

Y BWRDD GWEITHREDOL

22 HYDREF 2018

TREFNIADAU TALU CRWNERIAID

Y Pwrpas:

Mae'r adroddiad hwn yn nodi manylion fframwaith talu cenedlaethol newydd ac yn rhoi arweiniad i Grwneriaid a gyhoeddir gan y Cyd-bwyllgor Trafod Telerau ar gyfer Crwneriaid. Mae'r adroddiad hefyd yn gofyn bod Aelodau'n cytuno i fabwysiadu'r fframwaith a ddarperir wrth bennu lefel cyflog y Crwner a lefel cyflog y Crwner Cynorthwyol, a'u bod yn cytuno ar y dyddiad a bennwyd ar gyfer ôl-ddyddio cyflog y Crwner.

Yr argymhellion / penderfyniadau allweddol sydd eu hangen:

- Cytuno mai £98,320 gros (£128,995 y flwyddyn - gan gynnwys argostau) fydd cyflog y Crwner a bod Sir Benfro yn talu 50% o'r cyflog.
- Cytuno ar y dyddiad a bennwyd ar gyfer ôl-ddyddio cyflog y Crwner i fis Tachwedd 2017.
- Cytuno bod y Crwner Cynorthwyol yn cael tâl penodol o £10,500 y flwyddyn (cyfraniad o 50% yw £5,250 a'r argostau yw £1,600). Gwneud gwaith ychwanegol i gyflawni elfen ran-amser o rôl y Crwner (yn cyfateb i 7 wythnos y flwyddyn) i'w anfonebu ar gyfradd ddyddiol o £375 pro rata.

Y Rhesymau:

Oherwydd bod gwahaniaeth mawr rhwng cyflogau crwneriaid yn genedlaethol, cytunodd y Cyd-bwyllgor Trafod Telerau i gynnal ymarfer gwerthuso swyddi er mwyn asesu'r rolau a nodwyd yn Neddf Crwneriaid a Chyfiawnder 2009. Mae'r ymarfer hwnnw wedi creu proffil rôl enghreifftiol newydd gyda chanllawiau priodol ac mae bellach yn gyfrifoldeb ar awdurdodau lleol unigol a chrwneriaid i bennu'r lefel cyflog briodol o fewn y graddfeydd, ar sail tystiolaeth leol. Mae'r adroddiad hwn bellach yn nodi manylion y fframwaith talu cenedlaethol newydd ac yn rhoi arweiniad i Grwneriaid a gyhoeddir gan y Cyd-bwyllgor Trafod Telerau ar gyfer Crwneriaid. Mae'r adroddiad hefyd yn gofyn bod Aelodau'n cytuno i fabwysiadu'r fframwaith wrth bennu lefel cyflog y Crwner a lefel cyflog y Crwner Cynorthwyol, a'u bod yn cytuno ar y dyddiad a bennwyd ar gyfer ôl-ddyddio cyflog y Crwner.

Gellir crynhoi'r cyflog ychwanegol yma:

- Cyflog blynyddol cyfredol gan gynnwys Yswiriant Gwladol a Phensiwn ar gyfer Sir Gaerfyrddin yw £32,160
- Cyflog arfaethedig gan gynnwys Yswiriant Gwladol a Phensiwn yw £64,097.

Yng ngoleuni canfyddiadau'r Cyd-bwyllgor Trafod Telerau (JNC), cytunwyd ar gais twf o £100k yn 2017-18 i'r Crwneriaid ar gyfer y taliad tebygol i'r Crwner.

Angen ymgynghori â'r Pwyllgor Craffu perthnasol NAC OES

Angen i'r Bwrdd Gweithredol wneud penderfyniad OES

Angen i'r Cyngor wneud penderfyniad NAC OES

YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:-

Y Cyngorydd David Jenkins - Adnoddau

Y Gyfarwyddiaeth

Wendy Walters

Awdur yr Adroddiad:

Amanda Bebb

Swyddi:

Cyfarwyddwr Adfywio a Pholisi

Rheolwr y Gwasanaethau
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EXECUTIVE BOARD

22ND OCTOBER 2018

CORONER PAY ARRANGEMENTS

Purpose:

This report sets out details of a new national pay framework and guidance for Coroners issued by the Joint Negotiating Committee for Coroners (the JNC). The report also asks that Members agree to adopt the framework set in determining the salary level for both the Coroner and Assistant Coroner and to agree to the date set for the backdating of the Coroner's salary.

Recommendations / key decisions required:

- d) To agree that the salary of the Coroner be set at £98,320 gross (£128,995 p.a. – inclusive of on-costs) with Pembrokeshire contributing 50% of the salary.
- e) To agree to the date set for the back dating of the Coroner's salary to November 2017
- f) To agree to the Assistant Coroner being paid the set fee of £10,500 p.a. (50% contribution being £5250 + on-costs £1,600). Work in addition to cover for the part-time element of the Coroner (equates to 7 weeks p.a.) to be invoiced at a daily rate of £375 pro rata.

Reasons:

Due to a wide ranging disparity of coronial pay nationally, the JNC agreed to undertake a job evaluation exercise to assess the roles set out in the Coroners and Justice Act 2009. That exercise has created a new model role profile with appropriate guidance and it is now a matter for individual local authorities and coroners to determine on a local evidential basis the appropriate level of pay within the ranges. This report now sets out details of the new national pay framework and guidance for Coroners issued by the Joint Negotiating Committee for Coroners (the JNC). The report also ask that Members agree to adopt the framework set in determining the salary level for both the Coroner and Assistant Coroner and to agree to the date set for the backdating of the Coroner's salary.

The additional salary can be summarised here:

- Current annual salary inc NI and Sup for Carmarthenshire is £32,160
- Proposed salary inc NI and Sup is £64,097.

In light of the JNC findings, a growth bid was agreed for the Coroners of £100k in 2017-18 in order to accrue the likely payment to the Coroner.

Relevant scrutiny committee to be consulted NO

Exec Board Decision Required YES

Council Decision Required NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:-

Councillor David Jenkins - Resources

Directorate

Wendy Walters

Report Author:

Amanda Bebb

Designations:

Director of Regeneration and
Policy

Electoral Services Manager

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EXECUTIVE BOARD

22ND OCTOBER 2018

CORONER PAY ARRANGEMENTS

In January 2018 the Joint Negotiation Committee for Coroners (JNC) set out guidance outlining the expected national pay rates for Coroners and Assistant Coroners. In applying the guidance and in negotiation with the Coroner a proposed day rate of £440.00 has been determined. This day rate has been calculated based on the level of complexity of caseload in the county of both Pembrokeshire and Carmarthenshire and the national pay rates set out by the JNC in January 2018 (JNC-Coroners' Circular No 61 & 62, attached at Annex 1 & 2 respectively). The current post of Coroner is part-time, with a total of working days set at 178 days per annum.

The guidance provided by the JNC is intended to provide assistance to local authorities on the factors to be taken into consideration in order to arrive at a balanced over-arching picture of a Coroner area's complexity. Colleagues of both Carmarthenshire and Pembrokeshire have met a number of times to discuss the level of pay that should be set for both the Coroner and Assistant Coroner for the jurisdiction of Pembrokeshire and Carmarthenshire and have agreed the following:

1. Using the agreed day rate of £440 @ 178 days per year + the 20K fixed fee to cover the out of hours service availability at all times, the fee to the Coroner should be £98,320 per annum.
2. Using the agreed day rate of £375 @ 7 weeks per year (at 4 days a week), the fee to the Assistant Coroner should be £10,500 per annum. Work additional to the 7 weeks must be time recorded, to be paid on the daily rate of £375 pro-rata.
3. Should Pembrokeshire and Carmarthenshire decide not to adopt the new framework, and/or the Coroner does not agree with any proposed salary level, Coroners have the option to refer their salary discussion to the Lord Chancellor for consideration. Further advice from the NJC has been sought regarding this who confirmed that the Ministry of Justice's intention is that the new framework will see a single coherent pay structure for Coroners. As such their view is that any appeals to the Lord Chancellor are likely to result in a decision that pay should be determined in line with the JNC agreement.

DETAILED REPORT ATTACHED?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Wendy Walters

Director of Regeneration and Policy

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	YES	YES	NONE	YES	YES	NONE

2. Legal

There are no realistic alternative options. The national pay rates and formula for applying those rates are clear. Failing to address the disparity between existing local pay rates and the established national pay rates could invite plausible legal challenge.

3. Finance

In anticipation of the new coroners pay rates being adopted, a growth bid was approved and permanently validated into the Coroners budget to cover the additional cost. As a result the existing budget provision will cover the increase.

4. Risk Management Issues

Should both Pembrokeshire and Carmarthenshire decide not to adopt the new framework, and the Coroner does not agree with any proposed salary level, Coroners have the option to refer their salary discussion to the Lord Chancellor. Further advice from the NJC has been sought regarding this who confirmed that the Ministry of Justice's intention is that the new framework will see a single coherent pay structure for Coroners. As such their view is that any appeals to the Lord Chancellor are likely to result in a decision that pay should be determined in line with the JNC agreement.

7. Staffing Implications

The recommendations come from the JNC for Coroners which is an agreed body which makes recommendations to relevant Councils on pay for Senior Coroners. The review it undertook used the Hay Job evaluation scheme which is a nationally recognised scheme.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Wendy Walters

Director of Regeneration and Policy

1. **Scrutiny Committee** – Not Applicable
2. **Local Member(s)** – Not Applicable
3. **Community / Town Council** – Not Applicable
4. **Relevant Partners** - Pembrokeshire County Council
5. **Staff Side Representatives and other Organisations** – Not Applicable

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
JNC 61		Annex 1
JNC 62		Annex 2