

Cabinet
30.09.2024

**APPOINTMENT OF A SENIOR CORONER FOR PEMBROKESHIRE
AND CARMARTHENSHIRE JURISDICTION**

Purpose:

The report seeks Cabinet approval to proceed with a recruitment process leading to the appointment of a Senior Coroner for the Pembrokeshire and Carmarthenshire area.

Recommendations / key decisions required:

To grant delegated authority to the Head of Law, Governance and Civil Services in consultation with the Leader:

1. To support Pembrokeshire County Council in the preparation of the job description, contractual terms and appointment process for the post of Senior Coroner and to make arrangements to suitably advertise the post.

2. To support Pembrokeshire County Council in taking all necessary steps to progress the appointment of a Senior Coroner.

3. In consultation with Pembrokeshire County Council and the Chief Coroner's officer, to establish a panel, in order to draw up a short-list, interview applicants and to appoint the successful applicant as the Senior Coroner for Pembrokeshire and Carmarthenshire.

Reasons:

The Council has statutory duties in relation to the Coroner Service as provided for by the Coroner and Justice Act 2009 ("the 2009 Act"). Section 23, Schedule 3, Part 1 of the 2009 Act provides that the relevant authority for each coroner area must appoint a Senior Coroner for that area.

Cabinet Decision Required	YES
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Council Decision Required	YES
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CABINET MEMBER PORTFOLIO HOLDER: - Cllr. Philip Hughes, Organisation and Workforce

Directorate: Chief Executive's Name of Head of Service: Steve Murphy Report Author: Steve Murphy	Designation: Head of Law, Governance and Civil Services	Tel: 01267 224693 Email addresses: SPMurphy@carmarthenshire.gov.uk
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EXECUTIVE SUMMARY

Appointment of a Senior Coroner for Pembrokeshire and Carmarthenshire

1. PURPOSE OF REPORT

The Council has statutory duties in relation to the Coroner Service as provided for by the Coroner and Justice Act 2009 (“the 2009 Act”). Section 23, Schedule 3, Part 1 of the 2009 Act provides that the relevant authority for each coroner area must appoint a Senior Coroner for that area. As a County we have a joint coroner area with Pembrokeshire, with Pembrokeshire County Council being the relevant authority for the purposes of the 2009 Act

As the relevant authority we are responsible for appointing the Senior Coroner and Assistant Coroner for the area and for the provision of appropriate accommodation and whatever officers and other staff the Coroner needs. Although the authority pays their salary, Coroners are not employees of the Council. The Coroner is an independent judicial office holder.

His Majesty’s Coroner Service covering the Pembrokeshire and Carmarthenshire area is financed equally between the two Councils, with the exception of some case specific disbursements.

Main Considerations

The interim Senior Coroner is Mr Paul Bennett who was appointed in June 2020 upon the resignation of the previous Senior Coroner. At that time, the former Chief Coroner had indicated that he wished to consider potential mergers of Coroner jurisdictions and therefore permanent recruitment was delayed in several jurisdictions for this reason.

The Coroner’s Office has now confirmed that Pembrokeshire and Carmarthenshire will not be affected by these mergers. The Councils are therefore able to proceed with the appointment of a permanent Senior Coroner. A fair and open competition must be run, with the post having to be advertised for a minimum period of 3 weeks in accordance with the Guidance issued by the Chief Coroner “Chief Coroner's Guidance Note 6 - Appointment of Coroners” (“the Guidance”).

The appointments process is governed by the 2009 Act and the Guidance. The Chief Coroner will be involved directly in the appointment process either personally or through a nominee. The Chief Coroner will approve the appointment process to be followed and the shortlist of candidates to be interviewed. The two authorities will need to form a panel to shortlist, conduct the interviews and decide on the appointment. The composition of the panel is a matter for the authority, but the Chief Coroner or her representative will attend the interviews but will not be part of the panel decision making.

The Head of Law, Governance and Civil Services in consultation with the Head of Law, and Governance at Pembrokeshire County Council will make arrangements to set up the Panel and is seeking delegated powers to do this.

It is proposed that the panel will consist of, for Pembrokeshire County Council, the Head of Law and Governance or the Legal Services Manager, and the Leader. From Carmarthenshire, the

Head of law, Governance and Civil Services and another Officer (yet to be confirmed) and either the Chief Coroner or a nominee.

Any appointment will need to be approved by the Chief Coroner and the Lord Chancellor.

DETAILED REPORT ATTACHED?

NO

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report:

Signed: Steve Murphy, Head of Law, Governance and Civil Services

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	YES	NONE	NONE	NONE	NONE	NONE

2. Legal

The appointment of a Senior Coroner is a statutory requirement under the 2009 Act, failure to appoint a Senior Coroner would be a statutory failing.

2. Finance

The salary for Senior Coroners is set with reference to the Joint Negotiating Committee's (JNC) pay range for Senior Coroners. For a Senior Coroner the pay range is between £129,872 and £144,303. The exact salary will be set on appointment.

The Senior Coroner will be a 4 day, 30-hour week post; the salary will be on a pro rata basis.

5. Risk Management Issues

There are no direct implications arising from this report. However, it must be noted that The Council has statutory duties in relation to the Coroner Service as provided for by the Coroner and Justice Act 2009 ("the 2009 Act"). Section 23, Schedule 3, Part 1 of the 2009 Act provides that the relevant authority for each coroner area must appoint a Senior Coroner for that area.

7. Staffing Implications

The Council has statutory duties in relation to the Coroner Service as provided for by the Coroner and Justice Act 2009 ("the 2009 Act"). Section 23, Schedule 3, Part 1 of the 2009 Act provides that the relevant authority for each coroner area must appoint a Senior Coroner for that area.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Steve P Murphy

Head of Law, Governance and Civil Services

(Please specify the outcomes of consultations undertaken where they arise against the following headings)

1. Scrutiny Committee request for pre-determination	NO
If yes include the following information: -	
Scrutiny Committee	
Date the report was considered: -	
Scrutiny Committee Outcome/Recommendations: -	

2. Local Member(s)

Not applicable

3. Community / Town Council

Not applicable

4. Relevant Partners

Pembrokeshire County Council and Chief Coroners' Office

5. Staff Side Representatives and other Organisations

Not applicable

CABINET MEMBER PORTFOLIO HOLDER(S) AWARE/CONSULTED	Include any observations here
YES	Supportive

Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:

Coroner and Justice Act 2009
 Chief Coroner "Chief Coroner's Guidance Note 6-Appointment of Coroners"

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Public Consultation Responses		

