

Employment Committee

Meeting to be held on Thursday 9 March 2023

Electoral Division affected:
N/A

Corporate Priorities:
N/A

Review of Coroner Salaries and Fees 2022/23

(Appendix 'A' refers)

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Brief Summary

Coroners' pay is set by the local authority for the coronial area having regard to recommended national pay scales negotiated between the Coroner's Society for England and Wales (CSEW) and the Local Government Association (LGA).

This report seeks agreement from the Employment Committee to implement the pay award of 4% across the Senior and Area Coroner salaries and the pay award of 1.56% to the fees paid to the Assistant Coroners.

Recommendation

The Employment Committee is asked to agree:

- i) The proposed increase in the Senior and Area Coroner's pay, as set out in the report, backdated to 1 April 2022;
- ii) The revised on-call remuneration package for the Senior and Area Coroners, as set out in the report, backdated to 1 April 2022;
- iii) The proposed court suit allowance, to be effective from 1 April 2022; and
- iv) That the fees currently paid to the Assistant Coroners be increased by 1.56% as set out in the report, with effect from 1 April 2022

Detail

Coroners are independent judicial office holders under the jurisdiction of the Ministry of Justice and the Chief Coroner, but the county council has a duty to provide all necessary resources to support the Coroner's Service and is responsible for the



remuneration of all coroners within its administrative area. The Lancashire and Blackburn with Darwen Coroner Area covers Lancaster, Wyre, Preston, South Ribble, West Lancashire and Chorley, Burnley, Pendle, Rossendale, Blackburn, Hyndburn and Ribble Valley (the whole of Lancashire excluding Blackpool and the Fylde), serving a population of 1.3 million. This jurisdiction is considered highly complex and is in the top eight jurisdictions by size in England and Wales.

Coroners' pay is set by agreement between the local authorities responsible for the coronial area (Lancashire County Council and Blackburn with Darwen Borough Council) with regard to recommended national pay scales negotiated between the Coroner's Society for England and Wales (CSEW) and the Local Government Association (LGA). The memorandum of understanding underpinning the council's relationship with the Coroner's Service and Blackburn with Darwen Borough Council provides for local discussions in the event that no national agreement is reached in a timely manner. Delays in agreement of salary to a subsequent tax year trigger pension tax charges that negate any pay increase due to the current high rate of inflation.

The Senior Coroner requested consideration of a local agreement and it has been established that other local authorities have reached such arrangements with their services. Discussions have been held with Blackburn with Darwen Borough Council who are supportive of changes in arrangements together with an update of the Memorandum of Understanding. Final discussions will be held with Blackburn with Darwen Borough Council to update the Memorandum of Understanding before the end of 31 March 2023.

The purpose of this report is to advise the Employment Committee of the factors that are relevant to setting coroner pay and to agree a revised salary for the Senior Coroner and the Area Coroners. The Coroner's Service has delivered savings of approximately £1m over the last five years whilst improving the service to bereaved families by the introduction of CT scanning (avoiding the need for traditional invasive post-mortem in most cases) and a recent change in the law allowing savings of an estimated £100,000 in the tax year 2023-4.

At the time of writing, the Local Government Association have offered 1.56% in line with the judiciary, whilst the Coroner's Society for England and Wales have requested 8%. Such a comparison between coroners and the judiciary is problematic due to the judiciary receiving an effective 5% additional pension contribution. Due to the protracted negotiations, the Senior Coroner proposed a locally agreed pay award for the Area and Senior Coroners of 4% in order for it to be agreed this financial year. This is considerably less than the 8% proposed by the Coroner's Society for England and Wales. It is therefore proposed to award the Senior and Area Coroners 4% backdated to 1 April 2022.

It is proposed that the Assistant Coroners should be awarded the 1.56% that has been agreed nationally, backdated to 1 April 2022 as, although this role comes with a certain skill set, the complexities and demand differ to that of the full time Senior and Area Coroners.

The coroner's salary does not include out-of-hours responses to requests to deal with faith deaths. Faith deaths include families with the Muslim faith, who may



believe that until the body is buried, which should occur as soon as possible, the soul cannot enter heaven and is therefore in distress. This requires a prompt response from the Coroner and therefore requires the Coroner to be available outside of working hours. The current amount awarded to the Senior Coroner to deal with such matters is £5,000 per annum, to cover weekday nights up to 9.00 pm and weekends 8.00 am to 6.00 pm, although calls are taken outside of this time. Comparison to coroners' jurisdictions with similarly sized faith communities and therefore a similar number of faith deaths is as follows:

Coroner area	Cover provided	Remuneration	Population size
London North	Saturday and Sunday 10.00 am - noon	£57,000	1.4M
Greater Manchester (City)	Saturday and Sunday 9.00 am – 11.00 am	£20,000	600,000
Greater Manchester West	Saturday and Sunday 9.00 am - noon	£15,000	600,000
Greater Manchester North	Saturday and Sunday 9.00 am – 1.00 pm	£15,000	400,000
Lancashire and Blackburn with Darwen	Monday-Friday 4.00 pm – 8.00 pm Saturday and Sunday 8.00 am – 8.00 pm	£5,000	1.3M

It is difficult to benchmark against other jurisdictions as where the out of hours service is not provided there is no demand. Due to changes in the legislation, the Senior Coroner has now adopted an approach allowing doctors who have not treated the deceased in their last illness to provide a cause of death. This has increased the workload by approximately 100% and this approach is not being mirrored in other jurisdictions. The extended hours in Lancashire are to accommodate both the needs of the faith community and the working requirements of on-call NHS doctors whose primary responsibility is to the living. The Senior Coroner provides the majority of the on-call cover, even when on holiday, and it is proposed that a sum of £22,500 per annum is paid for the on-call service, to be divided between the Senior Coroner (receiving £17,500 per annum) and each Area Coroner (receiving £2,500 per annum).

The Senior and Area Coroners dress for court in a black jacket, black waistcoat, and striped morning trousers. This is partly to show respect and the families and partly because the Coroner's Court does not have any security and the appearance of formality increases the safety of those in court and staff. This court dress cannot be worn anywhere but in court. It is proposed that £600 per annum be added to the Senior Coroner and Area Coroner's salary to provide one court suit every five years. This sum will be effective from 1 April 2022.

In September 2021 the Employment Committee agreed to a salary of £157,056 for the Senior Coroner, effective from 1 April 2021. In the absence of any national pay



award being agreed in a timely manner for 2022/23, the committee is asked to confirm a salary of £163,338.24 for the Senior Coroner with effect from 1 April 2022. This salary reflects the proposed 4% pay increase.

In September 2021 the Employment Committee also agreed to a salary of £105,601 for the Area Coroners, effective from 1 April 2021. The committee is asked to confirm a salary of £109,825.04 with effect from 1 April 2022. This salary reflects the proposed 4% pay increase.

The Employment Committee is asked to confirm an out of hours payment of £22,500 per annum, to be split as follows:

- £17,500 per annum to be paid to the Senior Coroner; and
- £2,500 per annum to be paid to each of the Area Coroners.

The Employment Committee is asked to confirm the proposed court suit allowance of £600 per annum for the Senior and Area Coroners, effective from 1 April 2022.

In September 2021 the Employment Committee also agreed to a two-tier rate payable to the Assistant Coroners: £422 per day for simple inquests with no jury or complex issues to consider; and £479 per day for those hearing the more complex inquests often lasting several days and with a jury. The committee is asked to agree a fee of £429 per day payable to Assistant Coroners dealing with simple inquests and a fee of £486 per day for Assistant Coroners dealing with jury and complex health inquests. This reflects the 1.56% proposed pay increase.

Consultations

Blackburn with Darwen Borough Council has been consulted on these proposals and supports the proposed increase in remuneration. Final details are to be confirmed.

The Senior and Area Coroners have been consulted on the proposals set out in the report and confirmed their agreement to them.

Financial Implications:

The Coroner's Service budget is currently forecast to overspend by £0.094m, which includes a forecast pressure relating to the pay award and will be contained within the overall revenue budget in 2022/23. The ongoing impact will be met from within the medium-term financial strategy in future years.

In addition, 23% of the salary costs of the Senior Coroner and one Area Coroner will be met by Blackburn with Darwen Borough Council under the terms of a Governance Agreement between the county council and Blackburn with Darwen Borough Council. The figure of 23% is based on the population of the former jurisdiction as a percentage of the overall population of the new jurisdiction.

Risk management

If the proposals are not agreed, the Senior Coroner could withdraw out of hours cover for faith deaths with no notice. Alternatively, if the Senior Coroner were to resign from their current role for whatever reason, the county council would need to



recruit to the vacancy as soon as possible and would need to consider the salary package to ensure that it was sufficiently competitive to attract good quality applicants.

All Coroners can refer their proposed salary to the Lord Chancellor, who would make a final judgement.

List of Background Papers

Paper	Date	Contact/Tel
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N/A

Reason for inclusion in Part II, if appropriate

N/A

