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| Report to: | CHIEF OFFICERS EMPLOYMENT COMMITTEE |
| Relevant Officer: | Mark Towers, Director of Governance and Partnerships |
| Relevant Cabinet Member | Councillor Simon Blackburn, Leader of the Council Councillor Graham Cain, Cabinet Secretary (Resilient Communities) |
| Date of Meeting: | 12 March 2018 |

JNC COMMITTEE FOR CORONERS - CORONERS' CIRCULARS – 61 AND 62 – PAY GUIDANCE

1.0 Purpose of the report:

- 1.1 The purpose of this report is to consider the attached circulars in connection with the pay of the Senior Coroner for Blackpool and Fylde and the 4 Assistant Coroners. The Joint Negotiating Committee for Coroners agreed to undertake a job evaluation exercise to assess the roles set out in the Coroners and Justice Act 2009 and the attached circulars are the recommendations from that exercise. The Senior Coroner is not a Council employee but is appointed by the Council (following consultation with Lancashire County Council and subject to confirmation by the Chief Coroner for England and Wales) and the pay is historically directed by national recommendations.

2.0 Recommendation(s):

- 2.1 To agree that the Senior Coroner be appointed to the bottom of the pay range at £117,000 p.a. from 1 May 2018.

3.0 Reasons for recommendation(s):

- 3.1 To bring into effect the recommendations of the Joint Negotiating Committee for Coroners, as far as they apply to the Blackpool and Fylde coronial area.

- 3.4 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

- 3.5 Is the recommendation in accordance with the Council's approved budget? Yes

4.0 Council Priority:

- 4.1 The Senior Coroner is independent of the Council and therefore does not directly affect either of the Council's priorities.

5.0 Background Information

- 5.1 The Coroners and Justice Act 2009 places the primary responsibility for coroner salaries with local authorities. Historically authorities have been content for the matter to be handled on their behalf at national level by the Joint Negotiating Committee (JNC) for Coroners which is made up of representatives of the Local Government Association and the Coroners' Society of England and Wales. Equally, Senior Coroners have also been content with this arrangement. This position has been in place for very many years as similar responsibilities were also contained in previous Acts. (The Coroners and Justice Act 2009 replaced the Coroners Act 1988 with effect from 25th July 2013).
- 5.2 In law the Council must agree any alteration in the Senior Coroner's salary with the post holder. (There is potentially a role for the Lord Chancellor, but the Act is clear that it is in the context of individual disagreement).
- 5.3 The role of the Senior Coroner changed significantly on the implementation of the Coroners and Justice Act 2009 in July 2013, resulting in an increased and more complex workload. In 2012, a Joint Working Group (LGA representatives and Coroner Society representatives) was set up to review the pay structure for Senior Coroners (with the Act being effective from July 2013).
- 5.4 The JNC for Coroners (and its associated Working Group) has broken down in recent years, with various remedies explored unsuccessfully to determine the pay for Senior Coroners. The Secretary of State for Justice was even asked to take responsibility for Senior Coroner salaries, but this was declined. Meetings between representatives of the LGA and the Coroners' Society recommenced and the two sides agreed to explore the option of using the HAY job evaluation scheme. As a consequence of the failure of the JNC process to lead any pay settlements, salaries have clearly drifted from the previously agreed national framework.
- 5.5 Mr Alan Wilson was appointed as part time Senior Coroner for Blackpool and Fylde (plus additional payments) by this committee on 21st May 2013, commencing in post on 10th June 2013 being made full time on 1 April 2014. He is currently on the pay band £90,000 to £94,999 and does not receive any out of hours call out payment. However, the Senior Coroner has not received a pay award of any kind since his appointment and the role itself has not been in receipt of a national pay award since 1st April 2009 due to the aforementioned review. (There is one other Senior Coroner in Lancashire and he originally covered the Preston and West Lancashire coronial area but that now has been expanded to include, East Lancashire and Blackburn with Darwen, Hyndburn, Ribble Valley and the remuneration for that post remains at £139,000 including a call out contingency).

- 5.6 Finally, on 2 November 2017, Coroner's circular no. 61 was published which reported on the Joint Negotiating Committee for Coroners' pay recommendations. It also for the first time covered the pay given to Assistant Coroners, who are individuals who cover for the Coroner in their absence or in times of peak workload. (There is also reference to pay for an Area Coroner but Blackpool does not have an Area Coroner). The JNC for Coroners had considered the outcome of the technical evaluation exercise and looked at a wide range of potential pay benchmark data and the two sides had reached agreement in principle on an approach, details of which are set out in circulars 61 and 62 (Appendix 4 (a) - attached).
- 5.7 The current daily rate for Assistant Coroners is £300 per day and it is proposed to increase this to the bottom of the range recommended in the attached circular to £375 per day for the 4 Assistant Coroner positions for Blackpool and Fylde from 1 May 2018. For the first time it is recommended that the Assistant Coroners be able to be part of the Local Government Pension scheme.

Does the information submitted include any exempt information?

No

List of Appendices:

Appendix 4 (a) – Coroner circulars 61 and 62.

6.0 Legal considerations:

- 6.1 As set out in the report.

7.0 Human Resources considerations:

- 7.1 The recommendations come from the JNC for Coroners which is an agreed body which makes recommendations to relevant Councils on pay for Senior Coroners. The review it undertook used the Hay Job evaluation scheme which is a nationally recognised scheme and one used by the Council for its Chief Officers.

8.0 Equalities considerations:

- 8.1 No equality impact assessment has been undertaken because this report concerns one individual.

9.0 Financial considerations:

- 9.1 As the review has been ongoing for a long period of time, money had been identified in contingencies which would be identified to cover the potential additional costs. As mentioned earlier in the report, Lancashire County Council also contribute 41% to the service and consequently to the additional pay for these new arrangements.

The lead officer for Coronial matters at Lancashire County Council has been consulted and is supportive of the proposed increase in overall costs. The additional costs for the Senior Coroner and the 4 Assistant Coroners (incl additional LGPS contributions) in a full financial year is £44,000 with 41% of this being paid by Lancashire County Council leaving a contribution for Blackpool Council of £25,960, which will be met from pre identified contingencies. The current arrangement of the Senior Coroner post not having a call out contingency will continue to apply.

10.0 Risk management considerations:

10.1 Failure to agree could result in a referral to the Lord Chancellor under the Act.

11.0 Consultation undertaken:

11.1 The contents of this report have been agreed with the Senior Coroner and the Lead Officer for coronial matters with Lancashire County Council who both support the recommendations.