



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

REPORT TO CABINET MEMBER FOR HEALTH AND COMMUNITIES

17 May 2023

**Report of the Executive Director - Corporate Services and
Transformation**

Coroner Service Budget
(Cabinet Member for Health and Communities)

1. Divisions Affected

Not applicable

2. Key Decision

2.1 This is not a Key Decision

3. Purpose

3.1 To seek authorisation for setting the salary of the Senior Coroner and Area Coroner for Derby and Derbyshire.

4. Information and Analysis

4.1 Coroners are independent judicial officers who are appointed and funded by local authorities. They inquire into deaths reported to them which appear to be violent, unnatural or of sudden and unknown causes. Coroners are required to be judicially independent of local authorities - they are therefore not employees of the council.

4.2 Derbyshire County Council delivers the Coroner's Service for the jurisdiction of Derbyshire and Derby. Funding is provided by Derby City

Council for the County Council to carry out Coroner's functions in the City of Derby.

4.3 Rates are negotiated by the Joint Negotiating Committee (JNC) for Coroners. The salary for Senior and Area Coroners is determined by JNC Coroners circular number 67 which sets the 2022/23 salary ranges for Senior Coroners, Area Coroners and Assistant Coroners as follows:

- Senior Coroner - £125,480 to £139,423
- Area Coroner - £93,306 to £107,248
- Assistant Coroner (daily rate) - £403 to £486

For full time Senior and Area Coroners the salary range is inclusive of statutory out of hours work and pension contributions.

4.4 The rates of pay for Coroners sitting in Derbyshire has not been reviewed for a number of years and as the Senior Coroner is now serving his period of notice, we are taking the opportunity to carry out a review.

4.5 There is no formal direction or salary scale information published that sets out where post holders should be appointed to in terms of the salary ranges above and it is up to each local authority to set a salary for its Coroners. However, Coroners Circular 62 provides guidance to assist local decision making on the issue.

4.6 In summary, the guidance in Coroners Circular 62 states that local authorities should determine the pay locally in line with the complexity of the jurisdiction. The factors listed are:

Factor	For consideration	Derbyshire?
Prisons and other institutions of state detention	Are there any? Type of institution/s - where more vulnerable people are detained e.g. local prisons, young offenders institutions, female prisons and/or immigration detention centres. Number of institutions.	<ul style="list-style-type: none"> - HMP Foston Hall – Women’s closed category prison - HMP Sudbury – Men’s category D (open) prison - HMP Dovegate – Men’s Category B
Mental Health Unit(s)	Are there any? Type of such units i.e. in-patients Number of units	<ul style="list-style-type: none"> - Hartington Unit (Chesterfield) secure mental health unit - Kingsway Unit (Derby) secure mental health unit

		<ul style="list-style-type: none"> - Cygnet Acer Clinic (Chesterfield) secure & day release - Cygnet (Derby) secure & day release 														
Hospitals with areas of specialism	Type of such hospitals e.g. tertiary hospital (tertiary characterised by offering specialised consultative care, usually on referral from primary or secondary medical care personnel, by specialists working in a centre that has personnel and facilities for special investigation and treatment.), hospitals with specialist units e.g. neurological, stroke, neo-natal units. Number of such hospitals.	Two Trusts Chesterfield Royal Hospital & Royal Derby Hospital <ul style="list-style-type: none"> - Royal Derby Hospital receives trauma patients and has some elements of secondary care. 														
Caseload	<p>Caseload of the respective coroner</p> <p>It should be noted that it may be possible for a coroner (including a part time coroner) to have a low but quite complex caseload e.g. due to a number of factors of complexity and that would need to be taken into account in determining the local pay point.</p> <p>Conversely, it may be possible for a coroner to have a high caseload of low complexity.</p>	<p>The jurisdiction is 5th busiest in England (by number of referrals).</p> <p>Caseload would be high for full time coroners and cases will often be complex.</p> <p>2021 figures for number of East Midlands referrals are provided for comparison.</p> <table border="1"> <tr> <td>East Midlands</td> <td>17,634</td> </tr> <tr> <td>Derby and Derbyshire</td> <td>4,456</td> </tr> <tr> <td>Leicester City and South Leicestershire</td> <td>2,243</td> </tr> <tr> <td>Lincolnshire</td> <td>2,953</td> </tr> <tr> <td>Northamptonshire</td> <td>2,330</td> </tr> <tr> <td>Nottinghamshire</td> <td>4,305</td> </tr> <tr> <td>Rutland and North Leicestershire</td> <td>1,347</td> </tr> </table>	East Midlands	17,634	Derby and Derbyshire	4,456	Leicester City and South Leicestershire	2,243	Lincolnshire	2,953	Northamptonshire	2,330	Nottinghamshire	4,305	Rutland and North Leicestershire	1,347
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4.7 The evidence collected in the table above leads to the conclusion that Coroners in Derbyshire should be paid towards the top end of the range as the jurisdiction is busy and often has complex and varied work. Advice as also been sought from the Coroner's Society of England and Wales who confirm that they would expect Derbyshire Coroners to be

paid towards the top end of the range with supports the evidence in paragraph 4.6.

4.8 The pay for the posts in Derbyshire is currently as follows:

- Senior Coroner - £136,205
- Area Coroner - £101,886
- Assistant Coroner - £486 (day rate)

4.9 We therefore propose that the salary for Coroners in Derby and Derbyshire should be set as follows:

- Senior Coroner - £138,028
- Area Coroner - £106,176
- Assistant Coroner - £486 (day rate) - no change

The figures proposed above represent 99% of the total maximum salary which is considered to be an appropriate level based on the advice in Coroners Circular 67. This compares with a recent recruitment exercise carried out in Lincolnshire where the salary was advertised c£136k for a Senior Coroner. The jurisdiction of Lincolnshire is considered to be very much less complex than Derbyshire. The proposed salary levels for Derbyshire should ensure that a good pool of candidates is attracted to apply for the forthcoming Senior Coroner vacancy which is absolutely vital for the continued smooth running of what is a vital service for our communities.

4.10 It is proposed that future increases agreed by the Joint Negotiating Committee for Coroners will continue to be applied to these agreed salary points.

5. Consultation

5.1 As Derby City Council fund a proportion of the costs of providing the Coroner's Service, officers have consulted with colleagues in Derby who are in agreement with the proposals and the rationale for them.

6. Alternative Options Considered

6.1 An alternative salary could be proposed - this is not recommended as the proposal set out has been evidence based.

No salary amendments could be made - this is not recommended as it does not address the inconsistencies with the salary level and the forthcoming recruitment exercise may be hampered.

7. Implications

7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

8. Background Papers

None identified

9. Appendices

9.1 Appendix 1 – Implications

10. Recommendation(s)

That the Cabinet Member:

a) Authorises that the salary level for the posts of Senior and Area Coroner are set at the following level, which represents 99% of the total maximum salary set by the Joint Negotiating Committee for Coroners:

- Senior Coroner - £138,028
- Area Coroner - £106,176

b) Authorises that the new salary levels shall apply from the point that the existing Senior Coroner leaves his position; and

c) Agrees that the future increases agreed by the Joint Negotiating Committee for Coroners will continue to be applied to these agreed salary points

11. Reasons for Recommendation(s)

11.1 To ensure that Coroners working in Derby and Derbyshire are remunerated at an appropriate level.

11.2 To ensure that the salary is set at an appropriate level to attract a good pool of candidates to the position of Senior Coroner.

12. Is it necessary to waive the call in period?

12.1 No

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Implications

Financial

- 1.1 The increase in salary can be accommodated from within existing Democratic and Registration Services budgets. 40% of any costs associated with providing the Coronial service are reimbursed to the County Council from Derby City Council.

Legal

- 2.1 Under the Coroner's Act 2009, the County Council is responsible for providing resources, accommodation and staff for HM Coroner to conduct their business in the County. The County Council also discharges this obligation for the City of Derby.
- 2.2 In normal circumstance, decisions relating to staff are non-executive functions. However, Coroners are not employees of the local authority and are independent judicial office holders. This means that only decisions relating to the budget to pay salary and other costs for the Coroner are relevant to the Council. This would therefore fall as an executive responsibility.

Human Resources

- 3.1 Coroners are not employees of the County Council, so the usual terms and conditions and salary commiserations are not relevant to this decision.

Information Technology

- 4.1 No relevant implications.

Equalities Impact

- 5.1 There are no relevant considerations for this decision.

Corporate objectives and priorities for change

- 6.1 A high performing Coronial Service is absolutely fundamental to the healthy communities priorities in the Council Plan.

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

7.1 No relevant implications.