidate is not an Assembly Member.

- Any actions and decisions of the London Fire Commissioner;
 - Any actions and decisions of an officer of the London Fire Commissioner;
 - Matters relating to the functions of the London Fire Commissioner;
 - Matters in relation to which the functions of the London Fire Commissioner are exercisable; and
 - Any other matters which the Assembly considers to be of importance to fire and rescue services in Greater London.
- (4) To submit proposals to the Mayor/London Fire Commissioner in relation to fire and emergency matters in London as necessary.
- (5) To investigate, and prepare reports, as necessary, about the exercise of the Mayor's statutory resilience responsibilities and activities.
- (6) To hold confirmation hearings in respect of the Mayor's proposed candidate for the London Fire Commissioner and Deputy Mayor for Fire.

The Fire and Resilience Committee may require, by summons, the Deputy Mayor for Fire, the London fire Commissioner and any officer of the London Fire Commissioner, former⁴ Deputy Mayor's for Fire and former⁵ London Fire Commissioners to (a) attend the Committee to give evidence, or (b) produce to the Panel documents in their possession or control;

[Notes:

- (3) The Fire and Resilience Committee's functions must be exercised with a view to supporting the effective exercise of the functions of the London Fire Commissioner; and
- (4) The special scrutiny functions granted by section 327(1) and section 60A of and schedule 4A of the Greater London Authority Act 1999 as amended⁶ may only be exercised at a meeting of the whole Fire and Resilience Committee, which must be quorate in accordance with the GLA's Standing Order 2.4]

All of the published scrutiny reports can be viewed at:

[London Assembly publications](#)

Whilst scrutiny work is not an 'executive' function, the Assembly and its Committees do have a number of related powers:

They may require any person⁷ (a) to attend proceedings of the Assembly for the purpose of giving evidence, or (b) to produce to the Assembly documents in his possession or under his control.

They are consulted upon the draft statutory Mayoral strategies and the Assembly as a whole may, in accordance with Standing Order 3.19, vote to reject a Strategy.

⁴ Within the 8 years prior to the date of the summons

⁵ Within the 8 years prior to the date of summons

⁶ These are functions set out at 327H(2)(b) Schedule 2 of the Policing and Crime Act 2017

⁷ Relevant persons under the Acts are: certain Members of staff of the Authority & Functional Bodies; Chairs and Members of the Functional Bodies; persons who have had a contractual relationship with the Authority; Assembly Members and previous Assembly Members; and former Mayors.

The Assembly must also be consulted on any proposal to designate a Mayoral Development Area and may, in accordance with Standing Order 3.22, vote to reject such a designation.

Budget

The Assembly is under a duty to approve, with or without amendment, the Mayor's proposed council tax requirement for the GLA Group (which impacts directly upon Londoners' Council Tax bills) each year. As such, the Assembly has an executive role in one of the key decision-making processes undertaken by the Authority.

The Assembly's [Budget and Performance Committee](#) undertakes the preparatory work, leading up to the Assembly's consideration of, and voting on, the Mayor's budget proposals.

The Budget and Performance Committee holds meetings throughout the year at which the key internal and external persons and organisations discuss GLA budget issues.

The Budget and Performance Committee uses the information it receives to:

- Formally respond (under powers delegated to the Committee by the Assembly) to the Mayor's consultation on the GLA draft budget proposals.
- Formally respond to the Mayor (under delegated authority) on his consultation on the annual budget proposals for the GLA Group.
- Consider the Mayor's annual Draft Capital Spending Plan proposals
- Scrutinise the Mayor's budget proposals and provide reports and recommendations to the Assembly on the GLA Group budget proposals.

The Assembly's business management committee (currently the GLA Oversight Committee) recommends to the Mayor a proposed budget requirement for the London Assembly for the following financial year.

The functions in relation to the formal consideration and approval (with or without amendment) of the Mayor's Draft Consolidated and Final Draft Budgets in accordance with section 87 and Schedules 6 and 7 of the GLA Act, may only be exercised by the Assembly as a whole and may not be delegated to a committee.

Appointments

The Chief Officer (Head of Paid Service) has the power to 'appoint such staff as he considers necessary for the proper discharge of the functions of the Authority', having regard to the resources available and the priorities of the Authority. Before exercising this power, the Head of Paid Service is required to consult the Mayor and the Assembly. The Head of Paid Service's Staffing Protocol can be found [here](#).

The Assembly has delegated the discharge of these staffing functions to its business management committee – currently the GLA Oversight Committee. The Committee will receive reports from the Head of Paid Service and comment as necessary.

The Mayor and Assembly appoint the three statutory officers and agree their terms and conditions jointly. The Statutory Officers' Staffing Protocol can be found [here](#). Joint functions must be exercised by the full Assembly and may not be delegated to an Assembly committee.

London TravelWatch

Under the GLA Act, the Assembly has a number of responsibilities in respect of London TravelWatch⁸ the body which is the statutory complaints authority for public transport users in the London area, in particular the appointment and pay of London TravelWatch's Chair and Members.

The Assembly has delegated all its responsibilities in respect of London TravelWatch to its [Transport Committee](#).

Obtaining a decision from the Assembly or one of its Committees

Unless authority to take a decision has been delegated to an individual Member, decisions must be taken at a meeting of the Assembly or, where appropriate, one of its Committees. Decisions taken at these meetings are usually taken after consideration of a report prepared by an officer of the Authority.

A report to the Assembly or a Committee will typically set out the background, the nature of the problem/issue to be decided, the alternative courses of action, and a recommended way forward together with reasons. The report will also contain details of any strategic, financial and legal implications arising together with a list of background papers that you have used in the preparation of the report. Ideally a report should be no more than 2 sides of A4 in length with any technical and/or supporting information being attached as an appendix. The report template is available via the Intranet.

As soon as you are aware that a report is to be prepared you should inform the relevant Committee officer (see list: <https://www.london.gov.uk/about-us/london-assembly/london-assembly-committees/assembly-committee-contacts>), who will be able to advise you on the deadline for completing your report.

Report authors are responsible for clearing their report with their own manager(s) and with Legal and Finance officers prior to sending them to the committee officer. In line with GLA procedures, the Finance and Legal teams require a minimum of three working days to consider and comment on a report.

The Committee officer will arrange for reports to be cleared by the Chair of the Assembly or Committee to which it will be submitted. You should be aware that, unless a report must be submitted to a meeting by law (e.g. a statutory report by the Monitoring Officer or Chief Finance Officer), it is for the relevant Chair to agree whether it may be included on the agenda. Occasionally, a Chair may agree that a report be included on agenda but request some additional information or changes be made.

Approved reports will be published with the agenda for Assembly and committee meetings 5 clear working days⁹ before the meeting. Unless the report contains exempt or confidential information as defined in the Local Government Act 1972 and/or Freedom of Information Act 2000, it will be made available to the press and public as soon as it is published. Exempt reports include those that provide information about former and current members of staff, disclose the business affairs of other parties or reveal details of proposed contracts that the GLA is about to enter into. Again, the Committee Services Team can provide you with guidance on whether a report can or should be treated as exempt.

⁸ the operating name of the London Transport Users' Committee - LTUC

⁹ 'clear' days means that there must be 5 full working days in-between the day on which the agenda is published and the day of the meeting to which it relates: therefore, an agenda for a Wednesday meeting must be published the previous Tuesday.

Recording Decisions of Meetings

The Committee Services Team in the Secretariat produces minutes for all meetings containing the decisions taken. The team will also produce and maintain a list of actions agreed at each formal meeting; this will be sent to all relevant officers and will be reported to all formal meetings for noting / discussion as necessary.

Delegated Authority

The GLA Act allows for the 'Delegation of Authority' to individual persons – Committee Chairs or individual Assembly Members¹⁰.

A delegation of authority means that the named person is formally empowered to take a decision or action on behalf of the body that approves the delegation (e.g. the Assembly's Budget and Performance Committee might give authority to its Chair to write a letter to Government on its behalf).

The text below should be read in conjunction with the approved [Scheme of Delegation of Functions of the London Assembly](#) - a document that details the functions of the London Assembly, afforded to it under the Greater London Authority Act 1999 ("the GLA Act") and other legislation, which it has delegated to its Committees and to staff of the Authority.

General

The GLA Act (section 54(1)) states:

"The Assembly may arrange for any of the functions exercisable by it to be discharged on its behalf-

- (a) by a committee or sub-committee of the Assembly; or
- (b) by a single member of the Assembly."

[The Standing Orders that relate to, and govern, the delegations of functions by the Assembly can be seen [here](#)].

The Assembly, at its Annual Meeting (usually held in May each year) establishes its Committees and, in doing so, gives each Committee terms of reference that describe and define the remit of each Committee's area of work. The terms of reference represent the delegation of authority of relevant Assembly functions to its Committees (although it should be noted that, as the GLA Act makes clear, such delegation does not prevent the Assembly exercising those functions itself as necessary).

Delegations to Chairs of Committees and/or Members

In turn, a Committee is able to delegate functions, powers and/or tasks that fall within their remit to individual Members of that Committee.

General examples of where authority is delegated include: responding to a consultation; agreeing the text of a letter to external organisations / persons; and finalising scrutiny reports.

In practice, delegation of relevant authority is usually given to the Chair of the Committee, who is then empowered to act on behalf of the Committee in respect of the particular matter to which the delegation

¹⁰ Delegations of authority from the Assembly or one of its committee can only relate to the Assembly's staffing-related powers, functions and decisions. The Assembly's scrutiny powers and associated functions cannot be delegated to members of staff. Certain functions granted to the Assembly in relation to powers deriving from other legislation – for example, complaints function in relation to the MOPAC office-holder, may be delegated to a member of staff.

applies. To reflect the political balance within the London Assembly, the Chair or individual Member to whom the delegated authority is given is often required to consult representatives of the other party Groups on the Assembly prior to taking a decision or action under the delegation.

Procedure for acting under delegated authority

A process has been established to ensure that any action taken under delegated authority is properly recorded and undertaken in accordance with corporate procedure. A 'Member's Delegated Authority' [MDA] form should be completed prior to the exercise of such authority by a Chair or Member. An example of the form is attached below (**Appendix 1**).

The purpose of this process is to make sure that relevant legal, financial and other considerations and consultations (as may be required by the terms of the delegation) have been properly recorded and considered *prior* to a decision being taken.

Committee Services staff manage this delegated authority process. Any person who needs or wishes to discuss matters related to an action taken or to be taken under delegated authority by a Chair of a Committee or individual Member should contact the Committee Services Team.

Each MDA Form is allocated a unique reference number and the details are entered into an electronic register (held and maintained by the Committee Services Team). The Form is then processed and passed to relevant officers for clearance, prior to its presentation to relevant Chair(s) / Member(s) for approval. Once the approval has been given, the relevant actions arising can then be progressed. A copy of the MDA form, as well as any appendices, will then be uploaded to the London Assembly website, in the interests of openness and transparency, unless it contains confidential/exempt information.

Publication of decisions made through this process may also be deferred, if immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process). Information about the reasons for deferral are included within the MDA form.

Details of the action taken under delegated authority are reported, for information, to the next appropriate meeting of the Assembly/relevant committee and the form itself will be listed as a 'background paper' to that report.

Standing delegations

For a Chair or Member to receive delegated authority, either from the Assembly itself or from a Committee, there must be a formal decision to that effect; Chairs and other Members do not have 'standing' authority as of right, unless the Assembly or Committee agrees to delegate authority for a power and/or function on an extended or permanent basis.

The [Scheme of Delegation of Functions of the London Assembly](#) details the current list of Standing Delegations to Members and officers.

When do I need to obtain a decision from the Assembly or one of its Committees?

As discussed above, the Committee has a number of powers, duties and roles. Where you are dealing with a matter that is covered by the Assembly's responsibilities, you need to consider whether or not a decision of the Assembly (or one of its committees, where the Assembly has delegated its functions in particular areas) is required before proceeding to undertake any related action.

To reiterate, the Assembly's main areas of responsibility are in relation to:

- The GLA's budget;
- Scrutiny of the Mayor's functions and strategies (including the Mayor's Office for Policing and Crime);
- Formal consideration of Mayoral strategies and proposals to designate a Mayoral Development Area;
- Investigations into matters of interest to Londoners; and
- London TravelWatch.

As detailed above, some of the powers associated with these responsibilities may not be delegated to committees and must be exercised by the full Assembly.

Under the GLA Act, the Assembly also has a number of other, general powers and responsibilities– such as:

- It can make formal proposals to the Mayor;
- It can require that information be included in the Mayor's Annual Report;
- It approves, jointly with the Mayor, the appointment and terms and conditions of the GLA's statutory officers.

Where the issue relates to any of these matters, you need to determine whether or not a decision of the Assembly or one of its committees is required. This should be determined through discussion both with your line manager / Head of Service and with the Committee Services Team.

However...

You should bear in mind that the lists above are not the only areas in which the Assembly has an interest – there are a large number of issues that arise through the work of the Authority which are referred to the Assembly.

Where you are dealing with issues that do not wholly fall within the remit of the Mayor, you should always consider (again through discussion with other relevant persons) whether to involve the Assembly in the decision-making process – either by seeking a decision, consultation or simply by providing a paper for information.

Non-Routine Expenditure in relation to Scrutiny Functions of the London Assembly

[Note: All expenditure must be approved in accordance with the Authority's financial regulations which can be found [here](#).

The procedures for non-routine expenditure in relation to scrutiny functions of the London Assembly and also specific expenditure in relation to consultancy, set out below, are *additional* procedures in respect of the approval process for relevant expenditure, as agreed by the Assembly and the then Business Management and Administration Committee.]

1. Routine expenditure in relation to Assembly functions (such as paying salaries, travel costs, stationery etc) is actioned by the Executive Director of Assembly Secretariat, under GLA powers, within the financial framework approved annually by the Assembly (through the GLA Oversight Committee) for the Secretariat directorate's teams / functions.
2. With the exception of expenditure in relation to consultancy, all proposals for non-routine expenditure must be submitted to the Chair of the GLA Oversight Committee who, in accordance with the delegated authority accorded to him/her may, following consultation with the Deputy Chair of the GLA Oversight Committee and, where appropriate, the relevant Assembly Committee Chair (and any other Member as deemed necessary), approve the expenditure.
3. Proposals for spend will, in accordance with the usual process for decisions taken under the Member Delegated Authority process, include supporting detail and details of the financial implications of the proposal, provided by the GLA Finance team.
4. Any action taken under that delegation of authority will be reported to the GLA Oversight Committee in the usual way.
5. All proposals to approve expenditure in relation to consultancy, including research services and polling, must be approved by the relevant committee and then the GLA Oversight Committee, and the Committee receives a quarterly report that provides an overall update on the allocation and expenditure of the scrutiny programme budget. Paragraphs 8-15 below apply.

Scrutiny projects that do not involve expenditure

6. The relevant committee must receive a report on any proposed project, which should outline the area of work and the likely resource implications (and must also include financial and legal implications sections, completed by appropriate staff in those Directorates). The Committee must then approve the proposed project (as outlined in the report) prior to its commencement.
7. The proposed establishment of a panel or appointment of rapporteur(s) by a Committee, to undertake any proposed scrutiny project, must be approved by the GLA Oversight Committee.

Scrutiny projects involving consultancy expenditure, including research services and polling

8. The relevant Committee must receive a report on a proposed project, which should outline the area of work and the likely resource implications (and must also include financial and legal implications sections, completed by appropriate staff in those Directorates).
9. The proposed establishment of a panel or appointment of rapporteur(s) by a Committee, to undertake any proposed scrutiny project, must be approved by the GLA Oversight Committee.
10. The report to Committee must:
 - (a) ask the Committee to give 'in principle' approval to any related expenditure proposed on external services (e.g. technical consultants) and to then recommend the proposed project (as

outlined in the report, including the expenditure) on to the GLA Oversight Committee for formal approval;

- (b) note that the Executive Director of Assembly Secretariat, in consultation with the Chair of the Committee, will award the contract¹¹ for technical assistance to the project and any other related action required to initiate the project, subject to the GLA Oversight Committee's approval.
12. The proposal should then be presented to the next available meeting of the GLA Oversight Committee for formal approval (which must be granted prior to the commencement of any work / actions to which the expenditure relates).
13. In deciding whether, for any scrutiny, technical assistance is needed, the following criteria must be addressed by the relevant committee(s) prior to appointment of external consultants:
- That the proposed project requiring technical assistance is clearly and tightly defined. This would ordinarily mean that the consultant would be used for a discrete piece of technical analysis or research rather than simply as an adviser for the whole of a scrutiny.
 - That the proposed project cannot be readily undertaken by in-house staff, either because of a lack of detailed expertise or because of a lack of capacity.
 - That the analysis required from consultants is not readily available and cannot be acquired elsewhere.
 - That the information required from consultants would be a significant contribution to the aims of the scrutiny. Technical assistance to scrutiny committees involves in most cases the analysis of information or data provided to the committee, rather than primary research.
14. A decision by the Executive Director of Assembly Secretariat, using GLA powers and following Assembly approval of the related expenditure, to award a contract in support of an approved project must be recorded in writing. Other non-scrutiny project/non-routine expenditure will be approved in accordance with the procedures for non-routine expenditure set out at paragraphs 1-4 above.
15. The GLA Oversight Committee has the authority to approve any scrutiny-related expenditure.
16. The mechanism for the approval of urgent consultancy expenditure where there is not a meeting of the GLA Oversight Committee within the relevant timescale is:
- (a) The relevant committee approves the proposal for scrutiny-related expenditure (noting that a committee may put in place a delegation to its Chair to approve in principle any urgent requests, in consultation with relevant Members); and
 - (b) the Chair of the GLA Oversight Committee, under delegated authority (by way of the Delegated Authority Form procedure), in consultation with the Deputy Chair, of the GLA Oversight Committee, the relevant Assembly Committee Chair (and any other Member as deemed necessary), to approve the proposal on behalf of the GLA Oversight Committee.

Notes:

- (i) The framework and procedure for scrutiny-related expenditure does not relate to the procedures and processes for routine expenditure by relevant senior members of staff. For definitions and descriptions of routine expenditure and related processes, please see the [corporate decision-making framework](#).

¹¹ The award of any contract must be in compliance with the procedures set out in the Authority's approved [Contracts and Funding Code](#).

SPECIMEN – DO NOT USE

MDA No.: Insert Number

Title: Insert Title

1. Executive Summary

1.1

2. Decision

That the

Assembly Member

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:

Printed Name:

Date:

3. Decision by an Assembly Member under Delegated Authority

Background and proposed next steps:

3.1

Confirmation that appropriate delegated authority exists for this decision:

Signature (Committee Services):

Printed Name:

Date:

Telephone Number:

Financial Implications: **REQUIRED/NOT REQUIRED**

Note: Finance comments and signature are required only where there are financial implications arising or the potential for financial implications.

Signature (Finance):

Printed Name:

Date:

Telephone Number:

Legal Implications:

Assembly Members [**Insert Name**] has the power to make the decision set out in this report.

Signature (Legal):

Printed Name: Rory McKenna, Monitoring Officer

Date:

Email: rory.mckenna@london.gov.uk

Supporting Detail / List of Consultees:

-

4. Public Access to Information

4.1 Information in this form (Part 1) is subject to the FoIA, or the EIR and will be made available on the GLA Website, usually within one working day of approval.

- 4.2 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.
- 4.3 **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? YES/NO

If yes, until what date:

Part 2 – Sensitive Information:

Only the facts or advice that would be exempt from disclosure under FoIA or EIR should be included in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form? YES/NO

Lead Officer / Author

Signature:

Printed Name:

Job Title:

Date:

Telephone Number:

Countersigned by Executive Director:

Signature:

Printed Name:

Date:

Telephone Number:

Part II

5. Proposed Decision and Confidential Supporting Information

5.1

This information is considered confidential because:

5.2 [Quote appropriate section of the FoIA or the EIR]

Sponsoring Director: [Insert Name]

5.3 I have reviewed the report and am satisfied that the information contained in Part II of this Form is suitable for consideration as exempt from public access.

5.4 I am satisfied that in the event of a request for disclosure the information would be exempt under the following provision(s) of the FoIA or EIR.

Signature:

Date:

Telephone Number:

Confidential Information

5.5 In the event of any request for access to the information contained in this document under the FoIA or the EIR, it is considered that access can be denied on the basis that the information is [] and therefore is covered by the exemption under section [] of the Act or regulation [] of the EIR.

5.6 FoIA exemptions (note this is not a complete list of the exemptions, and legal advice should be sought as to the application of any exemptions):

- s 22 and 22A – information intended for future publication and research information – information
- s.23 – Information provided by the security services;
- s.24 – Information on national security;
- s.27 – International relations;
- s.28 – Information relating to relations within the UK;
- s.29 – Information on the economy;
- s.36 – Information, the disclosure of which would, or would be likely, to inhibit free and frank provision of advice or exchange of views or would otherwise prejudice or be likely to prejudice the effective conduct of public affairs;
- s.39 – Environmental information;
- s.40 – Personal data;
- s.41 – Information provided in confidence;
- s.42 – Legal professional privilege;
- s.43 – Commercial interests;

- s.44 - Legal prohibitions on disclosure.

5.7 EIR exemptions (note this is not a complete list of the exemptions, and legal advice should be sought as to the application of any exemptions):

- Regulation 12(4-5) - Various;
- Regulation 13 – Personal information.

6. Legal Implications

6.1

Checklist

- ☐ Complete form and share with lead officer
 - ☐ Attach output (if applicable) as appendix to form.
 - ☐ Identify FoIA/EIR implications (and use Part 2 of form if appropriate)
 - ☐ Identify financial implications and seek financial advice from Director of Finance or his staff, as necessary
 - ☐ Confirm that relevant AMs have been consulted, as per terms of delegation
 - ☐ Submit request to decision maker for approval (to attach signature)
 - ☐ Submit to Executive Director for electronic signing
 - ☐ Send to Monitoring Officer to sign and to advise on legal implications, as necessary
 - ☐ Committee Services to arrange publication, usually within one working day of approval.
 - ☐ CS to arrange reporting back of decision taken to the Assembly/relevant Committee
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Issue date (V2023/1)	May 2023
Amendments made from previous version	Updates to broken hyperlinks and to amend for officer changes
Approved by	London Assembly
Review date	May 2024
Senior owner	Executive Director of Assembly Secretariat
Document owner	Committee Services Manager