

STOCKTON-ON-TEES BOROUGH COUNCIL

CABINET RECOMMENDATIONS

PROFORMA

Cabinet Meeting14th January 2016

1. Title of Item/Report

Coroner's Service

2. Record of the Decision

Consideration was given to a report that provides an update regarding the proposed merger of the Teesside and Hartlepool Coroner areas.

An addendum to the business case had been prepared by Middlesbrough as lead authority, which amended some of the recommendations contained in the main business case previously submitted to the Ministry of Justice in September 2014.

In September 2014 Middlesbrough, Hartlepool, Redcar and Cleveland and Stockton Councils approved a business case that recommended:-

- The Teesside and Hartlepool coroners' areas should merge;
- The Senior Coroner for the merged area should be a 0.8 FTE position;
- The Senior Coroner for Hartlepool should "slot in " to the position of the Senior Coroner in the new merged area; and
- The service should be supported by 1 Assistant Coroner (0.8 FTE), with any additional Assistant Coroner support required being provided on an ad hoc basis (estimated at circa 15-20 days per year)

The business case was submitted to the MOJ and the MOJ consulted on the proposals, following which they stated that, in line with views expressed by the Chief Coroner, they were unlikely to recommend the merger, unless the Senior Coroner position was full-time and appointed by external competition.

Since that time, progress had been made in relation to certain aspects of the business case, and circumstances had changed, such that the business case and its recommendations should be reconsidered.

4. The outcome of this reconsideration is contained in an Addendum to the original business case, which has been prepared by Middlesbrough Council as lead authority. A copy of the Addendum is attached to this

report at Appendix 1.

The improved outcomes identified in the original business case had already been delivered without a formal merger of the two areas. These were as follows:-

- (a) The timeliness of inquests has improved substantially and this improvement has been maintained throughout 2015;
- (b) A streamlined service is now offered by both coroner services to key partners; and
- (c) The savings predicted in the business case have been delivered by streamlining processes within the Teesside Coroner's Service and the commissioning of services.

The timeliness of inquests had improved significantly in both the Teesside and Hartlepool Coroner areas. In 2014 the Teesside Coroner's Service dealt with circa 2,300 reported deaths and completed circa 700 inquests. The average time for dealing with inquests, excluding the backlog cases, was seven weeks. This performance had been maintained during 2015.

Hartlepool Coroner's service continued to perform well with the average time for inquests in 2014 being three weeks which was the best performance in the country. This excellent achievement was partly attributed to the closure of the hospital and the consequent reduction in the number of complex cases. In 2014 the Hartlepool Coroner's service dealt with 235 reported deaths and concluded 29 inquests.

The main savings predicted in the business case had been delivered. It was possible that some, comparatively minor, additional savings could be achieved via the merger of the two services, relating to the provision of administrative support; however some of these savings could be achieved by further merging the back off support functions without a formal merger of the two areas. There was also the possibility that a merger would assist Hartlepool in offsetting future costs for example should Hartlepool Coroner's Service decide (or be required) to move to an electronic case management system. This additional cost would not be incurred in a merged Coroner Service as Teesside Coroner's Service already had an electronic case management system implemented.

Whilst a merged service was unlikely to result in any additional significant savings there would be a realignment of costs. The cost to the Teesside local authorities increasing by between £6,000 and £14,000 per authority and a reduction in costs payable by Hartlepool local authority of circa £26,000.

The Business Case was drafted in July 2014. Since that date there had been several key changes, as follows:-

- (a) A better understanding of the impact on the Coroner's Service of the deprivation of liberty (Cheshire West) judgement;
- (b) The opportunity to see the coroner support model proposed in the business case in operation (albeit in a slightly different format); and
- (c) The Chief Coroner's response to the consultation on the original business case and additional guidance issued to Middlesbrough in respect of the merger.

With regard to the next steps the addendum to the business case would be taken through the relevant decision-making processes of each authority.

The Addendum to the business case and the formal decisions from the relevant local authorities would be forwarded to the MoJ.

The MoJ were responsible for deciding whether or not to progress a merger. The local authorities cannot progress any course of action until the MoJ confirm the actions they intend to take.

A decision not to merge would result in the Teesside Coroner's Service advertising for a Senior Coroner. This process would be governed by the Chief Coroner's Guidance Note 6 and could, subject to timely responses from the MoJ and the Chief Coroner's office, be concluded within three months.

RESOLVED that:-

1. The senior coroner position be full-time;
2. The model of coroner support (1FTE senior coroner + 0.8 FTE assistant coroner) be retained;
3. The senior coroner for the new area be appointed via external competition, following MoJ agreement to indemnify the local authorities against the costs of any litigation and compensation (should a scenario arise where compensation is payable) and if no indemnity is forthcoming then the merger be postponed until legislation is in place governing the payment of compensation;
4. It be noted that the MoJ can force a merger, and that if they do so and litigation is brought against the local authorities, that this be dealt with by the Relevant Authority for the new coroner area with any

associated costs / compensation being discussed and agreed between the four authorities in accordance with the formula for funding the service;

5. The detail of the support provided to the senior coroner, by either an assistant (or area) coroner, be decided by the Relevant Authority (in liaison with the other authorities) once the outcome of the senior coroner appointment process is known; and that approval of any

6. Further revisions to the Business Case and its addendum, which do not fundamentally alter the direction proposed be delegated to the Corporate Director of Resources and the Director of HR, Legal and Communications in consultation with the Leader of the Council.

3. Reasons for the Decision

To ensure that appropriate decisions are taken regarding the future direction of the Coroner's service, and that the interests of the local authorities and their communities in that respect are satisfactorily protected.

4. Alternative Options Considered and Rejected

None.

5. Declared (Cabinet Member) Conflicts of Interest

None.

6. Details of any Dispensations

N/A

7. Date and Time by which Call In must be executed

22nd January 2016.

Proper Officer
18 January 2016