

## **Manchester City Council Report for Resolution**

**Report to:** Personnel Committee – 12 September 2018

**Subject:** HM Coroners Pay Award

**Report of:** City Solicitor

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### **Summary**

The purpose of this report is to seek approval for the pay of the Senior Coroner and Area Coroner to be increased in line with JNC Coroner's pay guidance.

### **Recommendations**

The Committee is requested to:

1. Recommend that the Council approve the increase in salary for the Senior Coroner from £105 with £20k additional performance payment to £130K in line with JNC guidance with continuance of the £20k payment to cover the provision of additional non statutory out of hours cover, back dated to 1 April 2018.
  2. Recommend that the Council approve the increase in salary for the Area Coroner from £75K to £100K, backdated to 1 April 2018.
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**Wards Affected:** All

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### **Financial implications for the revenue and capital budgets**

The increase in the salary costs including on-costs is £33k for the Senior Coroner and the Area Coroner totalling £66k. This will be met from current resources within the Corporate Core for 2018/19 and included as part of the 2019/20 budget process.

### **Contact Officers:**

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**Background documents (available for public inspection):**

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy please contact one of the contact officers above.

Joint Negotiating Committee for Coroners - Circulars 61 & 62

## 1. Background

- 1.1 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.
- 1.2 There are 113 coronial districts across England & Wales. Within Greater Manchester:
- Manchester City district covers the geographical boundaries of Manchester City Council;
  - Manchester North district covers Bury, Rochdale & Oldham;
  - Manchester South district covers Trafford, Stockport & Tameside; and
  - Manchester West district covers Wigan, Bolton & Salford.

Whilst the other Greater Manchester Coroners may cover a wider geographical area the particular features of the Manchester City District have a significant impact on the numbers and complexities of cases dealt with by HM Coroner for the Manchester City district.

- 1.3 The overall increase in the number of deaths is in line with increases in overall population for cities, over the last 5 years the number of reported deaths increased from 2888 to 3693, which is an increase of 27%. The complexity of deaths and the number of inquests being higher than the national average can in part be explained by the demographics of the city. Manchester, and the other core cities have a major airport, a prison, university hospitals and high levels of deprivation and health inequalities all of which are identified as features increasing the complexity of a Coronial area. A number of factors have contributed to the complexity of deaths and casework:
- The Coroners (Investigations) Regulations which came into force on 25 July 2013;
  - Deprivation of Liberty cases;
  - Out of England orders and deaths overseas; and
  - Inquest conclusions.
- 1.4 New provisions relating to the appointment of coroners came into force on 25 July 2013, under the Coroners and Justice Act 2009, and replaced the appointment provisions.
- 1.5 One of the principal changes introduced by the 2009 Act is that local authorities have become responsible for **all** coroner appointments, subject to the consent of the Lord Chancellor and Chief Coroner.
- 1.6 On 4 June 2014 Council decided that the appointment functions should be designated as “non-executive” local choice functions.
- 1.7 Within the revised 2017 Constitution there are delegations to the Personnel

Committee whereby the Committee is given the power:

- (i) to make recommendations to the Council in relation to the appointment of the senior coroner and agreement as to the salary of the senior coroner (where the salary to be paid to the senior Coroner is £100,000 p.a. or more);
- (ii) to determine whether the Council should appoint an area coroner and to determine the number of assistant coroners to be appointed by the Council;
- (iii) to agree the salary to be paid to any area coroner (where the salary to be paid to an area coroner is less than £100,000 p.a.) and
- (iv) to agree the fees to be paid to any assistant coroners.

Within the revised 2017 constitution there is a delegation to the City Solicitor whereby she is given the power to discharge the Council's functions in relation to:

- (i) the appointment of any senior coroner for the Manchester (City) coroner area; and
- (ii) the appointment of any area coroner(s) or any assistant coroner(s) for the Manchester (City) coroner area.

## **2. Coroners Job Evaluation**

- 2.1 The proposals contained in this report have been developed to comply with a national agreement set by the Joint Negotiating Committee for Coroners. The recommended salary levels follow guidance issued by the Joint Secretaries of the Joint Negotiating Committee for Coroners, and the pay framework established and agreed by the JNC for Coroners following an independent job evaluation report produced by the Korn Ferry Hay Group.
- 2.2 The Joint Negotiating Committee for Coroners (JNC) Circular No 61 agreed to undertake a job evaluation exercise to assess the roles of Coroners. The exercise has created new mobile job profiles which has taken account of criteria relevant to both local authority and judicial contexts. It has been the first opportunity to consider pay recommendations with regard to Area and Assistant Coroners. The Local Authority and Coroner are required to reach an agreement as to salary levels based on the criteria and levels of complexity of the area. Having considered the outcome of the technical evaluation exercise and looked at a wide range of potential pay benchmark data the two sides have reached agreement in principle.
- 2.3 JNC whilst agreeing a set of principles and guidance agree that the level of pay will be determined locally, in line with the complexity of the coroner area. The current payments are:
  - Senior Coroner £105,000 plus additional performance pay of £20,000
  - Area Coroner £75,000.

- 2.4 In consultation with City Solicitor and HR&OD, it has been agreed that Manchester City Council meets the criteria of the most complex area in determining the appropriate level of pay.
- 2.5 Levels of pay agreed are;
- Senior Coroner - a range of £117,000 to £130,000. The salary includes statutory out of hours work. The current JNC 5.5% pension supplement will no longer apply.
  - Area Coroner - a range from £87,000 to £100,000. The salary includes statutory out of hours responsibilities to the extent that it applies to Area Coroners.
- 2.6 A benchmarking exercise was undertaken by HR across core cities and comparable areas that included prisons, other institutions of state detention, mental health units, a number of hospitals ( Manchester including Christies). These areas included London (inner North/South/West), North London, South London, East London, Lancashire, Liverpool, Blackpool and Leicester. All but Blackpool has agreed the top of the grade for Senior Coroner roles with Lancashire paying £155,000.
- 2.7 It is recommend that the new rates of pay for Senior and Area Coroner are applied from 1 April 2018.
- 2.8 In discussion with the City Solicitor the Senior Coroner and Area Coroner have reached an agreement pending Personnel Committee approval. In accordance with the JNC Coroner's pay guidance the Senior Coroner has been offered the top of the scale which is £130,000, this covers the statutory out of hours pay, in addition to this £20,000 will continue to be paid for the out of hours non statutory pay, which will be paid to the Senior Coroner who is providing the work and supervision to those Assistant Coroners in the rota undertaking the work. Therefore, the entire package offered to the Senior Coroner is £150,000 and the package to the Area Coroner is £100,000.

### **3. Conclusion**

- 3.1 The proposals set out above seeks to formally approve and implement salary arrangements for the Senior Coroner and Area Coroner with effect from 1 April 2018.

### **4. Comments from Director of HROD**

- 4.1 The proposed changes to the Coroners' pay are in line with the Joint Negotiating Committee for Coroners.

### **5. Comments from Trade Unions**

- 5.1 No issues raised by the TU's.