

REPORT TO CABINET

| | |
|-----------------------------|--|
| Dyddiad y Cyfarfod: | 12 March 2019 |
| Aelod Cabinet: | Cllr. Nia Jeffreys, Cabinet Member for Corporate Support |
| Responsible Officer: | Iwan Evans, Head of Legal Services. |
| Author: | Siôn Huws, Senior Solicitor (Corporate) |
| Title of Item: | Appointment of Assistant Coroner |

Recommendation for the Decision:

- (1) Delegate the power to the Head of Legal Services:**
 - (a) in consultation with the Senior Coroner to prepare a job and personal specification as well as an appointment process for the posts of Assistant Coroner and arrange for advertising;**
 - (b) to establish a panel in order to draw up a short list and interview applicants and appoint an Assistant Coroner as necessary.**

Reason for the need for a Decision:

The current Assistant Coroner has resigned and it is necessary to appoint at least one Assistant Coroner for every coronial area. The requirements to appoint another Assistant Coroner could arise in future. There is a need to ensure that the delegated arrangements for the process are established and are clear.

Reasoning and Justification for the Decision:

England and Wales are divided into coronial areas and in each such area there will be a Senior Coroner and at least one Assistant Coroner.

The individual services are financed by local authorities and as the North West Wales Coronial Area includes Gwynedd and Anglesey, the service is financed jointly with the Isle of Anglesey Council.

Notwithstanding this, Gwynedd Council is the relevant authority for the area which means that there is a statutory duty on us to meet the costs related to running this service. The relevant authority is also responsible for appointing the Senior Coroner and Assistant Coroners for the area notwithstanding that they will not be employees of the authority but rather independent judicial office holders.

The arrangements for appointments are set by the Coroners and Justice Act 2009 and by the Chief Coroners Guidance. Every appointment will need to be approved by the chief Coroner and the Lord Chancellor and it also a requirement that the Chief

Coroner approves the appointment process to be followed, and the shortlist drawn up in order to conduct interviews.

The authority therefore needs to form a panel to draw up a shortlist and to hold the interviews and decide on who to appoint. It is a matter for the authority to determine the constitution of the panel but the Senior Coroner must be included in the process, seeking his advice on: a) the need for and the type of Assistant Coroner; b) drawing up a shortlist for interview; c) as a member of the interview and decision panel. The Chief Coroner or his representative may attend the interviews but this will be exceptional in relation to the appointment of an Assistant Coroner.

Once the panel has come to a decision, a report will need to be sent to the Chief Coroner (if he was not present in the interviews) describing the process followed and the reasons for proposing the successful applicant or applicants. The approval of the Lord Chancellor will also need to be sought.

Views of Isle of Anglesey County Council

There is no requirement to consult with other authorities within the area before appointing an Assistant Coroner (contrary to the appointment of a Senior Coroner) but we will be informing Isle of Anglesey Council of the situation and the arrangements to be followed.

Any consultations undertaken before making the decision :

Chief Finance Officer – I have received confirmation from the author that the decision sought would not create a new financial commitment, and I therefore support the recommendation to be able to act pragmatically.

Monitoring Officer – Report prepared by the Legal Services..