Planning for political transition in May 2020: A guide for Mayoral and Assembly candidates

Introduction

1.1 It is the responsibility of Greater London Authority (GLA) officers, led by the Chief Officer, to prepare in an appropriately proportionate way for political change as a potential outcome of the GLA elections on 7 May 2020. This to ensure that the incoming Mayor and Assembly Members are supported to take office and start work as quickly and as smoothly as possible as new four-year terms begin.

1.2 This guide is for individuals and political parties – together with their campaign teams – who are seeking election as Mayor or to the Assembly in 2020. It aims to explain:

- the channels for and nature of the contact between candidates and GLA and MOPAC officers in the months leading up to the elections;
- the key questions candidates need to consider in anticipation of election; and
- the activity the successful Mayoral and Assembly candidates can expect in the days immediately after the results are declared.

1.3 Crucially, planning for transition cannot impinge on the delivery of the incumbent Mayor’s priorities, on support to the incumbent London Assembly or its Members, or on effective, transparent and accountable governance over the transition period.

1.4 The scope of this guide is confined to the GLA and the Mayor’s Office for Policing & Crime (MOPAC). It does not cover transition planning in the rest of the wider GLA Group, namely: Transport for London (TfL); the London Fire Commissioner (LFC); and the two Mayoral Development Corporations (MDCs) – London Legacy Development Corporation (LLDC) and Old Oak & Park Royal Development Corporation (OPDC). Nor does it cover transition planning in London & Partners. Arrangements for making requests of these organisations will be shared with candidates in December.

1.5 This guide does not cover the process of standing for election, the administration of elections or the application of electoral law. Information about the Mayor of London and London Assembly elections can be found at londonelects.org.uk.

1.6 Any queries about or arising from this guide should be directed to: candidates@london.gov.uk.
Engagement with candidates in the run up to the elections

Principles applying to contact with all candidates

2.1 Engagement between all Mayoral and Assembly candidates and GLA and MOPAC officers in the run-up to the elections will be subject to the principles of transparency, the proper use of the GLA and MOPAC’s resources and proportionality.

2.2 The GLA’s Openness and Transparency Policy makes it clear that all of the GLA’s information should be accessible, unless it is exempt under the Freedom of Information Act 2000 or Environmental Information Regulations 2005, or to make it accessible would be prohibitively costly. Similarly, in its Code of Governance 2017-2021, MOPAC sets out its aim to conduct itself in a transparent and accountable way to all stakeholders.

2.3 The GLA’s website at www.london.gov.uk hosts summary and detailed information across the full spectrum of the GLA’s activities – both the current Mayor’s priorities and programmes and the work of the current London Assembly. It also makes accessible a wide range of publications and hosts the London Datastore, a portal to hundreds of datasets relating to London. The GLA’s governance, structure, finances and performance are also detailed on the website. The GLA website is also home to MOPAC’s webpages, which provide comprehensive data and information on the work of MOPAC, on crime and safety in London, on the finances and performance of the Metropolitan Police Service (MPS) and on the decisions taken by the Deputy Mayor for Policing and Crime. It is anticipated that the information freely available here will provide a substantial amount of the information Mayoral and Assembly candidates and their campaign teams will be looking for.

2.4 The GLA’s Use of Resources guidance operates at all times and across all areas of GLA business and is therefore directly relevant to the contact between all Mayoral and Assembly candidates. One of its central tenets is that GLA staff must avoid any action or behaviour which is not politically neutral when on work related time or when using GLA-funded resources and facilities. In addition, politically restricted GLA staff cannot carry out restricted activities in their private time either. These principles are echoed in MOPAC’s Code of Conduct.

2.5 To quote directly from the Use of Resources guidance: ‘Requests to any of the GLA Group bodies for information from candidates and their parties will be dealt with in an even-handed, neutral and professional manner. Officers may provide factual information but must not (at any time) involve themselves or the Authority’s resources directly in the preparation of elections-related material or communications issues. Officers will not offer opinions on candidates’ policies or proposals or be, as employees (noting that the rules on political restriction for relevant staff apply at all times [i.e. including outside of working hours]) in any way involved in the development of those policies …’ [para 66]

2.6 Engagement with candidates must be balanced with officers’ work to continue to support the incumbent Mayor and the incumbent Assembly and its Members, as well as to prepare for the Mayoral and Assembly elections. This engagement therefore has to remain proportionate and necessarily somewhat limited in scope.
Engagement with Mayoral candidates

2.7 The GLA Chief Officer, and other GLA senior managers, with the explicit prior approval of the Chief Officer, and the MOPAC Chief Executive Officer (CEO) and Senior Managers will be available to engage with Mayoral candidates and their campaign teams in a proportionate and structured way in the run up to the elections.

2.8 The engagement between Mayoral candidates and GLA and MOPAC officers will take place across three phases in December, February and April. All candidates will be offered the same meetings and briefings in December and February. The further meeting and briefing scheduled for April will be offered to the main Mayoral candidates only, who GLA and MOPAC officers will identify by reference to candidates’ electoral prospects according to published opinion polls. Officers will be clear with all candidates at this point who they have assessed as main candidates and on what basis. The detail of discussions between candidates and officers will be kept confidential at every phase.

2.9 Engagement with Mayoral candidates will be structured as follows:

Early December
The GLA Chief Officer and MOPAC CEO will write to prospective Mayoral candidates to:

- offer a first meeting for candidates and/or their campaign teams
- remind candidates of the nature of and extent to which briefings from GLA and MOPAC officers may be provided in the run up to the election

The GLA Chief Officer will also:

- provide contact details of the Commissioners and Chief Executives of the GLA’s functional bodies
- reinforce the need for appropriate planning for a transfer of executive power on Sunday 10 May, if elected

Early February
The GLA Chief Officer and MOPAC CEO will write again to prospective Mayoral candidates to:

- offer a further meeting for candidates and/or their campaign teams
- issue a high-level briefing, providing a factual overview of:
  - the organisation of the GLA Group
  - the Mayor’s roles, responsibilities and accountabilities
  - Mayoral appointments
  - the GLA’s staffing arrangement and structures
  - the GLA’s financial position
  - any major changes or issues that will materially affect the GLA’s remit or role in the near future
- issue another high-level briefing, providing a factual overview of:
the work of MOPAC and the Metropolitan Police Service
- the Mayor’s responsibilities for policing and crime
- crime and policing in London
- MOPAC/MPS finances
- MOPAC’s structure and staffing

Early April
A further meeting and briefing will be offered to the main Mayoral candidates only, to include:
- early priorities, if elected
- significant issues the new Mayoralty will need to consider over the first few months
- decisions, issues and diary pressures which will or are likely to arise over the first few weeks of the new Mayoralty and which will need to be addressed quickly
- arrangements for appointing the Mayoral team
- options for appointing interim Mayoral support staff
- proposed induction arrangements
- other potential requirements, if elected

2.10 Requests by Mayoral candidates or their teams for additional meetings or information outside of or as a follow-up to the processes described above should be directed to the GLA Chief Officer and/or MOPAC CEO. Any request for information or briefing will be judged on its merits, with reference to the principles above. Responses may include signposting candidates to existing information or refusing the request.

Engagement with Assembly candidates

2.11 The Chief Officer, Executive Director of the Assembly Secretariat and senior Assembly secretariat staff will be available from January to answer prospective candidates’ questions on the Assembly’s work programme and operation, as will the MOPAC CEO and Directors. The detail of discussions between candidates and officers will be kept confidential.

Preparing for potential policy and organisational change

3.1 Senior officers will consider the priority policies of the main Mayoral candidates that fall within the purview of the GLA and MOPAC. The focus will be on reviewing these at a high-level and assessing the potential implications for existing work-streams and initiatives not yet under contract in preparation for very early discussions with the elected Mayor and their team.

3.2 Changes in policies and programmes may, to a greater or lesser extent, affect the roles of teams which serve the Mayor and the Assembly and, potentially, the wider organisational staff structure.

3.3 In the run-up to the elections, the Chief Officer and senior officers will consider the case for not filling specific staff vacancies and for recruitment freezes in one or more business areas in order
to provide post-election flexibility, while still taking account of the existing GLA work programme.

Mayoral appointments requiring consideration prior to election

4.1 The Mayor has powers under the GLA Act to appoint a team of advisors and to make appointments to the boards of the GLA’s functional bodies and of other statutory and non-statutory bodies. Appointments are subject to the Mayoral Appointments Protocol.

4.2 The majority of Mayoral appointments end when the Mayoral term ends so there are a significant number of appointments to be made by an incoming Mayor. It is important Mayoral candidates give thought to the appointments which need to be made most urgently before taking power, and particularly to:

- **The ‘11+2’** – the Mayor may appoint up to thirteen members of GLA staff personally: two as political advisors and up to eleven other advisors which must include a Deputy Mayor for Fire & Resilience if all eleven positions are utilised. The appointment term for these thirteen posts cannot by law extend beyond the Mayoral term. The legislation underpinning the two and the eleven is different and there are statutory restrictions to varying degrees on the ability of people appointed to these posts to be involved in political activities in both their public posts and their private time. It also has potential implications for the appointment of, for example, people who already hold elected public office in other public authorities. The rules are complicated and candidates are encouraged to take advice before announcing prospective appointments to avoid situations where the rules prevent the appointment.

- **Deputy Mayor for Fire and Resilience** – the Mayor will need to determine whether to appoint a Deputy Mayor for Fire and Resilience and the extent of authority to be delegated to that individual. If the person appointed is not an Assembly member then the post of Deputy Mayor for Fire and Resilience is classed as one of the Mayor’s eleven advisors above.

- **Deputy Mayor for Policing and Crime** – the Mayor is the sole occupant of the Mayor’s Office for Policing and Crime (MOPAC) in legal terms, but will need to determine whether to appoint a Deputy Mayor for Policing and Crime and the extent of authority to be delegated to that individual. If the person appointed is not an Assembly member then the Deputy Mayor for Policing and Crime is classed as a member of MOPAC’s rather than the GLA’s staff and therefore not one of the Mayor’s thirteen appointments.

- **Statutory Deputy Mayor** – the Mayor must appoint a Statutory Deputy Mayor from among Assembly Members. The Mayor defines the scope of the Statutory Deputy Mayor role by delegating responsibilities and duties to the post. The Statutory Deputy Mayor becomes “Acting Mayor” in the event the Mayor is temporarily unable to act in office.

- **Chairs/Boards of Transport for London and the Mayoral Development Corporations** – on coming to power, the Mayor will need to decide whether to chair the boards of Transport for London and of the two Mayoral Development Corporations (the London Legacy Development Corporation and the Old Oak and Park Royal Development Corporation) personally or to appoint others to do so in their stead. The Mayor may also wish to review the membership of each of these boards.

4.3 Beyond these most urgent appointments, the Mayor will need to consider quickly a number of other statutory and formal appointments. Officers will advise the main Mayoral candidates
which appointments need to be made by when, but appointments to these bodies will need to be considered as a priority: the London Cultural Leadership Board; the London Economic Action Partnership (LEAP); the London Local Resilience Forum; the London Waste and Recycling Board; and London & Partners. The Mayor may also wish to review appointments previously made to: the London Pensions Fund Authority; the Museum of London; the Arts Council England – London Area Council; and the Royal Parks Board.

4.4 The Mayor will also need to consider whether to keep or change arrangements put in place by previous Mayors for various advisory boards (for example, such as the London Food Board, the Homes for Londoners Board and the Equality, Diversity & Inclusion Advisory Group), commissions and positions. Again, officers will advise the main Mayoral candidates about existing arrangements.

After the results have been declared

5.1 The elected Mayor and Assembly Members all take office at the start of the second day following the declaration of the results of the GLA elections and are therefore expected to take office on Sunday 10 May. They cannot undertake any actions until they have made their declarations of acceptance of office.

Office accommodation and IT facilities

5.2 Temporary office space and essential IT facilities will be provided to the elected Mayor and Assembly Members as soon as the election results are declared if they are required.

5.3 The Mayor’s formal City Hall office space and the full range of IT facilities will be available when the Mayor assumes office.

5.4 Office accommodation and IT facilities will be available to new Assembly Members when they formally assume office.

Further briefings for the Mayor-elect prior to taking office

5.5 On Saturday 9 May, the GLA Chief Officer and Executive Directors, together with the MOPAC CEO and Directors will, at the convenience of the Mayor-elect and their team, meet to provide further detailed briefings on immediate priorities and issues and on statutory requirements including registration of interests, and to take direction on Mayoral appointments and other urgent actions. The proposed phased programme of induction and ongoing briefings, developed in advance by senior officers, will also be discussed in order to agree with the new Mayor and their team how and when this will be delivered.
Briefings for Assembly Members-elect prior to taking office

5.6 On Saturday 9 May the Chief Officer, Executive Director of the Assembly Secretariat, other Executive Directors and senior staff will be available to brief Assembly Members (within party groups and/or individually), to explain the implications of different structures and operational arrangements and to provide information and assessments at the groups’ or individuals’ request.

5.7 The proposed phased programme of induction and ongoing briefings, developed in advance by senior officers, will also be discussed with Assembly Members. Where a new Member joins a political group already represented on the Assembly, responsibility for induction will be shared with the head of office for that group.

Preparation for the first statutory meeting of the Assembly

5.8 Between the declaration of the results of the elections and the Assembly’s Annual Meeting, currently scheduled to take place on 15 May 2020, the political groups represented on the new Assembly will need to discuss options for the Assembly’s committee structure and related matters. Secretariat officers will be on hand to respond to queries and provide information on options available.

5.9 At the Annual Meeting Assembly Members will need to appoint the Assembly’s Chair and Deputy Chair for the year, agree a committee structure, and appoint Members to those committees.

Initial staffing questions requiring consideration

Support for the Mayor

5.10 A new Mayor is likely to need the support of individuals, from within or outside their campaign team, immediately following an election and before normal recruitment processes have run their course. The Chief Officer will brief candidates before the elections about the permanent non-political GLA staff likely to be available to support the Mayor’s Office directly from the outset and the options available for employing temporary staff.

5.11 Senior managers will, as necessary, discuss with the new administration the scope and potential for short-term, temporary redeployment of staff to support delivery of the administration’s programme, pending longer-term changes to staffing that may be required.

5.12 Apart from the Mayor’s ‘11+2’ advisors and the Authority’s three statutory officers1, GLA staff are appointed by or under delegation from the Chief Officer. Staffing changes, including the termination of contracts, are subject to employment law and GLA policies, and all appointments must be made on merit following a recruitment process. MOPAC staff are appointed by or under delegation from the MOPAC CEO, and are subject to employment law, MOPAC policies and security vetting. All appointments are made on merit, following a recruitment process.

Support for Assembly Members

5.13 All Assembly Members benefit from the support of the Secretariat and its Scrutiny, Committee and Communications functions. Each Assembly Member also receives a staffing budget. Where

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1 The Head of Paid Service (Chief Officer), Chief Finance Officer and Monitoring Officer are appointed jointly by the Mayor and Assembly.
Assembly Members are organised into a political group, these budgets are commonly pooled and used to fund a political group’s support staff such as a head of office, researchers and assistants.

5.14 The support budget available to a political group may well be different to the budget available in the previous Assembly term by virtue of the number of Members in the group going up or down. Displaced support staff will be managed in accordance with the GLA’s management of change process. Where additional support staff are required, temporary staff can be brought in very speedily (subject to recruitment agency procedures and processes) pending permanent recruitment.

5.15 Where a new Assembly Member is not joining an existing political group on the Assembly and will therefore have no existing support staff in place, job profiles and options for recruitment will be prepared for them to consider. Again, temporary staff can be brought in speedily, pending permanent recruitment.

Acceptance of office on Saturday 9 May

5.16 It is expected that the Mayor and all Assembly Members will sign the declaration of acceptance of office on Saturday 9 May. Specific arrangements for the Mayor’s signing will have been discussed with the teams of the main Mayoral candidates in advance. All elected members will need to register their interests and make other necessary declarations on the same day.

Mary Harpley
Chief Officer, GLA
Mary.harpley@london.gov.uk

Siobhan Peters
Interim Chief Executive Officer, Mayor’s Office for Policing and Crime
Siobhan.peters@mopac.london.gov.uk

2nd December 2019