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**JOINT NEGOTIATING COMMITTEE
FOR CORONERS
MANAGEMENT SIDE**

To: Local Authority Lead officers in all Coroner Areas

27 November 2018

Dear Sir/Madam

You will recall that the LGA conducted a management side survey on coroners' pay in August 2018, following the latest national agreement on coroners' pay outlined in JNC circular 62 dated 8 January 2018.

In order to inform the management side position in national pay negotiations from 2019 we conducted the survey of local authorities who are responsible for the pay of coroners to provide a picture of how councils have dealt with determining and applying the new pay ranges to assist those authorities going forward.

Thank you to all those authorities who participated in the survey and who provided information on their local reviews. For those authorities who did not participate, we hope that the information within the attached report will encourage you to participate in any future collection of data as the higher the response rate the more valuable a tool it is for councils to refer to when considering and conducting local implementation.

I would draw your attention again to the local review and implementation advice provided in JNC circular 61.

All documents referred to in this circular can be found on the LGA website:
<https://www.local.gov.uk/our-support/workforce-and-hr-support/coroners/coroners-circulars>
(you will need to be logged in to access the pages).

Thank you again to those authorities who participated in the survey.

Yours faithfully,



**Simon Pannell
Management Side Secretary
JNC for Coroners**

LGA SURVEY OF PAY OF ALL CORONER ROLES – 2018

Below is a summary of the information provided by the local authorities who have responsibility for appointing and remunerating coroners.

The survey achieved a response rate of about 67% which is certainly high enough to give us a broad picture with regard to implementation of the new pay framework. Release of this report has been dependent upon receipt of authority responses and the time taken to chase as well as time to cleanse the data.

Non-response from some authorities we believe could in part be due to those authorities not having yet completed their local review. However, that information (including draft proposals) would also have been of interest for this survey report as all information is of value to local authorities when considering their own local position when making comparisons.

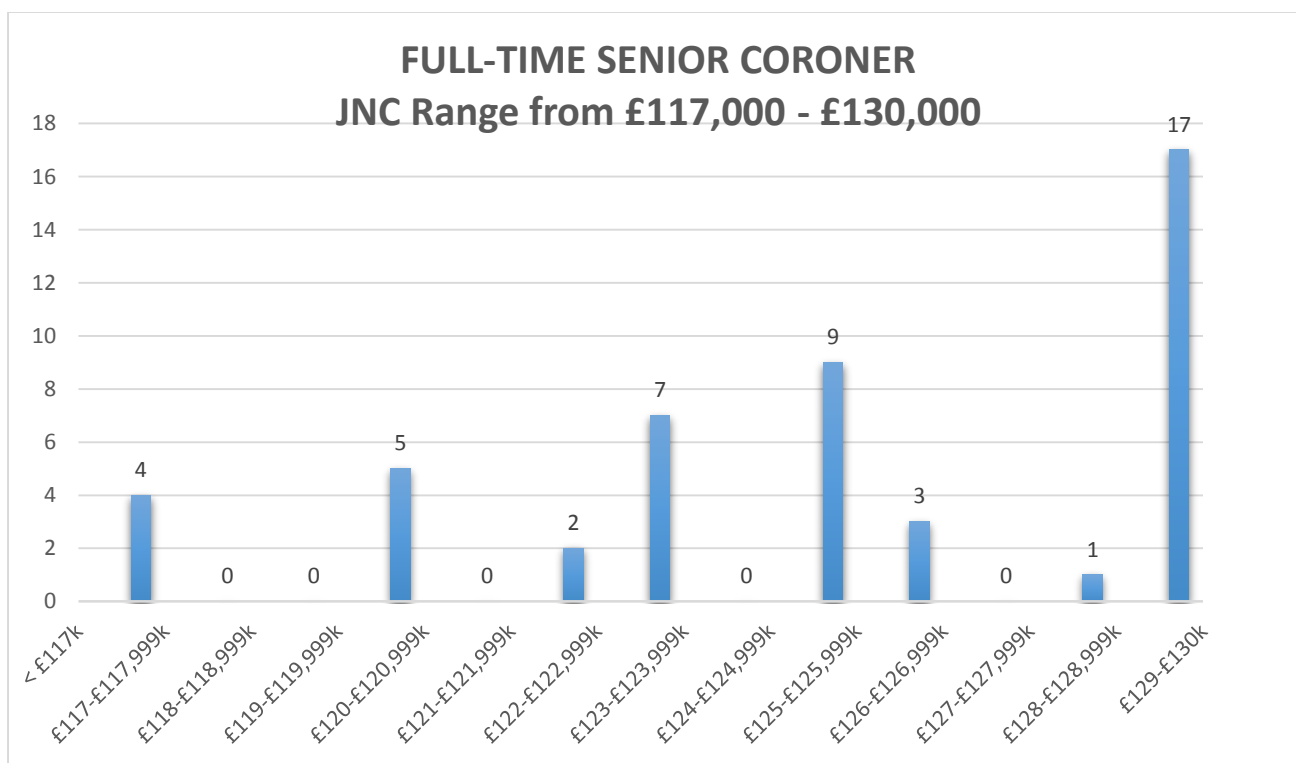
We would still welcome responses from those authorities to add to our database.

For background and comparative purposes – details of the JNC ranges for coroners can be found on the LGA website [here](#)

From responses received, 77% of those indicated that they had previously used the (old) JNC pay framework. All but one respondent indicated that they planned to use the JNC framework going forward, albeit with caveats in some cases.

The following are illustrative findings of the survey for the following coroner categories –

- Full-time Senior Coroner
- Part-time Senior Coroner
- Area Coroner
- Assistant Coroner



LGA SURVEY OF PAY OF ALL CORONER ROLES – 2018

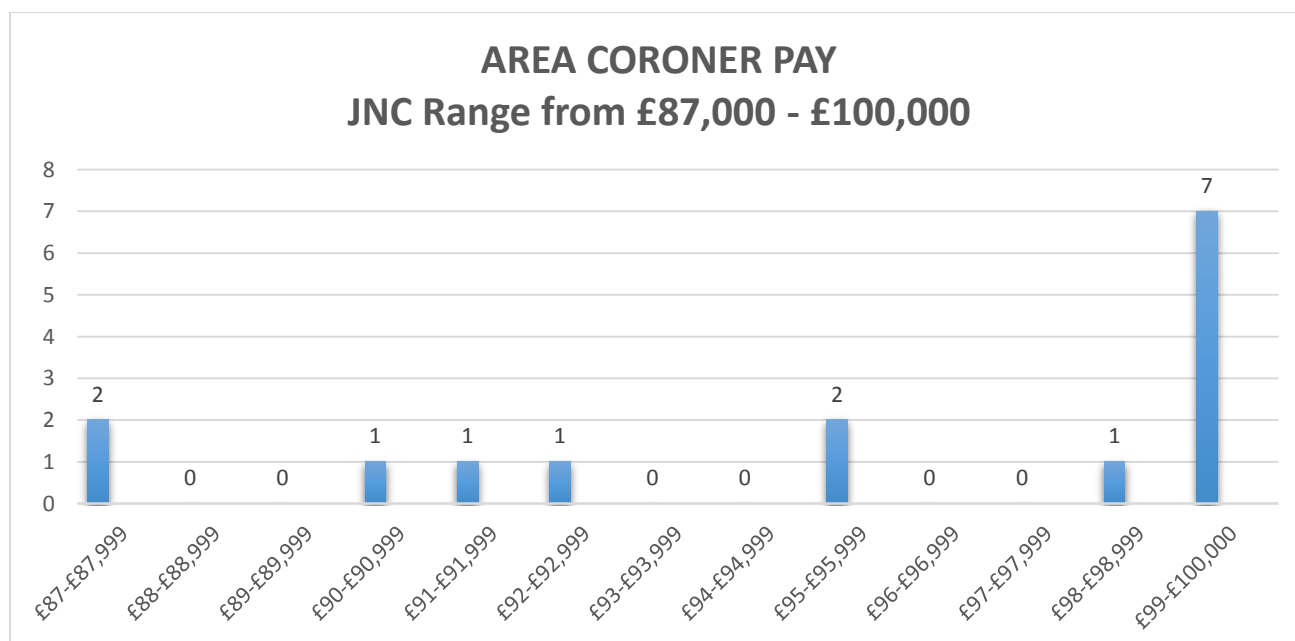
PART TIME SENIOR CORONER PAY JNC Range

Ranges below based on £20,000 p.a. basic for all plus daily rate between £440 and £500

Range applied	Number in range	Note:
£440 daily rate	2	
£441 daily rate	1	
£53,500 approx. salary	1	
£66,200 salary	1	
£82,100 approx. salary	1	• Based on a FTE salary of £123,500
£98,300 salary	1	

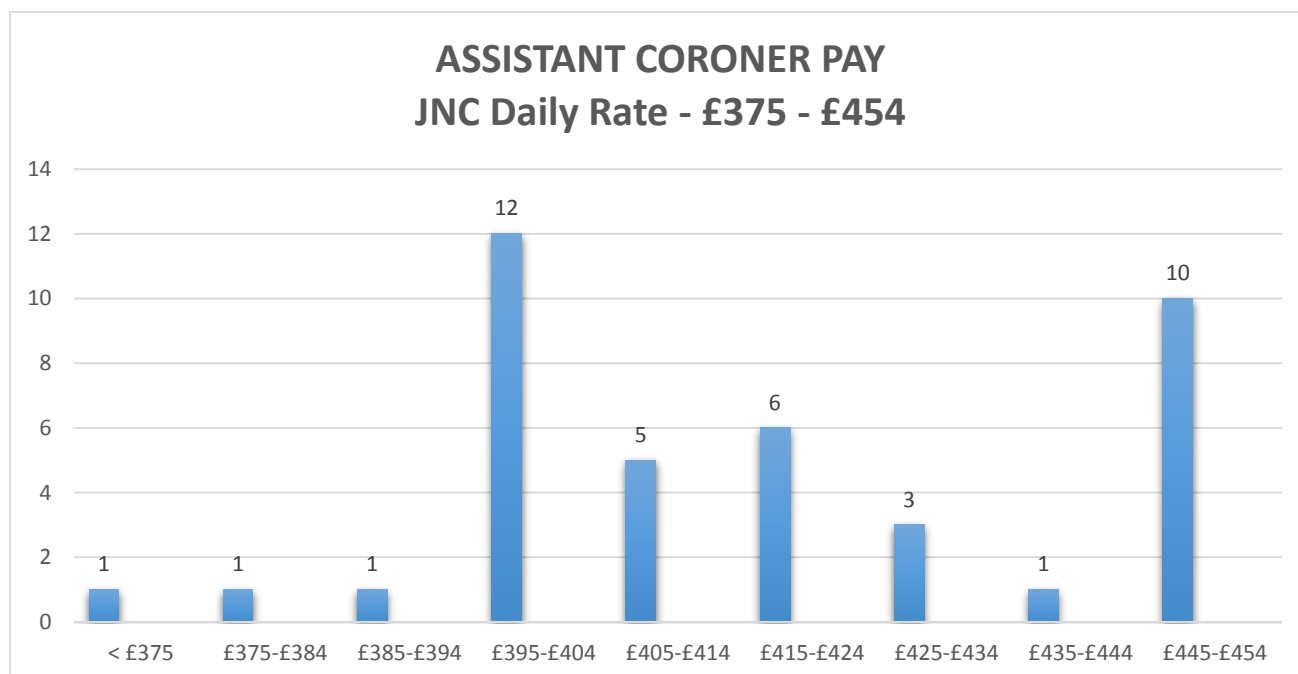
Comment: The framework for part-time Senior Coroners provides for a fixed salary of £20,000 and then a daily rate range; again to be determined by the complexity of the area. In the case of four of the responses above they have chosen to assess/anticipate the likely number of days to be worked each year and then converted that into an annual figure which includes the £20,000 fixed salary element. This approach is reasonable, but would need a periodic review to check that it accurately reflects the level of activity.

AREA CORONER PAY JNC Range from £87,000 - £100,000



Note: we believe that there are only 16 area coroners in total, hence the lower number of responses

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Comment: The table above illustrates the agreed hourly rates being paid to assistant coroners over the JNC ranges. The survey information showed that there were local variations in a small number of areas on the daily rates implemented that include:

- A reduced rate for half or part days
- A temporary higher rate if an assistant coroner was formally 'deputising' for the senior coroner
- Different hourly rates for work undertaken within or without the court setting

Also included are examples where the authority had added a 5.5% Local Government Pension Scheme supplement to assistant coroners (as well as some other coroner roles. **(Joint circular 61 states that the JNC 5.5% salary pension supplement will no longer apply).**

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Implementation date of local review

Effective date	Number
1 April 2013	1
1 April 2015	1
1 September 2015	1
1 April 2016	1
1 April 2017	1
1 June 2017	1
1 November 2017	3
1 December 2017	1
1 January 2018	4
1 February 2018	1
1 April 2018	28
1 May 2018	2
1 July 2018	1
1 October 2018	1

The responses showed a wide range of implementation dates for the new framework, although a significant proportion (60% of respondents that have given a specific date) have gone for April 2018. In a couple of cases a different date was applied to roles other than the senior coroner, but our summary table is based solely on senior coroners.

The JNC circular 61 had stated that the ranges would be reviewed in time for any changes to apply from April 2019 and so while there were clearly a range of local factors to inform a decision on this, April 2018 was a logical date to choose.

It should be noted that several respondents indicated that this was an issue on which agreement had yet to be reached locally. Many of the 'other comments' received also expressed a view that a specific date would have been preferable.

Note that the chosen dates that are after April 2018 all related to bringing in the new framework to coincide with the start date of a new senior coroner.

Some of the longer backdating periods related to pre-existing local commitments where appeals had remained unresolved and the authority had chosen to make a link to the date of the appeal and any changes in the national framework.

It should be noted that from a JNC Management Side perspective, the lack of any JNC agreed increases since 2010 clearly played a part in determining the level of the ranges going forward. Therefore from that viewpoint significant backdating of the ranges would either not be appropriate, or require some element of local 'discounting'.

LGA SURVEY OF PAY OF ALL CORONER ROLES – 2018

Local authority comments on implementing the joint guidance locally

Interpretation of joint guidance

As part of the survey, authorities were asked how they had used the JNC joint guidance to determine the local pay range.

The following is a summary of responses received. These are not all verbatim and in some cases where very similar points were made by more than one respondent we've produced a composite

- When the suggested pay range in the new guidance and existing Senior Coroner salary was considered, it was evident that existing salary assessment was accurate and guidance offered reassurance to the council.
- We divided range of the grade from bottom to top then benchmarked the local factors according to presence of complex factors to determine final pay level.
- Looked at all factors within the guidance to determine complexity of the area and determined that although complex this area is not as complex as some other areas. Based on this, the existing coroner rate was reduced with notice.
- Decided on appropriate rates within a regional group of authorities – with budgetary demands being one factor to develop a negotiating starting point with coroners.
- Used table of factors plus other local factors considered to be relevant complexity factors.
- The guidance provided showed that there was no requirement to pay the senior coroner above the lowest point.
- Guidance easy to use and self-explanatory and we believe that it will be useful to local authorities.
- We applied the guidance within the table as well as benchmarked against our chief officers as part of that benchmark.
- Reviewed with the joint guidance and assessed level of complexity of local services in consultation with other local authorities. That consultation assisted in determining the council's relative position with other areas.
- Benchmarking exercise was undertaken looking at similar jurisdictions that reflect the level of pay determined.
- Used the JNC guidance and looked at justification provided by senior coroner then validated using a spreadsheet developed by another local authority.
- Consulted with other councils to determine complexity of an area to use as a benchmark the level of casework to determine the outcome of the pay review.
- The factors were a useful tool to consider the new level of pay, but because they are subjective they are open to interpretation and differing views on their weighting in terms of importance and value
- Applied workload as a measure – number of reported deaths.
- Used as a factor, MoJ deviation from the national averages (Coroners' Statistics 2017)
- Review used caseload plus significant increase in jury inquests.
- Based rate on road network, hospital including mental health units and casework over past three years.
- Area has slightly higher levels than average on all areas but our assessment was for minimum of the range.

LGA SURVEY OF PAY OF ALL CORONER ROLES – 2018

Comments

The above feedback demonstrated that in determining their local positions on coroners' pay, authorities were seeking comparability with other local authorities – particularly those they saw as having similar attributes relating to potential complexities. This contact between areas can only be a positive aspect of these exercises as it is an additional tool to councils to assist in not making pay decisions in isolation.

It was interesting to note that although the recent JNC joint agreement had reduced the prominence of caseload or population in determining pay, recognising authorities desire to better reflect local responsibility levels; that a significant number have appeared to still anchor the assessment around caseload. The JNC discussions included the relevance of such factors and reached a conclusion that caseload was partially a resources issue and would impact on the need to engage area and/or assistant coroners rather than measuring responsibility. Although it was recognised that overall accountability for management of a larger caseload could have some impact on the complexity of the area and therefore caseload was included in the guidance as one of several factors. There was a shared view that there were likely to be relatively non-complex areas with higher than average caseloads and areas with relatively low caseloads that were more complex. Therefore caseload should not be looked at in isolation

Amongst the more positive feedback some councils were less positive about the guidance and their experience of determining local pay for their coroner roles. Comments included

- It was difficult for the local authority to assess how the hospitals and the local prison contributed to the complexity of the area and the guidance did little to assist with the process other than provide the coroner with relevant factors to identify.
- It would have been useful to have had some benchmarking/survey information shortly after the framework was provided. This would have enabled us to make some comparisons based on the variation in complexities of other areas. This is basically a chicken/egg issue.
- We assessed the area and attempted to benchmark against other authorities but at the time the general view was confused. Further guidance would have been really helpful.
- We found it impossible to use the criteria to value complexity of an area as cases can still be complex even when the general area may not be – and coroners will dispute arguments (against complexity) anyway.
- In the absence of specific standardised criteria to determine the pay levels the authority could not justify a pay rate less than the highest rate in the range.
- I used the guidance in the very loosest way and created a mechanism that is transparent and at least slightly scientific. I used the number of NHS trusts, mental health trusts and prisons as a marker within a scoring system that sit alongside a variety of other measures of complexity
- Factors identified are too simplistic and the guidance avoided any reference to performance.

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- We found the guidance vague and not particularly helpful in determining the pay rates for our area. It has not achieved any consistency of pay nationally. It will lead to a widespread disparity in pay which is not desirable
- We would have preferred single national rates
- We would have preferred greater prescription in how to determine salaries

Comments

Several respondents indicated they would have preferred a single national rate for each category of coroner. In terms of applying pay to job evaluation points that would of course have been possible. However one criticism of the previous JNC arrangements was that they provided little scope to take account of local factors in determining pay and we had picked up a clear view that councils generally wanted such flexibility. On a more practical level the prospect of being able to get a joint agreement on a single figure that was much below the top of any of the ranges would have been almost non-existent.

We recognise that when faced with having to make a local assessment when the guidance was issued there was the absence of context from other services (see the point above about benchmarking data). Of course this is a 'chicken/egg' situation and we are aware that in many parts of the country services networked with their neighbours to support their individual decision-making which was something we encouraged in the many conversations we had with services in the period after the guidance was issued.

Finally, there were examples of local agreements that had continued to add the 5.5% pension supplement for coroners who joined the LGPS scheme.

This was surprising given this was specifically referenced in the joint circulars to local authorities – that as part of the new arrangements the 5.5% pension supplement that had previously applied to senior coroners; was no longer applicable (it had in essence been 'factored into' the latest agreement).

November 2018