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

16 December 2022

Dear colleague,

Pay 2022

1. You will recall that following notification to authorities of the coroners pay claim, the management side of the Joint Negotiating Committee for Coroners (JNC) issued a survey to local authorities which included questions relating to this year's pay negotiation and the 8% increase in salaries and fees sought by the officers' side of the JNC (Coroners Society).
2. The management side of the JNC also engaged with its advisers, which are drawn from a number of coronial areas across England and Wales.
3. Both of the above, together with wider factors as indicated in the attached offer letter (**Appendix A**) e.g. settlements elsewhere, informed management side consideration of a response to the claim.
4. Accordingly, following joint discussion, the management side offered a 1.56% increase (with effect from 1 April 2022) on local salaries and day rates for individuals, derived from the JNC arrangements.
5. The officers' side has rejected the offer and its response is also attached (**Appendix B**).
6. It would, of course, be a joint decision at local level whether to undertake local negotiations directly with coroners as alluded to in the officers' side response or, where you do not already do so, to respond your intention is to await the outcome of national negotiations as usual. In the latter case you may wish to check the contractual expectation. You will also be aware that pension matters, in this case the Local Government Pension Scheme, do not fall within the scope of this JNC.
7. The management side of the JNC will now consider the officers' side response.

8. You will note the reference in the officers' side response to an increase of 4% on the basis that it believes settlement has taken place in at least one authority at that level and one other authority is prepared to settle at a higher figure. It would therefore be helpful to know:

- (a) if agreement has already been reached in your local coronial area on coroners pay for 2022; and
- (b) if so, at what level?
- (c) would you normally negotiate directly with coroners in your area, or do you apply the outcome of negotiations through the JNC for Coroners?

9. Please forward your response to the questions in paragraph 8 to coroners.queries@local.gov.uk as soon as possible; **at the latest by Tuesday 3rd January 2023.**

10. We will keep you advised of developments.

Yours faithfully,

Gill Gittins
Assistant Management Side Secretary
JNC for Coroners

Management Side – JNC for Coroners

**Joanne Kearsley
Officers' Side Secretary
Coroners' Society for England & Wales**

BY EMAIL ONLY

9 December 2022

Dear Joanne

I write further to the officers' side pay claim for 2022 and following our joint secretariat discussions.

We share your intention in wanting to reach an agreement as quickly as possible and we have carefully considered the points and rationale provided in your claim.

The management side of the JNC wishes to offer a 1.56% increase (with effect from 1 April 2022) on local salaries and day rates for individuals, derived from the JNC arrangements.

Before arriving at this position, the management side consulted with local authorities and sought advice as necessary on each of the points raised within the claim. In addition, the management side has been mindful of pay settlements elsewhere, including those of most interest to each party on the Joint Negotiating Committee. For the management side, a key factor that must be taken into account is the other groups for which local authorities are responsible for payment – and the settlement agreed with chief officers.

It is important to note that agreement for 2022 has now been reached across the Local Government Services NJC, the JNC for Chief Executives, and the JNC for Chief Officers. All of these bargaining areas have reached agreement based on the principle of applying a flat rate increase of £1925 (pro-rated as appropriate) to salaries and allowances.

We have discussed the unique nature of the JNC for Coroners' pay structure and the difficulty that creates in applying a flat rate pay award. So, while the management side concludes that to achieve consistency and fairness across the Local Government bargaining groups, a similar offer would make sense here, there is an understanding that a slightly different approach must be taken. Accordingly, the offer of 1.56% is arrived at by establishing that this is the percentage value of adding £1925 to the bottom of the senior coroner salary range.

The management side also pay due regard to the officers' side interest in pay awards for members of the judiciary who fall within the scope of the Senior Salaries Review Body. Members noted the 2022 award for that group is 3%, which follows the 2021 review in which there was no award made. Noting that the JNC for Coroners agreed a 1.5% increase in 2021, the management side is confident that the 2021 award (having been already paid) and added to the proposed award of 1.56% for 2022 more than keeps pace with pay awards within the judiciary.

The management side would also remind the officers' side of the challenges within local government finance which continue to be exacerbated by the effect of sharply rising inflation and huge demands across all local government services. In challenging economic times, consistency and fairness remain core principles when making decisions around pay, and this is a key factor in this offer.

On a technical point, while members noted your reference to changes to the judicial pension scheme, pension matters (albeit in the case of coroners the Local Government Pension Scheme) do not fall within the remit of this JNC.

In conclusion, the management side recognises the offer does not meet the aspiration of the officers' side, we would ask that due regard is given to the challenging financial position facing local authorities, and for that driver of fairness and consistency with regards to pay settlements in these challenging circumstances. I look forward to your early response.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'S. Ward', written in black ink on a light-colored background.

Sarah Ward
Management Side Secretary
JNC for Coroners

MS J KEARSLEY
HIS MAJESTY'S SENIOR CORONER
MS C McKENNA
HIS MAJESTY'S AREA CORONER
County of Greater Manchester
North District



HM CORONER'S COURT
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Rochdale
OL16 1AT

Email: Coroners.Office@Rochdale.gov.uk

Ms Sarah Ward
Joint Secretariat
Joint Negotiating Committee
Local Government Association

9th December 2022

By email: Sarah.Ward@local.gov.uk

Dear Sarah,

RE: Coroner Salary and Fees

Thank you for your letter dated 9th December 2022 detailing the offer made by the LGA of 1.56% to all local salaries and day rates with effect from the 1st April 2022.

There was some helpful context provided, for which we are grateful, and I will deal with these in turn.

In summary, whilst recognising the points set out in our initial offer letter, LGA Members;

1. Felt a balance was also required against local authority affordability.
2. Recognised the response to the pandemic by the whole public sector.
3. Felt that complexity was the driver for pay within the scheme rather than any increase in number of cases.
4. Understood there was a mixed picture of coroners who may have contributed to wider pieces of work and took on additional responsibilities.
5. Were not persuaded that the case of Maughan was evidence of a growth in the complexity for the service.
6. Noted the changes to the judicial pension scheme but indicated Coroners were members of the local government pension scheme.
7. Were mindful of ongoing financial pressures for local authorities, which it was felt would worsen next year.
8. Did not feel that recruitment and retention was a general problem bar from certain pockets of areas.

It was acknowledged that a flat rate approach to any increase would not work given the complexity of coroners' salaries and fees and we would respectfully agree with this.

Having given careful consideration to the points you have expressed and the offer made, we are not in a position to accept the same. Therefore, we formally reject the offer of 1.56%.

In order to bring about a swift conclusion to these negotiations, given the time which has elapsed since the 1st April 2022, we can confirm, that in the spirit of compromise and with a genuine desire to settle this matter, we would be willing to accept a 4% increase on all local salaries and day rates with effect from 1st April 2022. You will appreciate that this is a very significant reduction from what we were originally seeking.

Please note we are aware of one local authority area which has offered 4% to their coroner who is in the process of accepting this. In addition another local authority has indicated they are willing to settle at 5%. There has been a clear indication from coroners that should these negotiations not conclude swiftly coroners are going to negotiate locally so as to avoid matters entering the next financial tax year.

Going forward we would do feel these negotiations need to be less protracted, we do not wish to return to the position where coroner salaries are subject to wide disparity across the country. This would not be helpful to either ourselves or the LGA.

We note we are meeting on the 16th January 2023 and appreciate it may be helpful to provide some context to our position for your consideration beforehand.

- Essentially the offer of 1.56% equates to a direct comparison of the flat rate of £1925 offered to the local government workforce. We note however Chief Executives have not, as yet, accepted that offer. Whilst we acknowledge local authority financial pressures, we do not accept that comparing Coroners to “local government workforce,” is either helpful or accurate. You are aware of our position that the true comparison should sit with the judiciary. However, in this regard you will also recall that, when the KornFerry Hay (“KFH”) report was prepared, both sides agreed to some movement from their respective initial positions. We see no reason why that position should now be retracted and coroners be directly compared to local authority officers.
- Whilst it is recognised the judiciary received a 3% salary increase this year and their pay was frozen last year, this is still not comparable to the increases we have received since the coroner salary bands were settled following the KFH report. It must be remembered that between the initial KFH report and our negotiations reaching an agreement, the judiciary had already received a 2% increase, which was not taken into account. Further, in the intervening period, judicial salaries have increased significantly more than those of coroners to the extent that, at present, circuit judge salaries (which was the comparator made with coroners in the KFH report) are now at £147,388, which is over £10,000 more than the highest coroner point. This is a far greater difference than when the initial banding was agreed. As such, even with a 4% pay increase this year, coroners’ salaries will not have increased in line with judicial salaries.
- There are many factors which we would argue have increased the complexity of the work undertaken by coroners. The case of Maughan is one such factor and we would argue coroners are in a stronger position to consider the impact of this decision than local authorities. There are other factors such as the impact of the medical examiners system, the increase in poor and unsafe care due to pressures on other public sector agencies. One only has to consider recent newspaper reports to consider the challenging and complex cases coroners nationally are dealing with.
- However, the most important point, which we do not consider to have been addressed at all, is the significant discrepancy in the pension provisions between Judicial Pensions and Coroner pensions. Simply acknowledging the fact we are member of the local authority pension scheme does not address this matter. We have raised this issue with the Ministry of Justice and we would urge your members to do the same, as this will be a significant feature of future negotiations. As a result of our concerns on this matter, we can advise that we are instructing PWC to complete a report setting out the difference in the pension provisions for the judiciary and for coroners, with a view to understanding how, going forward, this difference may be recognised by way of increased salaries. This issue directly feeds into future retention and recruitment.

- On the point of retention and recruitment, we do not agree with the view of the LGA. Recruitment of quality candidates particularly in respect of Senior and Area coroners is an increasing problem. In recent months a Senior Coroner post has had to be re-advertised and the process re-run, by reason of a lack of suitable applicants for the position. In the same way, the number of applicants for Area coroner positions is also diminishing. Further, although we acknowledge that in general, the recruitment issues relating to Assistant coroners maybe limited to specific areas, we would nevertheless argue that retention is becoming an ever-increasing issue with Assistants. By way of example, the writer has recently lost an Assistant Coroner as she has accepted a full-time judicial position. Another assistant is currently waiting to hear on his application. Both linked their interest in moving to the judicial pension. My Local Authority, whilst knowing an Assistant has left, have no understanding as to why. It is possible this is the situation in other areas which might explain why your members are not fully aware of the situation.

We look forward to speaking to you on the 16th January 2022.

Yours Faithfully

J Kearsley

Ms J Kearsley MSc, LLB(Hons)

Senior Coroner

Joint Secretariat JNC

Coroners Society of England and Wales