

# Protocol on Mayoral appointments

## Introduction

1. The purpose of the Protocol is to assist the Mayor and GLA to comply with the Principles of Public Life. These are:

### **Selflessness**

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.

### **Integrity**

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

### **Objectivity**

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

### **Accountability**

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

### **Openness**

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

### **Honesty**

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

### **Leadership**

Holders of public office should promote and support these principles by leadership and example.

2. The Mayor of London has the power to make a number of appointments. This protocol sets out the general principles and procedures to be followed where the Mayor is to exercise those powers.

### GLA officer appointments

3. In accordance with section 67(1) of the Greater London Authority GLA Act 1999, as amended, (“the GLA Act”), the Mayor may appoint not more than two persons as his political advisers and not more than ten other members of staff. The procedures for making these appointments are set out in Part A of this Protocol (below).

4. In accordance with sections 72, 127A and 73 of the GLA Act, the Mayor and the Assembly, acting jointly, are responsible for the appointment of the Authority's Head of Paid Service, Chief Finance Officer and Monitoring Officer.
5. In accordance with section 67 (2) of the GLA Act, the Head of Paid Service is responsible for the appointment of all other GLA staff.

#### Functional body board member appointments

6. Appointments to the boards of Functional bodies must be made in accordance with applicable statutory requirements.

#### *Transport for London*

7. The Mayor appoints the entire board of Transport for London (TfL), which must consist of between 8 and 17 members. The Mayor can opt to be the Chair or, alternatively, appoint an individual of his choice as Chair. The Mayor must appoint members to the Board having regard to prescribed statutory considerations, including as to members' skills and experience.

#### *MOPAC*

8. The Mayor is the sole occupant of the Mayor's Office for Policing and Crime (MOPAC). In this capacity, the Mayor may also appoint a Deputy Mayor for Policing and Crime, and determine the extent of the delegated authority to be granted to that Deputy Mayor for discharging functions of MOPAC.

#### *London Fire and Emergency Planning Authority*

9. The Mayor appoints the Board of LFEPA, which must comprise 17 members, including the Chair (who must come from within its membership). The Chair is appointed each year by the Mayor; 8 members are drawn from the Assembly (reflecting the balance of the political parties) and appointed by the Mayor following nominations by the Assembly; 7 are from the London Boroughs, appointed by the Mayor (again in proportion to the political balance of London Boroughs) after nomination by London Councils; and 2 are other appointments made by the Mayor.

#### *Mayoral Development Corporations*

9. The Mayor appoints the entire boards of the London Legacy Development Corporation (LLDC) and the Old Oak Common and Park Royal Development Corporation (OPDC). An MDC Board must consist of a minimum of 6 members, and include an elected member from every London council whose area is within any part of the MDC's area. The Mayor must appoint members to the Board having regard to prescribed statutory considerations, including as to members' skills and potential conflicts of interests. The Mayor may be a member of an MDC, or nominate himself as Chair of an MDC. If the Mayor does not nominate himself as Chair of an MDC, he must appoint one of the board members as Chair.
10. The procedures for appointment of chairs and members of the GLA's functional bodies are set out in Part B of this Protocol (below).

11. In line with the Local Government and Housing Act 1989, politically restricted postholders at the GLA cannot be a member of the board of a Mayoral development corporation (LLDC or OPDC), LFEPA or TfL, or be appointed as Deputy Mayor for Policing and Crime (this bar, in relation to the Deputy Mayor for Policing and Crime, also applies to all GLA staff including those not politically restricted). The exception to this rule applies to the ten members of GLA staff the Mayor can appoint under section 67(1)(b) of the GLA Act 1999 who may be appointed as unpaid members of another “local authority”.

#### Other appointments

12. The Mayor has other specific statutory powers of appointment to the boards of the following bodies:
- London Pension Fund Authority - where the Mayor must appoint a board consisting of between 7 and 11 members. At least half of the members, excluding the chairman, must be appointed following consultations with such representatives of local government in London as appear to the Mayor to be appropriate<sup>1</sup>. The Mayor must appoint a chairman and may appoint a deputy chairman of the LPFA.
  - London Waste and Recycling Board – the Mayor is the Chair of the Board, and may appoint 1 further member. The Mayor is permitted to appoint a representative to chair the board on his behalf (in which case he effectively appoints 2 persons to the Board)<sup>2</sup>.
  - Museum of London -where the Mayor can appoint half of the Board of Governors – 9 members out of 18.<sup>3</sup>
  - Arts Council England in London - where the Mayor appoints the Chair following consultation with the Secretary of State and 4 general members.<sup>4</sup>
  - The London Cultural Strategy Group - where the Mayor appoints the Chair and between 10 and 25 members.<sup>5</sup>
13. The Mayor also appoints to other pan-London public bodies, including:
- The London Enterprise Panel (London’s local enterprise partnership, the LEP) - where the Mayor has determined that the Board will comprise between 6 and 14 members representing stakeholders in London’s economy. The Mayor makes the appointments<sup>6</sup>.
  - The Royal Parks - where the Mayor appoints the 12 members of the board, subject to confirmation by the Secretary of State, consisting of 6 members, including the Chair, appointed by the Mayor following recommendations from an appointments panel; one nominee from the Royal Household; 3 nominees from London Councils; The Chief Executive of the Agency, and one nominee from the Chair and Chief Executive<sup>7</sup>.

---

<sup>1</sup> See Paragraph 1 Schedule 1 to the London Government Reorganisation (Pensions etc.) Order 1989, as modified and applied by section 403 of the GLA Act 1999.

<sup>2</sup> See London Waste and Recycling Board Order 2008/2038 – Articles 3 and 4.

<sup>3</sup> See Museum of London Act 1965 (as amended) section 1

<sup>4</sup> See Section 377A of the GLA Act and the Greater London Authority (Mayor of London Appointments) Order 2008/701 Article 1 and Schedule 1

<sup>5</sup> See section 375 and Schedule 30 of the GLA Act

<sup>6</sup> Using his general power under section 30 of the GLA Act

<sup>7</sup> The Royal Parks Agency is an executive agency of the Department for Culture Media and Sport (DCMS). The Mayor and Secretary of State have agreed that the Mayor will appoint the Board’s members as outlined above, subject to the Secretary of State’s approval. The mayor makes the appointments using his general power under section 30 of the GLA Act.

- London and Partners - under the articles of association the Chair and one other Non-Executive Director are appointed by the Mayor and the Mayor approves the appointment by the board of two executive directors – the Chief Executive and the executive with responsibility for the financial affairs of the Company.

14. The procedure for making these “Other appointments” to the bodies above, as well as for other discretionary appointments, is set out in Part C of this Protocol.

## **Principles**

15. The guiding principles that underpin the making of Mayoral appointments are:

- (a) That all appointments must be made in accordance with the relevant statutory provisions;
- (b) That it is for the Mayor, having been granted such powers of appointment by Parliament or in the furtherance of his general powers under the GLA Act 1999, to take the relevant decisions and be responsible for those decisions;
- (c) That the appointments process should be clear and transparent, and subject to involvement by an independent element within the process where relevant (as set out below);
- (d) That the Mayor and GLA officers will ensure that an appropriate process is utilised in respect of appointments made by the Mayor in order to fulfil the requirements of point (c) (above) as they relate to the context of each position to be filled.

16. For the purposes of this Protocol, the terms “clear”, “transparent” and “independent element” are defined as follows:

- Clear

There should be clarity on the: role and function of the position, including the detailed terms and conditions or terms of appointment; salary and/or allowances and any other associated benefits; the duration of appointment; the timescale and procedures for the selection and appointment process.

- Transparent

### *Advertisement*

Subject to a decision of the Mayor and the relevant legislative requirements and noting the provisions of this Protocol in relation to appointments made under section 67(1) of the GLA Act 1999, all positions may be advertised through adverts placed in an appropriate range of media. The advert should contain the following kinds of information: summary of purpose of the Board (where Board appointment); summary of type of role and criteria/skills required; equality statement; point of contact; access to application pack (weblink to GLA site).

### *Application pack*

Where it has been decided to advertise a position, an application and information pack should be available on-line and in hard copy upon request and include: a summary of the role and function of the relevant organisation and relationship to the GLA or other functional bodies where appropriate; the responsibilities of the role including scope, time commitment, remuneration (if any) and person specification; details of the application and selection process; web links to useful websites and documents; application format e.g. how applicants should respond including a return address and contact point; the standard GLA employment data forms e.g. rehabilitation of offenders declaration, recruitment monitoring forms.

### *Decision making process*

The decision making process will vary according to the appointment being made. However, clear and transparent decision-making would implicitly include the following requirements: that the criteria for shortlisting be set out and applied to all applicants; that the shortlisting process will be followed by interview if deemed necessary by the Mayor, using standard interview format and questions for all candidates.

- Independent element

The GLA has decided, through adoption of this Protocol, that the Mayor will involve an 'independent element' when appointing to such positions as are covered by Part B of this Protocol (and Part C where it is deemed appropriate). This is in order to provide some measure of assurance that the Mayor has acted reasonably in making any such appointment.

The Authority's Assistant Director of HR and OD will ensure that a suitable person is engaged by the Authority to act in this capacity when necessary.

The Assistant Director of HR and OD shall ensure that any person so engaged is suitably qualified, in terms of senior experience of high profile public sector organisations and, where appropriate, any specialism related to the position to be filled, and is properly independent of the Mayor. The Assistant Director of Human Resources and Organisational Development or representative will provide a specific briefing to the person acting as independent element in advance to clarify the nature and timetable for the particular appointment, how the role of the independent element (as set out below) is to be carried out in practice and to define the role and responsibilities of the HR officers within the process.

The role of the person(s) acting as the 'independent element' in any appointments process is to confirm, based on the information available (see below), that, in their view, the Mayor could reasonably make the appointments he/she wishes to make, or otherwise inform the Authority's Monitoring Officer. The independent person has no right of veto in relation to the Mayor's decisions or those of the Authority in relation to procedures.

The person acting as the 'independent element' in any process of appointment is not responsible for the decisions taken by the Mayor, the process and procedures used, nor for undertaking the full range of duties that are properly the responsibility of the Authority's officers.

The core information that should be provided to any person acting as an 'independent element' in an appointments process is:

- A summary of the role and function of the position(s) to be filled
- The timetable for the appointments
- Copy of the advert and list of where it was published
- The application pack
- Short listing criteria and how it was applied
- Information on any interview process
- Information arising from references / any background checking undertaken by the GLA's HR team
- Any other relevant papers

The person acting as the 'independent element' should be invited to attend and participate (as necessary) in any interview process for candidates. The Authority offers a recognition payment to any person acting in this capacity.

17. These principles are reflected within the detailed procedures set out below, noting that the particular and detailed application of the principles varies from case to case.

*Confirmation hearings*

18. It should be noted that, for the following offices, the London Assembly may, in accordance with section 60A and Schedule 4A of the Greater London Authority Act, hold non-binding confirmation hearings where the Mayor proposes to make an appointment:
- Chair, or Deputy Chair, of Transport for London (except where the Mayor chooses to appoint him/herself);
  - Deputy Mayor for Policing and Crime (noting that: the London Assembly has the power, to veto the proposed appointment of a Deputy Mayor for Policing & Crime, where the nominee is not a Member of the London Assembly and where there is a two-thirds majority in favour of vetoing the proposed appointment; and that any such hearing has to be conducted by the Assembly's Police and Crime Committee rather than by the Assembly itself)<sup>8</sup>;
  - Chair of the London Fire and Emergency Planning Authority;
  - Chair of a mayoral development corporation (currently LLDC and OPDC);
  - Chair of the Cultural Strategy Group;
  - Chair, or deputy chairman, of the London Pensions Fund Authority;
  - Chair of the London Waste and Recycling Board (where the Mayor chooses not to appoint him/herself).
19. The procedure for confirmation hearings is a matter for the London Assembly and does not fall within the scope of this Protocol.

---

<sup>8</sup> Under Section 60A and Schedule 4A, paragraphs 1(3), and 10 of the GLA Act (as inserted by s20 of the Police Reform & Social Responsibility Act 2011)

## **Part A**

### **GLA officer appointments**

#### *Section 67(1) appointments*

20. The Mayor is able directly to appoint twelve employees, and must personally make these appointments.
21. Any appointments to the posts cannot extend beyond the term of office for which the Mayor was elected. They therefore terminate by operation of law, at the end of the Mayoral term unless terminated earlier by the Mayor (or the individual).
22. The twelve posts are politically restricted (noting that there are some differences in the detailed application of the political restriction legislation between officers appointed under section 67(1) (a) of the GLA Act and officers appointed under section 67(1) (b).
23. Guidance will be given to candidates during the recruitment and appointment process, and to appointees following their appointment, explaining the implications of political restriction.
24. The Mayor must report his appointments in writing to the Assembly in accordance with s 67(5); and appointments notified will be reported to the next Assembly meeting scheduled.
25. Offers to mayoral appointments will be subject to standard GLA employment checks including references, Occupational Health and other GLA pre-employment check.

#### *Section 67(1) (a) Appointments*

26. For these two of the twelve posts, the Mayor can make appointments without advertising, interviewing or any form of competition – because these appointments do not have to be made ‘on merit’. The Mayor should, however, be satisfied that the individual is competent to perform the required role (based on, for example, the contents of the job description for the position and an assessment of the candidates’ skills and experience).

#### *Section 67(1) (b) Appointments*

27. The other ten appointments must be recruited ‘on merit’. For an appointment to be on merit, there is no legal requirement to advertise the post(s), although, if the Mayor so decides, these positions can be advertised, for example in order to attract a wider selection of applicants.
28. The process for selection of suitable candidates must be clear and test that an individual’s knowledge, skills, experience and attributes meet the requirements of the role so as to demonstrate that the appointment is on merit. In order to do this, a job description and person specification will be prepared for each post; candidates will be required to submit a full CV; and there will be an interview process to assess candidates’ suitability for the role. The selection panel will include the Mayor or his/her representative and the Head of Paid Service or his/her nominee.
29. All the appointees will be ultimately accountable to the Mayor but precise reporting lines for individual appointees will be for the Mayor to determine.

### *Terms and Conditions*

30. The Mayor has the power to determine the terms and conditions of the twelve appointees. The type of work that these officers may do if the Mayor requires it is:
  - i. Reviewing papers going to the Mayor, drawing attention to any aspect which they think has particular implications, and ensuring that sensitive political points are handled properly. They may give policy guidance on behalf of the Mayor on any aspect of the GLA's business relating to their job description, and give advice to the Mayor;
  - ii. Asking questions of relevant officers, probing, checking facts and research findings;
  - iii. Preparing policy papers which can generate long-term policy thinking within the GLA;
  - iv. Contributing to policy planning within the GLA, including ideas which extend the existing range of options available to the Mayor with a political viewpoint in mind;
  - v. Helping to brief Assembly Members of all party Groups, MPs and external officials on issues of Mayoral policy; liaising with outside interest groups; representing the Mayor at meetings and elsewhere;
  - vi. Speechwriting and related research, including adding a greater degree of political content to material prepared by other GLA officers;
  - vii. Representing the views of the Mayor to the media, where they have been authorised by the Mayor to do so;
  - viii. Providing expert advice as a specialist in a particular field;
  - ix. Undertaking any functions properly and formally delegated to them by the Mayor.
31. The formal job description for section 67(1) (b) appointments should provide sufficient detail to enable an assessment of salary level to be made, through the GLA grading process, or using comparator data. Unless explicitly decided otherwise by the Mayor, appointees will have the same basic terms and conditions of employment as staff appointed under section 67(2).
32. Persons appointed by the Mayor under section 67(1) (b) may manage staff within the GLA recruited by the Head of Paid Service (HoPS). However, they are not permitted to dismiss such staff, determine grievances raised by them, or alter their terms and conditions of employment. These matters are the responsibility of the HoPS. Mayoral appointees may attend interview panels for GLA staff but decisions rest with a HoPS-appointed member of staff.
33. Officers employed under section 67(1) (a) of the GLA Act are explicitly to be "political advisers" to the Mayor. Whilst no officer of the Authority may engage in party political activity when using the Authority's resources, these two positions are a resource for the Mayor in terms of providing assistance from a standpoint that is more politically committed than would be available to the Mayor from the other officers of the Authority.

## *Conduct*

34. The GLA Code of Ethics and Standards for Staff and such codes, protocols, guidance and agreements relating to behaviour, which may be in place for all staff of the GLA, will ordinarily apply in full to these post holders. Officers appointed directly by the Mayor should conduct themselves with integrity and honesty. They should not deceive or knowingly mislead the Mayor, the Assembly, other officers or the public. They should not misuse their official position or information acquired in the course of their official duties to further their private interests or the private interests of others. They should not receive benefits of any kind which others might reasonably see as compromising their personal judgement or integrity. They should not without authority disclose official information which has been communicated in confidence or received in confidence from others. The principles of public life set down by the Committee on Standards in Public Life provide a framework for all public servants.
35. Officers appointed directly by the Mayor should not use official GLA resources for party political activity. They are employed to serve the objectives of the Authority; it is this which justifies their being paid from public funds and being able to use public resources, and explains why their participation in party politics is carefully limited. They should act in a way which upholds the political impartiality of public servants. They should avoid anything which might reasonably lead to the criticism that people paid from public funds are being used for party political purposes.
36. In order to provide effective assistance to the Mayor, officers appointed directly by the Mayor should work closely with the senior corporate managers in the Authority and establish relationships of confidence and trust, and should develop effective professional relationships with Members of the London Assembly.
37. Subject to any particular provisions within the terms and conditions of employment for a given position, officers appointed directly by the Mayor are able to represent the Mayor's views on policy to the media with a degree of commitment that would not be possible for officers appointed by the Head of Paid Service. Briefings on party political matters must be handled by the political party concerned.
38. The terms and conditions of employment shall set out any areas in which the post holder is restricted from undertaking activities.
39. In the event that any grievance or disciplinary issue arises in respect of Mayoral appointees this will be considered and, as necessary, investigated through arrangements decided by the Mayor (in accordance with agreed grievance and disciplinary procedures), who is also responsible for taking any further action(s) as he/she deems necessary.
40. Where a Mayoral appointee is delegated authority to take a planning decision on behalf of the Mayor, he/she must comply with a specific Planning Protocol - which subjects them to the same principles and requirements that apply to the Mayor in taking planning decisions (the ones that apply to the Mayor are set out in the Planning Code of Conduct). Any breach of the Planning Protocol by a Mayoral appointee will be referred to the GLA's Monitoring Officer for information who (as the officer with responsibility for the Authority's standards regime, under delegated authority of the Mayor and the Assembly acting jointly) may further report the matter to the Mayor and the Assembly. The matter will also be dealt with, as required, in accordance with the disciplinary process that applies to mayoral appointees, described above.
41. The Mayor can delegate such power(s) as he/she considers appropriate to Mayoral appointees, other than those the Mayor is unable to delegate under statute (see below).

42. Where the Mayor delegates specific powers to other officers, this will be reflected in the Mayor's Scheme of Delegation of Functions. In the absence of delegated authority, officers appointed by the Mayor can liaise with and give guidance to GLA and functional body officers but cannot give formal advice and direction (over and above any line management duties that they may have).

#### *Interests*

43. Within 28 days of appointment, post holders will complete detailed interest forms which will be maintained on the GLA website and shared with all functional bodies. Appointees will be required to update their register of interests within 28 days after they are aware of any change.
44. Following receipt of any item or hospitality of a value of £25 or more, all Mayoral Appointees will, within 28 days, update the register of gifts and hospitality accordingly. The register will be placed on the GLA website and reported to the Assembly's Audit Panel.
45. In advising the Mayor on issues in relation to the particular functional body, such appointees should be mindful of potential conflicts of interest and the need to register and declare any and all relevant interests.

#### *Matters that cannot be delegated*

46. The Mayor may not delegate some decisions under statute, as per the following list (which is a summary and not exhaustive):
- the decision as to whether or not something should be delegated (this means that the Mayor cannot delegate the power to delegate);
  - the exercise of the Mayor's power of appointment under S.67(1) of the Act;
  - certain matters affecting the budget set down in Ss.85-90 of the Act;
  - certain policing functions set down in section 19 of the Police Reform & Social Responsibility Act 2011;
  - the granting of an exemption under S.36 of the Freedom of Information Act 2000;
  - the decision on any potentially strategic application for planning permission that he has taken over for his own determination;
  - the decision to issue a direction in relation to a borough Local Development Scheme;
  - the ability to act as consultee to Assembly's proposals on the Authority's standing orders;
  - the power to delegate mayoral functions under s38;
  - any function of making appointments under s 67(1);
  - the duty to consider reports of the Head of Paid Service, or Monitoring Officer prepared under the Local Government and Housing Act 1989<sup>9</sup>; and
  - the duty to consider a Chief Finance Officer report.

---

<sup>9</sup> As applied to the GLA under sections 72 and 73 of the GLA Act.

## Part B

### Functional body board appointments

47. The Mayor is required to make a number of appointments to the boards of the GLA's functional bodies. A primary objective for the Mayor is to establish well-balanced and effective boards to help run the respective organisations.
48. In exercising all powers of appointment available to the Mayor, he/she must act in accordance with all relevant statutory requirements, including those relating to equalities considerations.
49. The general principles set out in paragraph 15 of this Protocol apply in respect of any such appointment. Paragraphs 6 -10 of this Protocol set out the Mayor's responsibilities in relation to appointments to each functional body board.
50. Whilst the Mayor makes appointments to functional body boards, statutory requirements mean that he/she has varying degrees of discretion in relation to the categories of persons who can be appointed to various seats on those boards.
51. The Mayor has the greatest level of discretion in relation to appointments to the boards of TfL and mayoral development corporations. As such the Mayor will:
  - Determine the terms and conditions of any position that he appoints to on those boards (subject to any particular legal requirements) and any performance measures;
  - Determine whether or not particular existing board members are required to submit themselves to the full re-appointment processes at such times when the whole board's membership is to be appointed or whether they shall be automatically re-appointed;
  - Decide whether and how to advertise any vacancies on either of these two boards;
  - Determine the criteria for selection, interview candidates as necessary and use an independent element (in accordance with paragraph 16 above) prior to making appointments.
52. The Mayor's discretion is more limited in relation to LFEPA appointment, noting the requirement to make appointments that reflect the balance of the political parties within London's local government structures (with the exception of the appointment of the Chair of LFEPA and two of the positions on the LFEPA board, as these are appointments which the Mayor can make directly). The Mayor may set out his policy expectations and some general terms of appointment (such as the length of appointment) for office holders on this board – otherwise the terms of office are governed by the board itself and subject to the requirements of the LFEPA's Code of Conduct.
53. It is custom and practice that, for appointments to LFEPA, the Mayor will seek, and then consider, nominations for the relevant number of seats from London Councils and the London Assembly's party groups where applicable. The Mayor will ordinarily accept such nominations, subject to retaining the right to challenge and/or refuse as deemed necessary (as the decision making power still rests with the Mayor) and to those bodies having appropriate selection procedures. The procedures in paragraph 49 apply.

### *Complaints regarding conduct of Mayor's appointees to functional body boards*

Note: The following provisions do not apply to board members of LFEPA or to MOPAC because those organisations are subject to specific statutory complaint procedures. These provisions only therefore apply to board members of TfL, and mayoral development corporations (because they are not subject to any statutory code of conduct, or statutory standards regime).

54. The persons appointed by the Mayor to serve on TfL and MDCs are bound by (a) their terms and conditions of appointment, and (b) any relevant Codes and guidance as adopted by those organisations.
55. In the event of a complaint being made in respect of a member of a functional body board (not the chair), the following procedures should apply (noting that these procedures should be applied in accordance with the standards and rules for the handling of conduct issues as apply within that organisation):
  - The complaint should be referred to the organisation's commissioner/chief executive officer, who should, after taking appropriate legal and governance advice, undertake a preliminary (and confidential) fact finding investigation in accordance with that organisation's rules regarding disciplinary investigations to the extent appropriate;
  - If, following the preliminary investigation, it is clear that the complaint would not warrant serious sanction (including suspension and/or removal from office), the commissioner/chief executive officer should seek to resolve the matter informally wherever possible, informing the Mayor of the outcome and any actions taken;
  - Where it is clear, either given the nature of the complaint or as a result of the preliminary investigation, that the complaint could result in a significant sanction for the board member(s), the organisation's commissioner/chief executive officer should refer the matter to the Mayor;
  - In either scenario, the commissioner/chief executive officer should appraise either the chair of the organisation concerned or, where the chair is the Mayor, the deputy chair of the situation if appropriate;
  - The Mayor will determine the process by which any such matter is investigated and be responsible for taking any further action as necessary.
56. In the event of a complaint in respect of a chair of a functional body board who is not the Mayor, the complaint should be referred to the organisation's commissioner/chief executive officer, who should refer it on to the Mayor. The Mayor will determine the process by which any such matter is investigated and be responsible for taking any further action as necessary.

## Part C

### Other mayoral appointments

57. The GLA is a strategic authority providing vision and a voice for London. It has three principal purposes: to promote economic development and wealth creation in Greater London; promote social development in Greater London; and promote the improvement of the environment in Greater London. It has a general power to do anything which it considers will further any one or more of these purposes.
58. The Mayor is the executive arm of the Authority with strong executive powers to provide strategic leadership and a range of duties and responsibilities designed to ensure that the programme on which he or she was elected can be delivered. The Mayor therefore has the ability to undertake a range of actions on a broad range of policy areas and may choose to discharge such actions through the establishment of various advisory commissions, boards and positions (which can then be subject to scrutiny review by the London Assembly).
59. The general principles of recruitment (set out at paragraph 15 above) apply to any such appointments. GLA officers including the Statutory Officers, the Head of Governance and the Assistant Director of HR and OD, will advise the Mayor on an appropriate process to utilise in respect of such appointments made by the Mayor to fulfil the general requirements for clarity and transparency – which may, for example, include preparing a job description with terms and conditions for each such position, advertising the posts where possible, setting criteria by which candidates' skills and experience can be assessed, and using an independent element where appropriate. The recruitment process used for such appointments will, however, only need to be proportionate to the position in question – taking into account, for example, whether the position is formal and salaried or one that is informal, unpaid and advisory. Complaints will be dealt with in accordance with the procedures set out in Part B above.