

North Tyneside Council

Report to Cabinet

28 November 2022

Title: Future of the Coroner Service for North Tyneside

Portfolio(s): Elected Mayor	Cabinet Member(s):	Mrs Norma Redfearn CBE
Report from Service Area:	Law and Governance	
Responsible Officer:	Jacqueline Laughton, Assistant Chief Executive and Monitoring Officer	Tel: 0191 643 5724
Ward affected:	All	

PART 1

1.1 Executive Summary

1.1.1 This report seeks Cabinet's agreement to proposed merger of the coronial areas of North Tyneside and Newcastle upon Tyne and the Business Case for such a merger which is appended to this report.

1.2 Recommendation

1.2.1 It is recommended that Cabinet agrees:

1. To the merger of the Newcastle upon Tyne and North Tyneside Coronial areas and to endorse the Business Case for the merger appended to this report for submission to the Chief Coroner and Ministry of Justice,
2. That the name for the new service will be the 'Newcastle upon Tyne and North Tyneside Coroners Service',
3. To authorise the Chief Executive in consultation with the Elected Mayor to take all necessary steps to progress the Business Case including (but not limited to) making amendments or adjustments to be Business Case and to authorise the Chief Executive to submit the Business Case to the Chief Coroner and the Ministry of Justice on behalf of the Authority; and
4. To authorise the Chief Executive in consultation with the Elected Mayor to take any further steps necessary to facilitate the merger of the Newcastle upon Tyne and North Tyneside Coronial areas on behalf of the Authority.

1.3 Forward plan

1.3.1 Twenty eight days notice of this report has been given and it first appeared on the Forward Plan that was published on 23 May 2022.

1.4 Council plan and policy framework

1.4.1 This report does not directly align to the priorities in the Council Plan. The Authority has a statutory duty to appoint a Senior Coroner and to provide sufficient resources for the Coroner to be able to undertake that role.

1.5 Information

1.5.1 Background

- 1.5.2 In September 2019 following the retirement of the Senior Coroner for South East Northumberland and North Tyneside, Mrs Karen Dilks was appointed as the Acting Senior Coroner for North Tyneside with effect from 1 October 2019. That appointment was made in the knowledge that the Ministry of Justice had indicated that the merger of the North Tyneside Coronial area with the Newcastle upon Tyne Coronial area was appropriate and in line with that department and the Chief Coroner's intention to reduce the overall number of Coronial areas through mergers.
- 1.5.3 The appointment of Mrs Dilks as Senior Coroner was therefore seen as an interim arrangement until such time as the North Tyneside and Newcastle upon Tyne Coronial areas were merged. It was envisaged at that time that Mrs Dilks would be appointed as Senior Coroner for the newly merged coronial area of Newcastle upon Tyne and North Tyneside.
- 1.5.4 Against that backdrop, Cabinet agreed in principle to the merger of the Newcastle upon Tyne and North Tyneside Coronial areas, subject to the development of an agreed Business Case. The Business Case has now been jointly developed by officers of the Authority and Newcastle City Council and is appended to the report for Cabinet's endorsement and submission to the Ministry of Justice.
- 1.5.5 Mrs Dilks has given notice of her intention to retire as Senior Coroner in early 2023. Given the proposed merger of the two Coronial areas, the Authority undertook a joint recruitment exercise with Newcastle City Council to appoint a Senior Coroner for both jurisdictions.
- 1.5.6 After due deliberation, the interview panel, which consisted of Senior Officers from both Authorities, decided to offer the post of Senior Coroner for North Tyneside and Newcastle upon Tyne to Ms Georgina Nolan as the highest-scoring candidate. Ms Nolan is currently an Assistant Coroner for both the North Tyneside and Newcastle upon Tyne jurisdictions, as well as the North and South Northumberland jurisdictions.
- 1.5.7 The appointment of Ms Nolan as the Senior Coroner for both Coronial areas was subject to approval by the Chief Coroner and the Lord Chancellor. Both have approved the appointment of Ms Nolan for each Coronial area.
- 1.5.8 Newcastle City Council at its full Council meeting on 2 November 2022 appointed Ms Nolan as its Senior Coroner. Full Council was invited to make a similar appointment for North Tyneside at its meeting on 24 November 2022.
- 1.5.9 If the Ministry of Justice agrees to the merger of the North Tyneside and Newcastle upon Tyne Coronial areas, then subject to the making of the appropriate Order by the Lord Chancellor, Ms Georgina Nolan will become the Senior Coroner for the newly merged Coronial area of Newcastle upon Tyne and North Tyneside.

1.5.3 The interim arrangements have worked extremely well including during the Covid-19 pandemic. The re-location of the North Tyneside Coroner's service to Newcastle Civic Centre, the funding of staff and the cost-sharing model agreed between the Authority and Newcastle City Council has resulted in an extremely efficient Coroner's service. These arrangements have been included in the Business Case, the terms of which are now before Cabinet for endorsement.

1.5.4 The interim arrangements have now been in place for three years. The Business Case, which Cabinet is being invited to endorse, reflects the current arrangements and if the merger of the Coronial areas is agreed by the Ministry of Justice it will in real terms make very little, if any, noticeable difference to the way in which the Coroner's service has operated in both North Tyneside and Newcastle upon Tyne for that period of time.

1.6 Decision options

1.6.1 The following decision options are available for consideration by Cabinet:

- i) To agree the recommendations set out in paragraph 1.2.1 above.
- ii) Not to agree the recommendation set out in paragraph 1.2.1 above.

1.7 Reasons for recommended option

1.7.1 Since Cabinet agreed in principle in September 2019 to the merger of the Coronial areas of North Tyneside and Newcastle upon Tyne the interim arrangements that have been in place for three years. In that time the service provided by the Interim Senior Coroner and her staff has been extremely efficient and is evidence that the proposed merger, which will in effect maintain the status quo, is reflected in the Business Case.

1.8 Appendices

1.8.1 Business Case – Note that insofar as *Tables A and B of Annex A are concerned information relating to an individual's salaries are excluded from publication under paragraph 3 of Schedule 12A of the Local Government Act 1972 and insofar as *Annex B is concerned the individual e mail addresses of the consultees are excluded under Paragraph 1 of Schedule 12A of the Local Government Act 1972.

1.9 Contact officers

Jacqueline Laughton, Assistant Chief Executive and Monitoring Officer tel: 0191 643 5724

John Barton, Principal Lawyer tel: 0191 6435354

Claire Emmerson, Senior Manager Financial Strategy and Planning tel: (0191) 643 8109

1.10 Background information

1.10.1 Cabinet Report dated 9 September 2019 (exempt report)

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

- 2.1.1 There is a statutory requirement for the Authority to appoint a Senior Coroner and to provide sufficient resources for the Coroner to perform her duties.

There has been an agreed cost-sharing package agreed between the Authority and Newcastle City Council that has been in operation since October 2019 and this will remain in place should the Ministry of Justice agree to the merger of the Coronial areas.

The current proposal would see North Tyneside's share of the costs total £0.732m. This would be above the current levels of funding in the 2022/23 base budget, creating an additional pressure. Consideration of the additional estimated funding required of £0.438m would need to be included in the 2023-2027 medium term financial planning process. Despite the requirement of additional funding, the merger is expected to be the most efficient method of running a coroner service across both coronial areas.

Finance Officers from the Authority are continuing to work with colleagues at Newcastle City Council to finalise the financial implications for the Authority of the merger. It is anticipated that the figures included above will be the worst-case scenario for the Authority.

2.2 Legal

- 2.2.1 The Business Case template which Cabinet is being asked to approve specifically asks if the Authority and Newcastle City Council support the merger. It is this support that Cabinet is being asked to provide to the Ministry of Justice and the Chief Coroner's Office through approval of the attached Business Case and thus the merger of the North Tyneside and Newcastle upon Tyne coronial areas.

2.3 Consultation/community engagement

- 2.3.1 The Authority in conjunction with Newcastle City Council have developed a Business Case for the merger of the Coronial areas of North Tyneside and Newcastle upon Tyne for submission to the Ministry of Justice. The Ministry of Justice then carries out a public consultation exercise in advance of any decision to merge the relevant areas.

2.4 Human rights

- 2.4.1 There are no human rights implications directly arising from this report.

2.5 Equalities and diversity

- 2.5.1 There are no equality and diversity implications directly arising from this report.

The current interim arrangements that have been in place since 2019 and no equality or diversity issues have been identified or raised during that period. The proposed merger of the Coronial areas will maintain the existing arrangements.

2.6 Risk management

- 2.6.1 There are no risk management implications arising from this report.

2.7 Crime and disorder

2.7.1 There are no crime and disorder implications arising from this report.

2.8 Environment and sustainability

2.8.1 There are no environment and sustainability implications arising from this report.

PART 3 - SIGN OFF

- Chief Executive
- Director(s) of Service
- Mayor/Cabinet Member(s)
- Chief Finance Officer
- Monitoring Officer
- Assistant Chief Executive