

Management Side Secretary, Sarah Ward
Local Government Association
18 Smith Square,
London, SW1P 3HZ
coroners.queries@local.gov.uk

JOINT NEGOTIATING COMMITTEE FOR CORONERS

Officers' Side Secretary, Joanne Kearsley
Phoenix Centre
L/Cpl Stephen Shaw MC Way (formerly Church Street)
Heywood OL10 1LR
joanne.kearsley@rochdale.gov.uk

To: Chief Executives (London Boroughs, Metropolitan Districts, County Councils and Unitary Councils in England and Wales)

10 June 2020

CORONERS' CIRCULAR No 64

Dear Sir/Madam

JNC for Coroners - CONSTITUTION

1. The JNC's Consolidated Document set out both the JNC's constitution and a number of additional areas e.g. remuneration for long inquests.
2. The constitution applying to the JNC for Coroners has been updated in line with the 2018 national review of coroners' pay.
3. A number of matters relating to coroners' pay previously contained in the Consolidated Document fall at the point at which a local review in line with the 2018 national pay review has been completed ([JNC joint circular 62](#)).
4. A copy of the current constitution and interim arrangements as referred to in paragraph 3 above is attached.

Yours faithfully

**SARAH WARD
JOANNE KEARSLEY**

Joint Secretaries

JOINT NEGOTIATING COMMITTEE FOR CORONERS

CONSTITUTION

TITLE

1. The Committee shall be known as the Joint Negotiating Committee for Coroners in England and Wales (subsequently referred to as 'The Committee')

SCOPE

2. The functions of the Committee shall relate to Coroners in England and Wales who are remunerated by local authorities.

MEMBERSHIP

3. The Committee shall consist of 14 members appointed as follows:

Representatives of Management Side: *Local Government Association 6*

Representatives of Management Side: *Welsh Local Government Association 1*

Representatives of Officers' Side: *Coroners' Society of England & Wales 7*

4. If any of the organisations referred to in paragraph 3 fail to appoint the number of representatives provided for by the Constitution, such a failure shall not affect the validity of the decisions of the Committee. In the event of any member of the Committee or any Sub-Committee thereof being unable to attend any meeting of the Committee or Sub-Committee, as the case may be, the organisation represented by such member shall be entitled to appoint another representative to attend in his/her place.

RETIREMENT OF MEMBERS

5. The members of the Committee shall retire on the 31st March in every year, and shall be eligible for re-appointment. A member of the Committee shall automatically retire on ceasing to be a member (or officer) of the organisation which he/she represents.

CASUAL VACANCIES

6. On the occurrence of a casual vacancy, a new member may be appointed by the organisation in whose representation the vacancy occurs. Any such new members shall act until the end of the period for which his/her predecessor was appointed.

FUNCTIONS

7. The functions of the Committee shall be to consider salary scales and other issues by agreement, that may arise from time to time regarding coroners within the scope of paragraph 2 and to make recommendation in regard to such scales to the appointing authorities. All recommendations made by the Committee shall be sent simultaneously to the appointing authorities and to the organisations named in paragraph 3.

PROCEDURE

Sub-committees

8. The Committee may appoint from its own members such Sub-Committees as it may consider necessary consisting of representatives from each Side of the Committee. The reports of all Sub-Committees shall be submitted to the Committee for approval and such approval may be given with or without modification.

Advisers

9. The Committee or any of its Sub-Committees may invite the attendance of any person whose special knowledge would be of assistance, but such person shall not have power to vote.

Chair and Vice- Chair

10. The Committee shall appoint annually a Chair and Vice-Chair. The position shall reverse annually between the two sides. In the absence of both Chair and Vice-Chair at any meeting, a Chair shall be elected to preside. The Chair shall not have a casting vote.

Officers

11. Each side shall appoint Joint Secretaries and such other roles, as it may think fit.

Meetings

12. Meetings of the Committee shall be held as often as may be necessary, and the Chair shall call a special meeting if so requested by not less than three members of either Side of the Committee. The requisition and notice summoning any special meeting shall state the nature of the business proposed to be transacted thereat, and no other matters shall be discussed. A special meeting shall take place within twenty-one days of the receipt of the requisition by the Chair.

Voting

13. The voting on the Committee and Sub-Committee shall be by show of hands or otherwise as the Committee or Sub-Committee, as the case may be shall determine. No resolution shall be regarded as carried unless it has been approved by a majority of the members present on each Side of the Committee or Sub-Committee.

Quorum

14. The quorum of the Committee shall be four members from each side. In the absence of a quorum the Chair shall vacate the Chair and the business then under consideration shall be the first business to be discussed at the next meeting. If, however, before the Chair vacates the Chair, a majority of the members present at the abortive meeting so decide, the next meeting shall be held within twenty-one days after the day of the abortive meeting. The quorum of a Sub-Committee shall, subject to any directions given by the Committee, be as may be determined by the Sub-Committee.

Notice of Meetings

15. All notices of meetings of the Committee and of any Sub-Committee shall be sent to the respective members at least seven clear days before the date of the meeting.

Minutes

16. Within twenty-eight days after each meeting of the Committee a copy of the minutes of the proceedings of the meeting shall be sent to both Sides of the Committee.

Settlement of Differences

17. In the event of the Committee failing to reach agreement on any matter either Side may refer the matter to the Advisory, Conciliation and Arbitration Service (ACAS).

Application

18. It is possible that locally questions may arise as to the interpretation of recommendations issued by the Committee and their application to a particular Coroner, - or of any other question arising relating to salaries (within the remit of the JNC), which cannot be settled by the local parties. In that event the joint secretaries, or other such roles (see paragraph 11) when requested and agreed by both parties to do so, may consider the matter and endeavour to assist the parties in securing a settlement.

Right of appeal, and procedure for the determination of appeals

19. It is recommended that a local appeals process is put in place to resolve any disagreement between a coroner and the appointing authority regarding pay or other terms and conditions. That local appeals process should be exhausted before any referral to the Joint Secretaries. Any referral to the joint secretaries is confined to matters within the remit of the JNC. The Joint Secretaries will endeavour to assist to facilitate a resolution.
20. The provisions above should apply before any submission of applications (by either the appointing authority or a coroner) to the Secretary of State to fix the rate of a salary under [The Coroners' & Justice Act 2009](#)(c.25) Paragraph 15.(3) of Schedule 3 Part 4. Written statements of case on behalf of the coroner and also the Authority will be required not less than one week before the consideration of the matter by the Joint Secretaries. When forwarding statements to the joint secretaries the parties should also exchange copies with each other.

AMENDMENT OF CONSTITUTION

21. Amendment of this Constitution may be proposed only after written notice has been given to the Joint Secretaries and circulated to the members of the Committee at least twenty-eight days before the meeting at which the proposal is to be moved. Any proposal to amend this Constitution must be approved by at least two-thirds of the members of each Side present and voting at the meeting at which it is moved.

JOINT NEGOTIATING COMMITTEE FOR CORONERS

CONSOLIDATED DOCUMENT

Interim Arrangements

Note that the interim arrangements in this section will end at the point that a local review of pay in line with JNC circulars 61 and 62 have been carried out and implemented. (For ease of reference – JNC circular 63 is also attached)

1. Deputy Coroners

The new pay framework agreement does not explicitly refer to deputy coroners. However, where an authority continues to operate a deputy role that was been appointed under the terms of the previous JNC agreement, the position on pay and allowances remains unchanged for deputy coroners, unless subsequently amended at local level.

2. Part-time Senior Coroners

Historically, an annual weighting element has been payable to part-time senior coroners in whose jurisdiction special circumstances exist which contribute towards an exceptionally high inquest caseload – for example, where more than 25 per cent of the total caseload consists of inquest cases. The supplement was calculated as follows:

$$\text{Annual salary} \times (\text{actual percentage of inquest cases} - 25)/100$$

3. Salary Supplement for Coroners Joining the Local Government Pension Scheme

Until a local pay review is carried out in line with the provisions of JNC Circular 61 and 62, a taxable superannuable salary supplement of 5.5% of the total taxable income earned in the capacity of Coroner shall be paid to all whole-time Coroners joining the Local Government Superannuation Scheme with effect from the date of entry into the Scheme.

4. County Loadings

Until a local pay review is carried out in line with the provisions of JNC Circular 61 and 62, the position in the previous national agreement would remain - *in the case of some jurisdictions, existing salaries, include additional percentage payments are payable (sometimes referred to as 'county loadings') of at least 10% of the standard salary, the precise amount to be determined locally between the local authority and the coroner concerned.*

5. High inquest caseload weighting

Until a local pay review is carried out in line with the provisions of JNC Circular 61 and 62, an annual weighting element is payable to part-time senior coroners in whose jurisdiction special circumstances exist which contribute towards an exceptionally high inquest caseload, i.e. where more than 25% of the total caseload consists of inquest cases. The supplement is to be calculated as follows:

$$\text{Annual Salary} \times (\text{actual percentage of inquest cases} - 25)$$
$$100$$

6. Remuneration for Long Inquests

Until a local pay review is carried out in line with the provisions of JNC Circular 61 and 62, a part-time senior coroner undertaking long inquests (i.e. lasting for more than one day) shall be paid, for the first 50 hours spent in court (beyond the first day) in any twelve month period (starting on 1st July annually), the rate contained in circulars issued by the JNC from time to time.

A rate in respect of preparation for such cases covering the first 100 hours in the same twelve-month period is contained in circulars issued by the JNC from time to time. It shall be for the paying authority to agree what constitutes reasonable preparation time.

Where in any twelve month period, a part-time Coroner spends more than 50 hours in court and/or more than 100 hours in preparing for such inquests the rate of remuneration shall be at a daily rate based on the maximum of the whole-time Coroners' pay scale divided by 250. The division of the daily figure by 5 derives the hourly figure.

Management Side Secretary, Simon Pannell
Local Government Association
18 Smith Square,
London, SW1P 3HZ
Telephone 020 7187 7373 Fax 020 7664 3030

JOINT NEGOTIATING COMMITTEE FOR CORONERS

Officers' Side Secretary, Jennifer Leeming
HM Coroner Manchester West, Paderborn House,
Civic Centre, Howell Croft North, Bolton, Lancashire BL1 1JW
Telephone 01204 338 799 Fax 01204 387674

**To: Chief Executives (London Boroughs, Metropolitan Districts, County Councils
and Unitary Councils in England and Wales)**

8 January 2018

CORONERS' CIRCULAR No 62

Dear Sir/Madam

Coroners' pay guidance

This guidance must be read in conjunction with JNC circular No. 61 (copy attached). This sets out the principles of the agreement reached and indicated that the JNC would produce guidance to assist local decision-making in respect of the approach to be taken in determining pay within the appropriate range. That guidance is now set out below.

The level of pay will be determined locally, in line with the complexity of the coroner area. This guidance is intended to provide assistance to councils on how the factors should be interpreted, without directing or being overly prescriptive. It aims to provide those whose responsibility it is to determine and decide on a local evidential basis, the appropriate level of pay. This joint guidance seeks to identify factors to consider in determining the complexity of a coroner's area in order to consider the appropriate pay point at a local level.

In making the assessment of the relevant pay level to be applied locally it should be on the basis that all the duties and responsibilities are being performed at full capability as outlined within the jointly agreed and adopted job descriptions (within the KFH report commissioned by the JNC). Councils are reminded that the pay framework does not cover non-statutory out of hours duties. The KFH report can be found at <https://www.local.gov.uk/our-support/workforce-and-hr-support/coroners> .

The factors should be considered holistically in order to arrive at a balanced overarching picture of an Area's complexity. It is not intended to be a simple numbers exercise.

In considering the factors below the assessment of the relative complexity of a coronial area should be considered in terms of the likelihood of the presence of these factors to require additional coronial intervention beyond that which would be normally expected and cannot be addressed solely through additional Assistant Coroner capacity. Similarly, the absence of such factors should be considered in

terms of a reduction in the likelihood of coronial intervention compared to that normally expected. In practical terms, the difference in the types of an institution present in an area are likely to provide for different demands upon the coronial service (e.g. local prison as compared to an open prison or a large acute hospital compared to a community hospital) and the overall assessment should be on the basis of the coronial area as a whole.

In considering all factors local knowledge/experience/risk will be a feature and should be evidence based. These factors include:

Factor	For consideration
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.
Mental Health Unit(s)	Are there any? Type of such units i.e. in-patients Number of units.
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.
Caseload	Caseload of the respective coroner 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. Conversely, it may be possible for a coroner to have a high caseload of low complexity.

In addition to the above factors there may be an exceptional local factor that it is determined is appropriate to be taken into account e.g. a major transport hub such as an international airport or military port/hub. As with all other factors you will wish to be mindful of the number, type, and local evidence of risk/complexity.

Senior and Area Coroners

The factors set out above would apply to both Senior (full-time and part-time) and Area Coroners and we would anticipate them being placed at the same point within the appropriate range for the coronial area.

Part-time Senior Coroners

Part-time senior coroners must keep a note of time spent on coronial business including details of days worked, indicating time worked (half or full day), where and what work undertaken and they may be required to provide a "fee note" in this respect. How such a note would look in practice is a matter for local determination. How and when payment is made to part-time senior coroners is a matter for local determination. Earnings will be capped at the level of a full-time senior coroner in a similarly complex area.

Assistant Coroners

We would expect a broad correlation between the pay of a Senior Coroner and the daily rate determined for Assistant Coroners working within that same coroner area. Where the Senior Coroner role is paid at the mid-point or below then the mid-point of the Assistant's range should be a ceiling. Where the Senior Coroner role is paid above the mid-point then that same figure should be a floor. Assistant Coroners will be expected to operate across the complexity of the area/role as per the jointly agreed job description.

Other issues

Performance management - local authorities will be aware that at present, they are unable to formally performance manage coroners. This matter is outside of the remit of the JNC. However, it is believed that the Chief Coroner at some future stage will be providing guidance on performance management.

Next review - The JNC's pay ranges will next be reviewed in September 2018 with a view that any agreed changes would be implemented from 1st April 2019.

Yours faithfully

SIMON PANNELL
JENNIFER LEEMING

Joint Secretaries

Management Side Secretary, Simon Pannell
Local Government Association
18 Smith Square,
London, SW1P 3HZ
Telephone 020 7187 7373 Fax 020 7664 3030

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Civic Centre, Howell Croft North, Bolton, Lancashire BL1
1JW
Telephone 01204 338 799 Fax 01204 387674

JOINT NEGOTIATING COMMITTEE FOR CORONERS

To: Chief Executives (London Boroughs, Metropolitan Districts, County Councils and Unitary Councils in England and Wales) (copy for Treasurer)

2 November 2017

CORONERS' CIRCULAR No 61

Dear Sir/Madam

Coroners' pay

We are writing to update you on our negotiations regarding the pay of coroners.

As you are aware the JNC for Coroners agreed to undertake a job evaluation (JE) exercise to assess the roles set out in the Coroners and Justice Act 2009.

We commissioned Korn Ferry Hay Group to undertake the job evaluation exercise to enable us to develop a grading arrangement based on broader criteria than the population based approach taken in the past. That exercise has created new model job profiles and has been able to take account of criteria relevant to both local authority and judicial contexts. It has also been the first opportunity to consider through the JNC pay recommendations with regard to Area and Assistant Coroners. 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 on an approach, details of which are set out below.

- Senior coroners - a range of £117,000 to £130,000. The salary includes statutory out of hours work as set out in legislative provisions. The current JNC 5.5% salary pension supplement will no longer apply.
- Part-Time senior coroners – a base salary of £20,000 and then a daily rate range of £440 to £500 with earnings capped at the level of a full-time senior coroner in a similarly complex area. The 5.5% pension allowance provision would fall as would the current provision in some authorities of 'county loadings' of at least 10% of salary. This would also see the abolition of long inquest payments. Legislation requires that all senior coroners are salaried which precludes falling back solely on a day rate for part-timers. A fixed salary will also cover the need for coroners to be available at all times even given they are notionally part-time. The proposed range of day rates is based on removing the suggested level of £20,000 from the senior coroner range and then dividing by 220 to achieve a range of daily rates which is transparent and equitable. The

salary includes statutory out of hours work as set out in legislative provisions.

- Area coroners – a range from £87,000 to £100,000. The JNC 5.5% pension allowance will not be sought in addition (Area Coroners have not previously been covered by the JNC). The salary would include statutory out of hours responsibility to the extent that it applies to Area Coroners as set out in legislative provisions.
- Assistant coroners – daily rate from £375 to £454 with a ceiling/floor mid-point for less complex/highly complex areas. This approach takes account of the 2 levels within the single role that Korn Ferry Hay identified in its job evaluation exercise. The 5.5% pension allowance would not be sought in addition should access to the LGPS be provided to assistant coroners.

Joint guidance will be produced before the end of 2017 to assist local decision-making in respect of the above approach. Until that happens, no action is necessary.

Background information in relation to this work is contained in past circulars which can be found at the following link: <https://www.local.gov.uk/our-support/workforce-and-hr-support/coroners>

We are grateful to the technical advisers from local authorities who have worked with us on this exercise.

Yours faithfully

SIMON PANNELL
JENNIFER LEEMING

Joint Secretaries

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Local Government Association
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Officers' Side Secretary, Jennifer Leeming
HM Coroner Manchester West, Paderborn House,
Civic Centre, Howell Croft North, Bolton, Lancashire BL1
1JW jennifer.leeming@bolton.gov.uk

To: Chief Executives (London Boroughs, Metropolitan Districts, County Councils and Unitary Councils in England and Wales)

30 November 2018

CORONERS' CIRCULAR No 63

Dear Sir/Madam

Coroners' pay agreement 2018/2020

You will be aware that JNC Circular 62 indicated that pay ranges would be reviewed in autumn 2018 with a view that any agreed changes would be implemented from 1st April 2019.

That review has now taken place and the JNC has reached the following agreement to apply a 2.0% uplift on ranges and rates with effect from 1st April 2019 and 1st April 2020 respectively.

Senior coroner	1 st April 2019	1 st April 2020
Range	£119,340 to £132,600	£121,727 to £135,252

Part-time senior coroner	1 st April 2019	1 st April 2020
Base salary	£20,400	£20,808
Daily rate	£449 to £510	£458 to £520

Area coroner	1 st April 2019	1 st April 2020
Range	£88,740 to £102,000	£90,515 to £104,040

Assistant coroner	1 st April 2019	1 st April 2020
Daily rate	£383 to £463	£391 to £472

Salaries and Day rates

With effect from 1 April 2019, local salaries and day rates for individuals will be increased by 2.0% apart from where a different review date has been agreed for 2019/20 as part of the local implementation of the JNC framework.

However, for 2020/21 all local salaries and day rates for individuals should be increased by 2.0% on 1st April 2020.

Yours faithfully

SIMON PANNELL
JENNIFER LEEMING
Joint Secretaries