

**BIRMINGHAM CITY COUNCIL****PUBLIC REPORT**

<b>Report to:</b>	<b>COUNCIL BUSINESS MANAGEMENT COMMITTEE</b>
<b>Report of:</b>	<b>JACQUI KENNEDY ACTING STRATEGIC DIRECTOR PLACE</b>
<b>Date of Decision:</b>	<b>16 FEBRUARY 2016</b>
<b>SUBJECT:</b>	<b>SALARY SUBMISSION FROM SENIOR CORONER FOR BIRMINGHAM &amp; SOLIHULL</b>

**1. Purpose of report:**

- 1.1 To advise the Committee is to consider the salary submission from the Senior Coroner for Birmingham and Solihull on the private agenda.

**2. Recommendations:**

- 2.1 That the report be noted.

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### **3. Relevant background/chronology of key events:**

- 3.1 The coroner is an independent judicial officer appointed by the local authority to investigate any death which is unnatural, sudden, unexplained or violent or occurs in prison. The Council is responsible for the provision of support to the coroner by way of staff and by law must meet the expenses that the coroner incurs.
- 3.2 The Senior Coroner for Birmingham and Solihull was appointed and commenced in her post November 2013.
- 3.3 The Senior Coroner was appointed to undertake a judicial role for Birmingham and Solihull as detailed in the Coroners & Justice Act 2009. Additionally as a requirement of the appointment was the continuation of the weekend and Bank Holiday service to enable the bereaved to repatriate bodies out of England.
- 3.4 The Coroners (investigations) Regulations 2013 state at Regulation 4 A Coroner must be available at all times to address matters relating to an investigation into a death which must be dealt with immediately and cannot wait until the next working day (this does not include the weekend Out of England service).
- 3.5 Prior to the Senior Coroner's appointment the number of deaths notified to the Coroner was 5,542 in 2012, this decreased to 5,332 in 2013. Since the appointment these figures have fallen. In 2014 it was 4,205 and 2015 approximately 4,750. The potential increase in work due to Deprivation of Liberty Safeguarding Orders of 500-1,000 inquests a year has not yet materialised.
- 3.6 During the first year following her appointment the Senior Coroner managed a backlog of 800 outstanding inquests supported by Assistant Coroners appointed by the Senior Coroner.
- 3.7 In July 2015 the Senior Coroner submitted a salary submission to the Acting Strategic Director, Place. The Senior Coroner's salary submission is for her salary to be reviewed and increased .

- 3.8 The Joint Negotiating Committee for Coroners (Management side) referred in a Circular on 31<sup>st</sup> July 2015 that no agreement has been reached in respect of the review undertaken by PWC and is still ongoing. A further update from the JNC management side dated 22 January 2016 to all Local Authorities confirms that there is still no agreement on the future pay for Coroners. They suggest the next step would be for the Ministry of Justice to consider taking on the responsibility for Coroner pay arrangements including meeting the costs. The LGA now intends to undertake a survey of Authorities to ascertain current pay data information, the outcomes of which will assist Authorities in any local pay discussions that they wish to undertake.
- 3.9 The Chief Coroner's Guidance on the Coroners and Justice Act 2009 at point 39 says that it is for the coroner and the local authority to agree the coroner's remuneration (either salary or fee). The practice has been for a joint Negotiating Committee of the Local Governments Association to set out a salary scale for appointments. The Chief Coroner has announced a desire to move forwards to a standardised set of terms and conditions. In the interim, the latest JNC circular JNC 51 still applies.
- 3.10 Since the Senior Coroner's salary submission, and in response to her request, in addition to the Assistant Coroner's, a full time Area Coroner has been appointed .
- 3.11 The appointment of the Area Coroner has facilitated a sharing of the coronial duties from Monday to Friday including:-
- The triaging of death notifications
  - Responsibility for releasing the deceased back to the family
  - The approval and issuing of A and B forms
  - Authorisation of post mortems
  - Undertaking inquests and pre inquest hearings
- 3.12 Responsibility for the out of hour's service dealing with organ donation requests and suspicious deaths remains with the Senior Coroner.
- 3.13 The weekend/Bank Holiday Out of England service to the community is provided remotely for 2 hours by the Assistant Coroners at a daily cost .

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| 3.14 | Whilst the Senior Coroner has overall responsibility for managing the Area and Assistant Coroners, the Judicial role of a Coroner whether Senior, Area or Assistant has the same powers and responsibilities when sitting as a coroner.   |
| 3.15 | The management of staff (with the exception of the Area and Assistant Coroners), budget and assets is the responsibility of Birmingham City Council. BCC are required by the Coroners & Justice Act 2009 to secure the provision of whatever officers and staff are needed by the coroner to carry out their functions and to provide accommodation that is appropriate to the needs of the coroner |
| 3.16 | In conclusion The Joint Negotiating Committee for Coroners (management side) referred in Circulars on 31 <sup>st</sup> July 2015 and 22 <sup>nd</sup> January 2016 that no agreement has been reached in respect of the review undertaken by PWC and is still ongoing.  |

<b>Signatures of approval to submit the report to Committee:</b>
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Signed:
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Title:
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Dated:
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<b>List of Background Documents used to compile this Report:</b>
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<b>List of Appendices accompanying this Report (if any):</b>
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