

HR Committee

27th September 2018



Report of: Interim Director: Legal and Democratic Services

Title: Senior Coroner remuneration

Ward: N/A

Officer Presenting Report: James Brereton (People & Culture Manager)

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Recommendation

That the Committee approves backdating the current salary of the Senior Coroner to 1st December 2017 and the removal of the Market Pay Supplement and Pension Supplement with effect from 30th November 2017.

Summary

This report finalises previous discussions regarding implementation of the agreement and guidance of the Joint Negotiating Committee for Coroners.

The significant issues in the report are:

- The recommendation is in line with emerging practice amongst local authorities responsible for coroner areas in the West of England.



Policy

1. Full Council has delegated to the HR Committee the responsibility for agreeing the salary of the Senior Coroner.
2. Historically the remuneration of coroners has been set by the Joint Negotiating Committee for Coroners (JNC), which is made up of representatives of the Local Government Association and the Coroners' Society of England and Wales.
3. For coroners automatically appointed under the 2009 Act (as is the case for the Avon Senior Coroner), there was been no national pay award between 1st April 2009 and 2nd November 2017.
4. Maria Voisin was appointed as coroner for the Avon district in 2011 on a salary of £99,664 plus a 5.5% supplement (the latter having been agreed through the JNC in 1978 for whole-time coroners who join the Local Government Pension Scheme).
5. In April 2015 the Senior Coroner requested a re-evaluation in line with the PWC/Coroners' Society scheme, which would have increased her salary to £124,445 including the 5.5% supplement. At its meeting of 2nd February 2017 the HR Committee approved the application of a Market Pay Supplement of £15,336 (per annum), taking the overall pay package of the Senior Coroner to £115,000 per annum. This was in line with market pay data available at the time and recognised that the JNC was then in deadlock.
6. The JNC reached agreement on a new salary scale on 2nd November 2017. Guidance was issued to local authorities on 8th January 2018. At its meeting of 26th April 2018 the HR Committee approved an annual salary of £130,000 for the Senior Coroner with effect from 1st April 2018, together with removal of the Market Pay Supplement and 5.5% Pension Supplement with effect from 31st March 2018.

Consultation

7. **Internal**
The Senior Coroner.
8. **External**
None.

Context

9. Following further discussions between the Senior Coroner and the Interim Director: Legal and Democratic Services, the Committee is asked to approve the recommendation above. This is in line with emerging practice amongst local authorities responsible for coroner areas in the West of England and is in full and final settlement of the matter. The cost of agreeing the recommendation is £3,941.35.

Proposal

10. That the Committee approves backdating the current salary of the Senior Coroner to 1st December 2017 and the removal of the Market Pay Supplement and Pension Supplement with effect from 30th November 2017.

Other Options Considered

11. Not to agree any backdating. This is not recommended because a number of Senior Coroners in the West of England have received backdating to 1st December 2017 or earlier, and there is a need to ensure a broadly consistent approach between coroner areas. Moreover, not agreeing to the backdating could result in a deterioration of the currently good relations between the authority and the Senior Coroner.

Risk Assessment

12. There are no significant risks to agreeing the proposal.
13. The risk of not agreeing the proposal is that the Council will be out of step with the local position, which is also likely to impact on the relationship between the Senior Coroner and the authority.

Public Sector Equality Duties

- 14a) Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:
 - i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
 - ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
 - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
 - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

- iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
 - tackle prejudice; and
 - promote understanding.

14b) An Equality Impact Assessment has not been completed as this report concerns one officeholder, who is not an employee.

Legal and Resource Implications

Legal

“It is within the Terms of Reference of this Committee to make decisions regarding the salary of the Coroner. The recommendation contained in the report, if agreed by the Committee, should be clearly agreed in writing with the Coroner and confirm the issue of backpayment is now resolved.

Advice provided by Husinara Jones (Lawyer), 19th September 2018

Financial

(a) Revenue

“The cost of this proposal has been calculated at £3.9k of which Bristol’s contribution is 40% which will be funded through revenue if approved by committee.”

(b) Capital

Not applicable.

Advice provided by Kevin Lock (Finance Manager), 20th September 2018

Land

Not applicable.

Personnel

“Personnel implications are outlined in the report.”

Advice provided by Mark Williams (Head of HR), 19th September 2018

Appendices:

None.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

None.