

Report title	Black Country Coroner Collaboration Agreement	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Steve Evans City Environment and Climate Change	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All Wards	
Accountable Director	John Roseblade, Director of Resident Services	
Originating service	Environmental Services	
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Report to be/has been considered by	Directorate Leadership Team	14 February 2023
	Cabinet Member Briefing	17 February 2023

Recommendations for decision:

The Cabinet is recommended to:

1. Agree to enter into a new five-year agreement with other Black Country Council's to provide a regional Coronial service.
2. Agree that Sandwell Metropolitan Borough Council should continue to act as lead council.

1.0 Purpose

- 1.1 The report proposes a renewal of the existing collaboration agreement between the four Black Country Councils for the provision of coronial services across the regional area.

2.0 Background

- 2.1 In order to meet its obligation to provide a Coroner, the City of Wolverhampton Council has been working in partnership with its counterpart authorities across the Black Country for a number of years. The four Councils, with Sandwell as the lead authority, jointly employ a Coroner, together with a supporting team of Coroner's officers. The Coroner's court, which has been completely refurbished and modernised, including the installation of audio-visual equipment to facilitate remote participation (e.g. by witnesses, experts etc.), is based in Sandwell. Each Council remains responsible for mortuary services in its own area.
- 2.2 The current collaboration agreement is due to expire on the 31 March 2023, so work has been undertaken to review the existing agreement with a view to a new agreement coming into effect from 1 April 2023. The basis of the current agreement is one of equally shared costs and joint liability (e.g. in the event of a judicial review or major incident).
- 2.3 At present, each council retains separate responsibility for mortuary services across the region, for example, City of Wolverhampton Council operates a public mortuary, the other three Black Country Councils contract the mortuary provision to local NHS trusts. The mortuary services will sit outside of this collaboration agreement but could form part of a future agreement or a variation of the proposed agreement.
- 2.4 The current Coroner, who has been in post for several years, has made several improvements to the Black Country service, which has been recognised by the Chief Coroner as one of the leading services in the country. This has included the refurbishment of the court, office facilities and the introduction of digital autopsy as first line intervention to post-mortem.

3.0 Proposed collaboration agreement

- 3.1 The existing agreement has been reviewed by the lead officers and legal departments from each Council. No significant amendments are proposed, as the existing arrangements has worked well over the last eight years, the costs of providing digital autopsy, toxicology, pathology and histology, previously paid for separately by each Council outside of the collaboration agreement, will now be included in the collaboration agreement to deliver further efficiencies, providing sufficient certainty and robustness to manage the service but with enough flexibility for the Councils to work effectively with the Coroner in response to changes in legislation.

4.0 Evaluation of alternative options

4.1 The primary alternative to a Black Country collaboration arrangement would be for each individual Council to work separately or in smaller alliances. However, this would result in increased costs as each area would have to employ one or more coroners, albeit perhaps on a part-time basis. The combined population of the Black Country region offer optimum scale to fully occupy one senior coroner and one area coroner, with assistant coroner support. Birmingham, which has a similar population in its jurisdiction has a much larger team, indicating that the Black Country arrangement provides good value for money. Furthermore, any change to a coronial jurisdiction would require the approval of the Lord Chancellor and a reduction in size would be unlikely to be supported, given the recommendations of the 2003 Luce Review, which advocated increasing the size of coronial areas.

5.0 Reasons for decision

5.1 Over the last few years, the collaboration agreement has ensured that the residents of Wolverhampton have received a steadily improving service, with some of the best turnaround times in the country, whilst managing the delivery costs. The four Councils continue to work with the Coroner to identify further service enhancements and the renewed agreement will provide the basis to take the service forward over the next few years.

6.0 Financial implications

6.1 Schedule 1 of the collaboration agreement details the anticipated annual service costs of £1.66 million of which City of Wolverhampton Council's share would be £417,000, to be paid to Sandwell Metropolitan Borough Council in quarterly instalments. The agreement allows for Sandwell to incur additional costs up to a further 10% without consultation or agreement from other councils.

6.2 The cost of this agreement, including inflation, are included in the Budget and Medium Term Financial Strategy (MTFS) Report which was considered by Cabinet on 22 February 2023 and Full Council on 1 March 2023. Any future or further increases in inflation would require efficiencies to be looked for from across the wider City Housing and Environment directorate and reviewed and considered as part of the wider MTFS going forward.

6.3 As part of the collaboration each Black Country partner also indemnifies the other parties against all costs arising out of the negligence, default or breach which are not covered through insurance policies taken out for the service. The benefits of the collaboration far outweigh this minimal risk.

[SB/14022023/I]

7.0 Legal implications

- 7.1 The Coroners and Justice Act 2009 requires councils to employ a coroner and associated support staff to cover a coronial jurisdiction designated by the Lord Chancellor. The Black Country area has been so designated. The proposed renewal of the collaboration agreement will enable City of Wolverhampton Council, and its partner authorities, to effectively discharge their duties under the Act.
[SZ/02022023/P]

8.0 Equalities implications

- 8.1 Renewal of the existing collaboration agreement is an extension of the existing arrangement, with no significant changes proposed, and therefore does not require an equalities analysis.

9.0 All other implications

- 9.1 There are no other direct implications arising from this report.

10.0 Schedule of background papers

- 10.1 None