

EXECUTIVE BOARD DECISION



REPORT OF: Executive Member for Digital and Customer Services

LEAD OFFICERS: Director of HR, Legal & Governance

DATE: Thursday, 12 September 2019

PORTFOLIO(S) AFFECTED: Digital and Customer Services

WARD/S AFFECTED: (All Wards);

KEY DECISION: N

SUBJECT:

Progress update on Coronial Service.

1. EXECUTIVE SUMMARY

This report provides an update on our coronial service for the period 1.4.2018 – 31.3.2019.

2. RECOMMENDATIONS

That the Executive Board:

Notes the contents of the report, the service developments, improvements and budgetary savings achieved in the last financial year.

3. BACKGROUND

On the 14th June 2018 a report was submitted to the Executive Board on the successful transition to a merged Coronial Service. The report noted 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. Lancashire County Council is now the relevant authority for the Blackburn with Darwen [BwD] jurisdiction. This role has reversed from the previous position whereby Blackburn With Darwen Council [BwDC] were the relevant authority.

At the time of the merger being approved by the Lord Chancellor significant savings to both Lancashire County Council [LCC] and BwDC were envisaged over time, operating under a new and revised administrative arrangement. The new Senior Coroner [Dr Adeley] also overseeing changes to referral arrangements and other policy changes which would improve services and deliver operational efficiencies. This included the impact of amended reporting criteria.

The Coroners Service has moved administratively to Preston, from the former base at the Blackburn Enterprise 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 and 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.

Update reports have been prepared on a quarterly basis for internal review and monitoring but this report will provide a summary across the entire year.

4. KEY ISSUES & RISKS

In terms of the plans and targets that we set at the beginning of the year, they have all been met and in certain areas they have been exceeded.

The changes that have been made in this financial year have had a very positive impact for the bereaved and have ensured that they remain at the centre of everything we do.

1. STAFFING

1. Coroners

Our jurisdiction has three full-time Coroners thus reducing the need for using Assistant Coroners, although we have engaged the services of Mr Nicholas Rheinberg to deal with some of the more complex inquests due to his knowledge and expertise in the areas involved. This has allowed our Senior Coroner to concentrate on the management of the jurisdiction following the merger, introduce CT scanning and continue with the training for GPs, Doctors and Consultants.

The Chief Coroner is introducing an appraisal system for Assistant Coroners with effect from April 2019. The Appraisal system for both Senior and Area Coroners will be introduced on a date yet to be determined.

The Joint Negotiating Committee for Coroners and the Local Government Association has issued further guidance in December 2018 in relation to Coroner's pay and a benchmarking exercise has been completed. The guidance and recommendations of the committee have now been implemented.

The overall impact for BwDC will not be significant (£1,610 per year in relation to the Area Coroner). LCC do not generally re-charge for Assistant Coroners as they do not tend to deal with the BWD cases so the impact on any increased fees will not generally be passed on to BwDC.

2. Coroner's Admin Team

At the start of the year LCC indicated they intended to re-structure the admin team once the new working procedures had been implemented. The new structure came into force on 1st March 2019 and whilst the full impact of the savings will not be realised until April 2020 due to salary protection arrangements, it will see an eventual reduction in staffing costs in this area in the region of £12,883 for BWD.

3. Coroner's Officers

The Coroners continue to be supported by 12 Coroner's Officers and are funded jointly by Lancashire County Council, BwDC and the Lancashire Constabulary.

It has long been considered that there should be a Senior Coroner's Officer in post who would be able to deal with requests for leave, sickness and the more general issues encountered within the team. This is being considered by the Constabulary and if implemented would mean that our contributions would increase slightly to take account of the higher salary. The total increase in cost to the local authorities is not envisaged to be more than £10,000 and consideration would then need to be given as to how this was apportioned. A further update will be included in the next

report to the Board.

4. Out of Hour's Service

The out of hour's service continues to run smoothly. The Coroner Services Manager recently attended a 'Ladies only' event at the Masjid E Sajeeden in Little Harwood with one of our Coroner's Officers and spoke about the out of hours service and the CT Scanner

2. MANAGEMENT INFORMATION

Below is the management information for the period April 2018 to March 2019.

	April	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Total
No. Deaths	77	72	87	65	71	48	68	83	60	87	66	57	841
No. Scans	11	36	40	33	28	24	28	30	26	35	27	28	346
CT Scans with Cause of Death	11	35	37	28	26	24	26	28	26	32	24	23	321
CT scans with no COD	0	1	3	5	2	0	2	2	0	3	3	5	25
No. Post Mortems	21	1	5	15	3	3	4	5	4	6	7	8	82
Inquests Opened	73	64	85	5	5	5	13	19	23	20	26	59	351
Inquests Closed	58	52	35	22	12	12	21	13	13	14	15	50	288
Investigations Opened	69	67	53	5	10	9	26	27	22	19	25	62	350

The number of deaths referred to the Coroner in the last financial year has significantly reduced from previous years. Although these figures refer to the financial year and the statistics prepared for the MoJ are based on a calendar year, in 2016, which was the last year of independent reporting for the BwD, Hyndburn and Ribble Valley jurisdiction, it dealt with 1,772 deaths, authorised 772 post mortems and opened 316 inquests.

The statistical return for 2018 was submitted to the MoJ in February 2019. Whilst the figures are for the jurisdiction as a whole they showed, once again, an overall decrease in the number of deaths reported to the Coroner. In 2017 we reported 3,950 deaths, which was a reduction of just over 1000 from the previous year. In 2018 there were 3,586 deaths, a further reduction of 364. Dr Adeley continues to lecture Consultants, Doctors and GPs as to their role in this process and to stress when they can deal with the matter themselves rather than referring to the Coroner.

3. REVISED OPERATIONAL PROCEDURES

Information Technology

Last year we reported that there had been significant investment by both Councils to improve the IT systems relating to the work of the Coroner. Money was accrued towards the cost of the implementation of the e-portal system so that all referrals from the police, GPs and registrars are handled through the portal system, thereby reducing the need to copy and paste or even re-write referrals directly into the Coroner's database. The introduction of the portal system has allowed LCC to restructure the admin team, reducing the team by one post and re-distributing work elsewhere within the Authority.

The portal has taken a little longer to embed in some of our GP practices, however, we have both a dedicated portal telephone number and email box and have been able to deal with any queries raised quickly and effectively.

Body Storage

The revised Service Level Agreement with the East Lancashire Health Trust has seen a reduction in the cost of body storage and an agreement that all charges cease once the Coroner releases the body. Our working relationship with the Trust continues to strengthen and grow.

Protocol-Funeral Directors

The revised protocol for Funeral Directors has now been in operation for nearly 12 months. It has meant that where a funeral director is asked to conduct the funeral, they no longer charge us for the collection conducted on behalf of the Coroner. There are sufficient numbers of funeral directors to cover the BwD, Hyndburn and Ribble Valley areas.

Although we introduced an increase in the fees paid to the funeral directors for this work, the change in how and when we now pay them, together with the reduction in deaths referred to the Coroner has seen a reduction in costs of 34% from the previous financial year.

A second meeting was held with all the funeral directors on our rota in November 2018 which was an opportunity for them to discuss any concerns they might have and to update them on how CT scanning etc. was progressing. It was also an opportunity to introduce them to the Police Communications Team Managers. A visit to the Police Communications Room was arranged earlier in the year and funeral directors found it helpful to be able to see and understand how the Communication teams worked and to tell them exactly what kind of information they needed when being asked to conduct a removal for the Coroner. This resulted in a set of basic questions being developed for the Communication teams to ask the police officers at the scene and to relay to the funeral directors. The communications between the police and the funeral directors has significantly improved and we have not had any funeral directors asking to come off the rota this year.

Toxicology contract

The move to the new toxicology contract following the merger has seen results generally come through within 3-4 weeks as opposed to 6-8 weeks with the previous contractor and a reduction in the charges for the tests conducted. This has meant costs have reduced by 29% on the previous year's total expenditure in this area.

Local Government Chronicle Awards 2019

In light of all the changes that have been made LCC submitted an entry to the Local Government Chronicle Awards 2019 in the Business Transformation Category and were successfully shortlisted. We attended the event with all our Partners and although we did not win our category, having made the final from a total of 500 submissions is an achievement that we are all very proud of.

CT Scanning

This financial year saw the jurisdiction introduce the first NHS based post mortem CT Scanning service in the country. Overall we have conducted 1387 CT scans during the period April 2018 – March 2019 with have an average 93% success rate for the CT scan to give a cause of death. Of this total, 346 CT scans were for Blackburn With Darwen and the success rate was also 93%. It has been entirely cost neutral and has greatly improved the responsiveness provided to our families, with a full report on the cause of death being generally available within 72 hours.

During this period the jurisdiction also conducted 701 post mortems, 82 of which were for Blackburn with Darwen. This is significantly less than the previous year's figure of 1,914, (it is not possible to give the breakdown for BWD for last year) and will reduce further in 2019. The CT scanner only became operational in late April 2018 and we were therefore solely reliant on the

traditional post mortem in the early part of 2018.

Our relationship with iGene, Lancashire Teaching Hospital Trust (LTHTr) who carry out the scans and ELHT who perform the external body examinations and initial interventions continues to strengthen and whilst there have inevitably been teething problems with such a massive change in process, everyone has worked hard to ensure the success of this new venture.

Muslim communities in both the East and West of the community have also provided significant financial support to the project, enabling LTHTr to purchase additional body storage which will help ensure the scanner is used most effectively.

5. POLICY IMPLICATIONS

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

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 are 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 revised legally binding agreement that sets out the provision of the service, accountability, responsibilities, monitoring arrangements and financial arrangements.

6. FINANCIAL IMPLICATIONS

In the business case submitted to the Ministry of Justice in 2016 it was estimated that the merger of the three jurisdictions would save in the region of £300,000 within a two year period. In 2017/18 we took the decision to improve the IT infrastructure and had a number of other one-off costs that meant that the savings were not a true picture of the normal day to day running costs of the new jurisdiction. It was also recognised that the merger only became informally operational in July 2017 before final approval was granted in December 2017.

The changes outlined above have produced some significant savings across the whole jurisdiction. As already mentioned we have seen a reduction in undertaker costs of 29%, despite an increase in fees and toxicology costs have reduced by 34%.

It was extremely difficult to predict spend across all the budget areas this year given the change to CT scanning and the way in which this would be paid. Pathologists had previously invoiced on an individual basis for work they carried out in relation to post mortems and our mortuary also invoiced for work conducted in relation to post mortems in addition to body storage costs. The radiologists that produce the CT report into the cause of death are not paid on an individual basis, the Council pays the fee directly to the Trust and the fee previously paid to the Trust for the mortuary work is now paid to iGene. These are both paid from different cost centres and it was very difficult to determine how the budget should be split for this financial year. It therefore appears that the budget for the Pathologist fees to Trusts has overspent when in reality it was probably more to do with an inability to accurately predict the spend in this financial year.

The budget in relation to pathologist's fees to individuals was under-estimated and work is ongoing to address this. We are also reviewing previous mortuary storage arrangements.

The accrual made for the computer equipment was used to pay for the portal and although there has been some other minor expenditure in this area, the overall budget was underspent. It is not

anticipated that there will be any significant IT expenditure in the new financial year.

The Lancashire Constabulary have now agreed to meet the additional cost that was previously picked up by the local authorities in relation to Home Office Post Mortems. We will continue to pay the additional fees requested by the mortuary for this work but will then arrange to invoice the police at the end of each financial year. For this financial year it has produced a saving of £4,525.84.

Overall, from a budget of £269,982 for the provision of supplies and services for the BWD, Hyndburn and Ribble Valley areas, the overall spend was £242,117.79. These costs are split on a 50/50 basis between Blackburn with Darwen and Lancashire County Council. With the addition of the agreed staffing costs of £125,509.99 for the Senior Coroner, one Area Coroner, Coroner Services Manager and the admin team at 23%, the cost to Blackburn with Darwen Council of running the jurisdiction for the 2018/19 financial year is £246,568.89. This is a saving of £159,431.11 based on the cost of running the service in 2016/17. This amount does not include the additional costs of £35,346.72 that Lancashire County Council does not re-charge to Blackburn with Darwen. The overall saving would therefore amount to £194,777.83 which exceeds the savings originally anticipated.

It is estimated, based on the predicted expenditure for 2019/20 and taking into account the annual price increases, the cost to Blackburn with Darwen of running the service in the next financial year will be in the region of £261,575.

7. LEGAL IMPLICATIONS

The role of Her Majesty's Coroner is a statutory role. Under section 22 and Schedule 2 of the Coroners and Justice Act 2009, the decision on and responsibility for making an order to create a new coroner's area rested with the Lord Chancellor. The Lord Chancellor consulted as required 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 as set out in the body of the report.

8. RESOURCE IMPLICATIONS

Resources for the delivery of the Coronial Service are provided under legal agreement by

Lancashire County Council. The 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.

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.

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.

10. CONSULTATIONS

Consultations were conducted in advance of the merger in 2017.

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.

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DATE:	2 nd August 2019
BACKGROUND PAPER:	Coronial Service Executive Board Report-14 th June 2018