



# EXECUTIVE BOARD DECISION

<b>REPORT OF:</b>	Executive Member for Resources Resources
<b>LEAD OFFICERS:</b>	Director of HR, Legal and Corporate Services
<b>DATE:</b>	14 June 2018

<b>PORTFOLIO/S AFFECTED:</b>	ALL
<b>WARD/S AFFECTED:</b>	All
<b>KEY DECISION:</b>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

**SUBJECT: Update on Coronial Service**

## 1. EXECUTIVE SUMMARY

To report on the successful transition to a merged Coronial Service

## 2. RECOMMENDATIONS

That the Executive Board:

Note the success of the merger of the former Coronial Districts of Blackburn with Darwen, Hyndburn and Ribble Valley Coronial service with the Preston & West Lancashire and East Lancashire Coronial Service

## 3. BACKGROUND

Under the Chief Coroner's Guidance 14 – Mergers of Coroner Areas, the Lord Chancellor may, after consultation, make orders altering coroner areas, either combining (merging) or dividing coroner areas. It was the view of the Chief Coroner, following upon the recommendations of the Luce review in 2003, that the number of coroner areas should be reduced in order to create sensibly sized coronial areas, taking into account the numbers of reported deaths, geographical size and types of coroner work in the area. In many cases, the Guidance 14 states '3,000 – 5,000 reported deaths would be an appropriate number although smaller or larger areas may in places be appropriate.'

The former Senior Coroner for Blackburn with Darwen, Hyndburn and Ribble Valley indicated last year his intention to retire from 30<sup>th</sup> June 2017.

As a consequence the council requested the Ministry of Justice to consider replacing the Senior Coroner for Blackburn with Darwen, Hyndburn and Ribble Valley. As the retirement however would facilitate a potential merger between the Preston & West Lancashire, East Lancashire and Blackburn with Darwen coronial areas, and changes were already under way across Lancashire the Ministry of Justice in responding to Blackburn with Darwen's Borough Council's request to replace the existing Senior Coroner role identified that in accordance with long standing government policy, that a merger of coroner areas should be considered, pointing out the significant service efficiencies that could be achieved by both Councils.

The Executive Board at the time noted that throughout all the cuts over the years there had been no 'cuts' possible to the coroners budget given it had not been possible to date, to identify how such services could be more effectively provided or merged given the nature of the services and the statutory nature of the services with its direct reporting arrangements to the Chief Coroner.

The then Blackburn with Darwen coroner area as outlined above was jointly funded between Lancashire County Council and Blackburn with Darwen Borough Council. Ultimately it was accepted that a merger between all three coronial areas would support the Chief Coroner's aim for a coronial area to deal with a minimum of 3000 deaths per year and reduce the number of part-time senior coroners. A consultation exercise was therefore carried out.

Blackburn with Darwen Borough Council also sought assurances that services would be provided which ensured local cultural and community and in particular religious needs and expectations would be a feature of the services provided to citizens of the Borough.

#### **4. KEY ISSUES & RISKS**

Following the decision by the Council to support the merger proposals detailed work was undertaken with the Council's key partner in the changes, Lancashire County Council (LCC). At the time it was the relevant authority supporting the work of the full-time Senior Coroner for Preston and West Lancashire and the Senior Coroner for East Lancashire who was part-time. LCC also contributed 50% towards the cost of the Senior Coroner for Blackburn with Darwen as the jurisdiction at the time included Accrington, Hyndburn and Ribble Valley.

The role of HM Coroner is a statutory role.

The then Senior Coroner for Preston and West Lancashire, Dr James Adeley was subsequently appointed as the Senior Coroner for the new revised jurisdiction of Lancashire & Blackburn with Darwen [having initially been appointed on an interim basis during the consultation and pending formal approval of the merger by statutory instrument.].

At the time of the merger being approved by the Lord Chancellor significant savings to both Lancashire County Council and Blackburn with Darwen Borough Council were envisaged over time as the separate jurisdiction merged processes and operated under a new and revised administrative arrangement. The new Senior Coroner also oversaw changes to referral arrangements and other policy revision which would improve services and deliver operational efficiencies. This would include the impact of amended reporting criteria

Over the last 12 months the Coroners service has moved administratively to Preston, from the former base in a Blackburn Business Centre and the inquests have moved into the Blackburn Town Hall unless there are reasons otherwise. Long inquests in East Lancashire were regularly held at Burnley Magistrates Court .Long Blackburn inquests have been re-located to the Preston Coroner's Court at no additional cost to the Authority. The Preston court has the facility to offer video conferencing to experts giving evidence at inquests which also reduces claims for travel costs.

There continues to be a move to a more electronic way of working which correlates effectively with the digital strategy of Blackburn with Darwen.

Lancashire Constabulary continue to support the jurisdiction and welcomed the merger as it allowed them to manage their resources more effectively. The Police use telephone and email as the primary method of contacting the Coroner's Office and there is little requirement for face to face contact except in very complex cases.

There has been no change to the location of post mortem examinations or mortuary provision although there is now the potential option of a digital autopsy at the Royal Preston Hospital. Police identification and family viewings remained unaffected by the changes.

Anticipated efficiency savings in relation to accommodation costs and the hiring of courts are being monitored.

As indicated above, Blackburn with Darwen Borough Council sought assurances last year that services would be provided which ensured local cultural and community and in particular religious needs and expectations would be a feature of the services provided to citizens of the Borough. The Senior Coroner has been extremely supportive and has invested time in developing a system of support for faith communities as requested by Blackburn with Darwen and this has provided very successful.

## **5. POLICY IMPLICATIONS**

Lancashire County Council is now the relevant authority for the Blackburn with Darwen jurisdiction.

The merger saw LCC assuming the role of becoming the relevant local authority responsible under the Coroners and Justice Act 2009.

The funding for the new jurisdiction is now met by Lancashire County Council with Blackburn with Darwen Council contributing an agreed percentage in relation to the operating costs for the existing Blackburn with Darwen area and also contributing a percentage towards the cost of the Senior Coroner and one Area Coroner who will be responsible for dealing with the workload in the Blackburn with Darwen area. This replaced the former arrangements whereby the County Council reimbursed Blackburn with Darwen Borough Council for 50% of the costs of the Blackburn with Darwen, Hyndburn and Ribble Valley coronial services.

Both Councils have entered into a legally binding agreement that sets out the provision of the service, accountability, responsibilities, monitoring arrangements and financial arrangements.

## **6. FINANCIAL IMPLICATIONS**

Both Councils have faced unprecedented budget reduction targets. Until the presentation of the merger proposals last year, there was no opportunity to propose a reduction in the previous costs of the Coroner Services which were circa £800K per annum. (of which circa £400K was contributed by Lancashire County Council for the Services covering Hyndburn & Ribble Valley).

The merger will over time produce significant savings for Blackburn with Darwen Borough Council. An interim management arrangement was put in place from June last year which assisted the transition to the new service. This transition however involved significant one off costs regarding system changes, removals and other related costs. Equally some of the changes in reporting and new ways of working could not be introduced immediately and required some months of development and delivery.

At the time it was not possible to identify with certainty what the level of savings would be (and indeed work continues) however initial estimates last year suggested savings in the region of £300K per annum (of which £150K would be a saving for Blackburn with Darwen Borough Council).

These saving were estimated to be potentially deliverable in 2018/19 given all the transitional and other related change costs during 2018/19. Experience to date now indicates that these savings may take 1.5-2 years to fully achieve (so may slip into 19/20).

The savings achieved in 2018/19 in the short term will contribute to the workforce savings targets established for the Resources portfolio consequential of the budget savings approved by Finance Council in February 2016. It should also be noted that there are potential future costs to the service for the introduction of the new national Medical Examiner Service and therefore pending clarity on the

costs of this future development, the savings longer term will be earmarked for this purpose.

Notwithstanding the transitional activity and the merger only being in place during part of the year some savings to the two local authorities have been delivered in 2017/18. The changes have delivered savings for Blackburn with Darwen of circa £35K and these have been utilised to offset budget pressures elsewhere in the resources portfolio.

## 7. LEGAL IMPLICATIONS

Under the Coroners and Justice Act 2009, the decision on and responsibility for making an order to create a new coroner's area rests with the Lord Chancellor. The Lord Chancellor consulted with Local Authorities before ordering the merger.

Lancashire County Council are now the relevant authority for the delivery of coronial services for the Borough and they fulfil this role in accordance with a formal legal agreement between Lancashire County Council and Blackburn with Darwen Borough Council.

## 8. RESOURCE IMPLICATIONS

Resources for the delivery of the Coronial Service are provide under legal agreement by Lancashire County Council. The Council Solicitor/Head of legal Services and a finance officer monitor service and costs in accordance with the agreed protocols between the Councils.

## 9. EQUALITY AND HEALTH IMPLICATIONS

**Please select one of the options below. Where appropriate please include the hyperlink to the EIA.**

Option 1  Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2  In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3  In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

## 10. CONSULTATIONS

Consultations were conducted in advance of the merger last year.

## 11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

## 12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

**VERSION:** 2

<b>CONTACT OFFICER:</b>	<b>David Fairclough</b>
<b>DATE:</b>	<b>29/05/18</b>
<b>BACKGROUND PAPER:</b>	<b>Merger of Coronial Districts</b>