

CHIEF CORONER'S GUIDANCE No.6 THE APPOINTMENT OF CORONERS (REVISED)

GUIDE TO THE CORONER APPOINTMENT PROCESS

Introduction

1. This updated guidance sets out the recommended process to run efficient and successful appointment campaigns for Senior, Area, and Assistant Coroners. It promotes consistency and good practice across the country as part of the Chief Coroner's statutory functions under the Coroners and Justice Act 2009. It also sets out the way in which the Chief Coroner exercises their consent under the 2009 Act. All references in this guidance are to the Coroners and Justice Act 2009.
2. Whilst the appointments process is essentially a matter for the Local Authority as each appointment will be their appointment, the Chief Coroner must consent to every appointment. As such, to give consent, the Chief Coroner must be satisfied that a fair recruitment process has taken place that withstands scrutiny and that all appointments are based on merit.
3. There is an important distinction that whilst Local Authorities 'appoint' Coroners, they do not 'employ' them in the conventional sense. The appointment of a Coroner by a Local Authority is very different to the other appointments Local Authorities make. Once appointed, a Coroner becomes a Judge¹ and is required to make independent judicial decisions. Local Authorities pay the coroner's salary or fees and agree other terms and conditions. But there is no contract of employment between the Local Authority and Coroner. Coroners should not be equated in financial or other terms with Chief Officers.

¹ Forrest v Lord Chancellor [2011] EWHC 142 (Admin) at para 27.

4. All Local Authorities should appoint the best candidate(s) on the basis of merit through a fair and open competition. The aim of the Chief Coroner's guidance is to ensure that the widest pool of potential candidates is considered, and a fair and open appointment campaign has taken place.
5. To be eligible for any coroner appointment a person must satisfy the judicial-appointment eligibility condition which includes a requirement for the candidate to hold a relevant qualification, to have also gained experience in the law for a total period of at least 5 years whilst holding that qualification and be under the age of 75: paragraph 3 to the 2009 Act.

Notice of a vacancy to the Chief Coroner's office

6. The Chief Coroner's office will ensure upon notification of their intention to commence an appointment campaign that each Local Authority has a copy of the relevant 'appointments pack', this includes:
 - Chief Coroner's office guide to eligibility.
 - A draft advertisement including the job specification, scoring sheet, individual assessment form and declaration form.
 - Reference of where to find 'The Guide to Judicial Conduct (2019)' which can be found at: [Guide to Judicial Conduct – Revised July 2023 - Courts and Tribunals Judiciary](#)
 - Coroner appointments step by step assurance guide.
7. These documents should be read carefully along with this Guidance prior to commencing any appointment campaign.

Appointment of a Senior Coroner

8. When recruiting a Senior Coroner, the Local Authority is looking for a Judge to lead the coroner service in the area. However, this leadership role is one that extends into added regional and national responsibilities to support the Chief Coroner and the Coroner service generally. The structure and organisation of the coroners' service in England and Wales relies upon each Senior Coroner undertaking regional and national duties. These roles include training and development of those who work in the coroner service, being members of specialist cadres, and attending meetings, seminars, and events where explanation as to the role of the coroner is needed to

support bereaved people and others who come into contact with the coroner service. These are matters, which must be considered when identifying the Local Authority's preferred candidate.

9. Where the coroner area consists of more than one Local Authority, the relevant authority (formerly known as the lead authority) must consult the other authority or authorities before making a Senior Coroner appointment: paragraph 1(2) of Schedule 3 to the 2009 Act. For the meaning of 'relevant authority' see paragraph 3, Schedule 2. Although the 2009 Act is silent as to the approach with other Coroner appointments, it is likely that all relevant authorities will wish to take the same approach with all coronial appointments in their areas. The Chief Coroner and Lord Chancellor will seek reassurance on this point when asked to give their consents to appointments.

Alteration of a coroner area (Merger)

10. Where a Senior Coroner vacancy arises, the relevant Local Authority must notify the Chief Coroner and the Lord Chancellor in writing as soon as practicable. Consideration may then be given by the Lord Chancellor to altering that coroner area by joining that area with one or more coroner areas, this is commonly known as 'merging'.

Timeline

11. The relevant Local Authority will need to consider timescales carefully prior to commencing the appointment process. To reach the maximum number of suitable candidates it is recommended that there is an application period of at least three weeks. Time will also be required to carry out a sufficient application sift, and interview dates scheduled to co-ordinate with panel members and where applicable, the Chief Coroner or nominee. There will also need to be sufficient time for the Chief Coroner or a nominee to provide feedback on the application sift and for the Chief Coroner and Lord Chancellor to provide consent.
12. To be able to decide whether to give consent, the Chief Coroner will nominate an experienced Senior Coroner to be involved in the appointment process.
13. The nominee and the Chief Coroner's office will be available to assist Local Authorities throughout the appointment process.

14. The Chief Coroner's nominee will attend the interviews. The precise role they play in the interview process will be agreed by the Chief Coroner and Local Authority. The relevant authority will pay the nominee's reasonable expenses. These expenses will include a 'backfill' payment to the nominee's Local Authority to cover the time spent on the appointment process. If reasonable in all the circumstances, this may include overnight accommodation. In most cases the nominee will not receive a fee because he or she will always be a full-time salaried Coroner.
15. The Chief Coroner acknowledges that this may impose a modest financial burden on Local Authorities but the attendance and representation of the Chief Coroner at these interviews is vital in preserving public confidence in the appointment process.

The advertisement

16. The relevant Local Authority notifies the Chief Coroner's office of any forthcoming appointment campaign by emailing: chiefcoronersoffice@judiciary.uk in the first instance.
17. The Chief Coroner's office will provide the appointment pack. The relevant Local Authority should complete the draft advert using the template provided in the pack as a basis ensuring it incorporates any specific information or requirements of the coroner area.
18. The relevant Local Authority should then submit the draft advert to the Chief Coroner's office for comments and approval. A timetable should also be provided.
19. The relevant Local Authority considers and responds to any comments from the Chief Coroner or nominee and submits the final draft advert and job specification to the Chief Coroner's office for approval before it is advertised, it is recommended that this package includes:
 - Terms and conditions of the appointment.
 - Salary payable (reference should be made to the relevant 'Joint Negotiating Committee for Coroners (JNC) Circular for salary and fee levels, and it should be

noted that the Chief Coroner publishes a list of salaries paid to area and Senior Coroners as part of the Chief Coroner's annual report).

- Details of how to apply with specified application deadlines and interview dates.
- A job description.
- The advert which should include:
 - reference to the eligibility conditions (Schedule 3) and;
 - a requirement that applicants declare whether any formal complaint about their professional conduct has ever been upheld or remains outstanding by any professional body (including personal conduct referred to the Judicial Conduct Investigations Office (JCIO)), or whether there is anything about them or their past that might cause embarrassment to the Local Authority, the Chief Coroner or the Lord Chancellor if disclosed that they feel they should bring to the attention of those considering the application. This should be done by asking candidates to read, complete and sign a declaration and undertaking form (provided in the appointment pack) when attending for interview.

20. There is no statutory requirement for coroners in Wales to speak Welsh, but details of Welsh language skills must be sought from candidates applying for any coroner posts in Wales.

21. Once the advert is approved, the relevant Local Authority is responsible for advertising the position. The Chief Coroner's Office will advise the local authority as to the recommended routes when adverts are agreed.

The sift

22. The Local Authority conducts the sift. The best practice is for the sift to be anonymised. The sift is conducted based on the criteria specified in the advert and the sift panel decides who they wish to interview, providing the Chief Coroner's office with the sift results. A threshold or cut off mark should be established, and the highest scoring candidates must be invited to interview. The sift results should include:

- The names of those of who applied with a copy of their CV and statement of suitability.

- Sift criteria details and the sift scores for all candidates. This should be recorded using the sift scoring table included in the appointments pack.
- The names of those who they intend to call for interview.
- Comments on why candidates were successful or unsuccessful.

23. This information should be sent to the Chief Coroner's office for each candidate (whether they have been chosen for interview or not) before any candidates are notified of the outcome.

24. It is important for the Chief Coroner or nominee to consider all the papers and the sift results to ensure that they have knowledge of the entire process and are satisfied it had been conducted properly.

25. Once the sift has been approved by the Chief Coroner or nominee, the Local Authority then invites the chosen candidates to interview. These are high level appointments and confidentiality should be maintained throughout the entire appointment process.

The interviews

26. If required, the Local Authority can request example technical questions and topics for presentations from the Chief Coroner's office.

27. The Local Authority must send a copy of the technical interview questions and indicator markers as well as any topics for presentations to the Chief Coroner's office. This is to ensure that the Chief Coroner's office is happy with the questions being put and to avoid duplication of questions across jurisdictions. The nominee will also need to see these prior to interview and copies of the applications and supporting statements from those selected for interview. Requests for assistance with any technical questions and scoring indicators and the submission of any interview questions should be made as early in the campaign as possible so as not to delay the process.

28. The Local Authority also formulates relevant non-technical questions in relation to how they may deal with matters relating to budgets, collaboration and team working. These will be drafted and thought about carefully to include scoring indicators, so that

they are relevant to the post that the Local Authority is appointing to and can be robustly scored.

29. Normally, the Local Authority will appoint senior officers to conduct the interviews. The constitution of the interview panel is for the Local Authority with agreement from the Chief Coroner. The Chief Coroner may invite the Local Authority to allow the nominee to sit on the panel if appropriate in all the circumstances.
30. The candidates selected at the sift will be interviewed by the Local Authority. All interviews for Senior Coroner posts will require candidates to make a presentation to the interview panel. It is likely that some notice of the subject of the presentation will be provided.
31. All candidates at interview will be asked the same questions.
32. It is important that all candidates are asked to make a declaration of character in writing (provided in the appointments pack), before being interviewed. This may be done when the candidate attends for the interview prior to the interview commencing. This confirms whether they are subject to or have had findings made in respect to disciplinary proceedings or criminal proceedings.
33. It is also recommended that all candidates are asked to declare in the interview if there is anything they believe should be brought to the attention of the Local Authority, particularly bearing in mind the basic set of guiding principles in the Guide to Judicial Conduct (revised July 2023)², namely judicial independence, impartiality, and integrity.
34. The Local Authority will then carry out the interviews using the interview scoring matrix provided in the appointments pack.

Decision after interviews

35. After all the interviews are completed the interview panel will discuss the relative merits of the candidates and come to a decision. The candidate selected for appointment must be based on merit and the highest scoring candidate should be offered the post. In exceptional circumstances there may be a determinative

² www.judiciary.uk/guidance-and-resources/guide-to-judicial-conduct-revised-july-2023/

interview by another panel where there is little to choose between exceptional applicants.

36. If the Chief Coroner has arranged for a nominee to attend the interviews, the nominee will prepare a report on the process and outcome and submit it to the Chief Coroner for consideration. A template nominee report is available from the Chief Coroner's office.

37. If the panel declines to appoint any candidate the post will have to be re-advertised.

The appointment

38. The Chief Coroner and the Lord Chancellor give their consent separately in writing (or give reasons in writing for not giving their consent). Once the Chief Coroner has given consent, the Chief Coroner's office will automatically send a copy of the consent letter to the Ministry of Justice to seek the consent of the Lord Chancellor. Once consent from both the Chief Coroner and Lord Chancellor has been obtained an email will be sent to the relevant Local Authority contact containing both letters of consent.

39. Only once consent from both the Chief Coroner and the Lord Chancellor is received, the relevant Local Authority notifies those candidates who attended interview of the outcome.

The announcement and swearing in

40. The Local Authority announces the appointment where appropriate. Once the appointment date has been confirmed, the Local Authority notifies the Chief Coroner's office of this date.

41. For Senior Coroner appointments, the Local Authority liaises with the Chief Coroner's office about the timing of the announcement to ensure that the Chief Coroner can inform all coroners in England and Wales immediately thereafter and an announcement will be made on the relevant judicial websites.

42. The appointment of all new Senior Coroners will be mentioned in the subsequent Chief Coroner's newsletter.

43. Senior Coroners are formally sworn in at a ceremony held by the Chief Coroner.

The appointment of an Area Coroner

44. Some busy coroner areas will choose to appoint one or more Area Coroners to assist the Senior Coroner and act as a nominated deputy in the event of the Senior Coroner being absent or incapacitated. Area Coroners are appointed by the Local Authority: section 23, and paragraph 2 of Schedule 3.

45. Area Coroners, who are full-time or part-time salaried coroners, are appointed in the same way as Senior Coroners, and on a permanent basis. The process set out above in respect of Senior Coroner appointments will apply equally to the role of the Chief Coroner or nominee, advertisement, applications, sift, interviews, decisions after interviews, appointment, swearing in and announcement for an Area Coroner.

46. For Area Coroner interviews, the Senior Coroner for that jurisdiction and/or a Chief Coroner nominee would be expected to sit on the panel and be involved in the drafting of the interview questions and presentation topic.

The appointment of Assistant Coroners

47. Assistant Coroners, who are fee paid, are also appointed by the Local Authority: section 23, and paragraph 2 of Schedule 3.

48. There is no requirement under the 2009 Act for the chairman of the Local Authority to approve such appointments and it will be for each relevant authority to determine who should sign off coroner appointments for their area. Elected members may well choose to delegate this function to officers.

49. The Chief Coroner and the Lord Chancellor must consent to the appointments of all Assistant Coroners: paragraph 2(5) of Schedule 3.

50. The Lord Chancellor may by order require the appointment for any coroner area of a minimum number of Assistant Coroners: paragraph 2(1)(b) of Schedule 3. At present each coroner area must have at least one Assistant Coroner: Coroners and Justice Act 2009 (Coroner Areas and Assistant Coroners) Transitional Order 2013.

The Annual recruitment cycle for Assistant Coroners

51. In August 2024, the Chief Coroner announced a new system for the recruitment of Assistant Coroners. After carefully reviewing the arrangements, and considering the mandatory induction training requirement, it was announced that from January 2025 there would be an annual appointments cycle with a clear timetable to follow should Local Authorities wish to appoint assistants. The new appointments system puts Assistant Coroner appointments on an annual footing similar to other judicial appointments. It also streamlines the process and make efficiencies in terms of Judicial College induction training.
52. Each year the Chief Coroner's office will disseminate an end-to-end timetable for Local Authorities to follow if they wish to appoint assistants in that annual cycle. It is expected that:
- Recruitment forecasting will take place between November and February.
 - There will be a designated period for requesting recruitment packs (February), placing adverts (March-April); sifting candidate applications (May); and interviewing (June).
 - There is expected to only be one Assistant Coroner Induction training course a year (towards the end of the year) which the new appointments process will feed into.
53. The process for appointing Assistant Coroners should be similar to the process for appointing Senior and Area Coroners. The main differences are as follows:
- a. Although it is a Local Authority decision, the Local Authority should always involve the Senior Coroner for the area in the process, seeking the Senior Coroner's advice and assistance on (a) the number of Assistant Coroner appointments, (b) the sift in selecting candidates for interview, (c) drafting the technical interview questions and

presentation scenario for interview and (d) as a member of the interview and decision panel.

b. Secondly, because of the likely number of appointments, the Chief Coroner will not be able to be directly involved, so will seek the assistance of a delegate to assist in the process. This will usually be one of the Regional Leadership Coroners.

Forecasting

54. It will be for the Senior Coroners and Local Authorities in each area to determine how many Assistant Coroners are needed pursuant to business need.

55. In terms of how many assistants to recruit, Local Authorities and Senior Coroners must bear in mind an appointment is a permanent position and whoever is appointed cannot be removed from office save by the Lord Chancellor with the agreement of the Lady Chief Justice after an investigation by the Judicial Conduct Investigation Office (JCIO) or if the office holder resigns. Areas should not seek to appoint an Assistant Coroner for a short-term appointment to deal with (a) a backlog of cases or (b) a particular inquest. If an area needs support with either of these situations, they should contact the Chief Coroner's office.

56. The opportunity to appoint will only be run once per year so Senior Coroners and Local Authorities will need to review existing appointments and consider any plans they may have regarding sitting days or retirements when making plans for the forthcoming year.

57. The Chief Coroner runs a workshop for those seeking appointment as an Assistant Coroner. These workshops are advertised in advance.

Minimum sitting days

58. All Assistant Coroners must be offered a minimum of 20 days sittings per year. The minimum sitting requirement must be undertaken in each area an Assistant Coroner is appointed to and cannot be shared with other areas.

59. Senior Coroners and Local Authorities should not have Assistant Coroners who are not actively working in the jurisdiction by choice, and despite being offered sittings, have not undertaken a minimum of 20 sitting days each year (except for some historic Assistant Coroner appointments where a minimum of 15 sittings days was agreed). If an individual is not actively working in the jurisdiction due to other

commitments or having secured a salaried role, a discussion will need to take place with their Senior Coroner regarding ability to undertake the minimum sitting requirements.

Appointments pack

60. If an area determines that they would like to recruit new Assistant Coroners, they should request an appointments pack from the Chief Coroner's office in February. The pack will include Chief Coroner appointments guidance, step-by-step assurance guide, the draft advertisement template (including the job specification), sift and interview scoring sheets and a declaration and undertaking form.
61. The Local Authority should make sure that the advertisement for the post is widely publicised. It will be necessary in appointing assistants to advertise more widely than just amongst coroners to attract good applicants, for example in legal periodicals.
62. In the advert for the Assistant Coroner roles, it must be made clear that any newly appointed Assistant Coroner (not appointed in any other coroner area) must attend the mandatory Assistant Coroner induction course with the date of the 2-day residential course provided well in advance.

The sift

63. The recruitment pack contains the competencies for appointment as an Assistant Coroner. It is important to check that all applicants are eligible to apply in terms of satisfying the legal requirements.
64. Local Authorities or Senior Coroners must not apply their own additional criteria unless these have been included in the advert, e.g. panels cannot sift based on their own assessment as to how long it will take an applicant to travel to the coroner area without making explicit enquiries. It is not known whether a candidate has friends or family who they would stay with, meaning they have a short distance to travel.
65. Panels must also not make their own assessment of how many sitting days they think a candidate could offer. This is a matter that can be explored at interview, but candidates should not be sifted out on the basis of any assumptions.

66. Given the high number of applications Assistant Coroner competitions attract, panels should establish a robust marking system, using the sift scoring sheet in the appointments pack, that allows for sufficient differentiation between candidates. All candidates who scored above the threshold for interview mark must be invited to attend the interview stage.

Preparing for the interview

67. It is not unusual for applicants to be asked to prepare a scenario for presentation at interview. Candidates can be provided with the topic in advance, either sent to them when they are invited to interview or provided at a set time before the interview. When setting a scenario, it is important to remember that candidates will have different experiences of legal practice and knowledge and experience of Coroner's courts. It would be sensible to draft a scenario that caters for limited knowledge of the coronial system. More focused questions on the coronial system would be better placed in the general interview questions. Panels should set a time limit for the presentation. If a panel has asked for a 10-minute presentation, then it would be entitled to warn the candidate when they have 2 minutes remaining but should not give candidates more than the prescribed time.
68. It is sensible to include some questions to test the applicant's knowledge of coronial law and some questions to assess their judgement of situations.
69. Panels must compile indicators for the answer for all questions so that a consistent scoring system is applied to all candidates. The Chief Coroner's office can supply draft questions so panels can see the structure.

Interview

70. Ideally the same interview panel should conduct the interviews even if they take place over different days.
71. Each panel member should complete their own score sheet for each candidate by the end of the applicant's interview. They can complete it during the interview or at the end but should not be distracted from listening to answers by completing the scoresheet.

72. The panel should produce an overall score sheet for all candidates showing each individual candidates scores as against each other.
73. The panel should only recommend for appointment the top scoring candidate(s) based on merit. If it is not felt that any candidate scored sufficiently highly then they should not recommend any candidate for appointment.
74. Panels must not seek the appointment of a lower scoring candidate than the candidate who scored the most in the interview. The candidate with the highest score would be entitled to ask why they were not appointed when they scored highest on the pre-selected interview questions.
75. If there are two highest scoring candidates with the same score and there is only one appointment, then there should be a review of the overall scoring. A candidate not selected who scored the same as another would be entitled to ask for a justification of why they had not been appointed so care needs to be given to ensuring any decision withstands scrutiny.
76. It is wise, if you have a large number of good candidates for interview, to consider whether more assistants could be appointed.

Notification of results

77. Candidates must not be told the outcome of the interview on the day of interview or before the Chief Coroner and Lord Chancellor have given their consent.
78. After the interviews, the Local Authority should make a written report for the Chief Coroner about the application and interview process and the reasons for proposing the successful candidate(s). The report submitted from the Local Authority should include the information listed below:
- 1) The interview questions.
 - 2) The scoring criteria.
 - 3) The reasons why they were successful and unsuccessful and any scoring matrix or summary of their interview performance.
 - 4) The name(s) of those that they wish to appoint and a request for consent for the appointment from the Chief Coroner and Lord Chancellor.

5) Declarations from each candidate selected for appointment confirming whether they have any previous convictions, and whether they have any disciplinary proceedings or complaints recorded against them and confirmation they were asked in interview about declaring any matters that the Local Authority may need to know about, and the answer provided.

6) Any confirmation of a reference check that has been carried out (this may be carried out in line with current Local Authority practices).

79. Each proposed appointment will be carefully scrutinised. Any appointment for Assistant Coroner must be approved by the Chief Coroner. This requires (a) the Local Authority to satisfy the Chief Coroner that the process has been conducted fairly and the chosen appointees have demonstrated the competencies necessary for appointment and (b) the applicant to have completed the declaration that they are of good character.

Training

80. Contact details for all new appointees and confirmation of their training needs (i.e. if they are a new assistant and will require induction training) should be emailed to the Chief Coroner's office. This should include their name(s), date of birth, contact details including a work and personal email address and contact telephone number as well as a start date.

81. Once contact details have been provided by the Local Authority, the newly appointed Coroner will receive joining instructions to access their ejudiciary account. The Chief Coroner's office will email the new appointees regarding their responsibilities in relation to their ejudiciary accounts. They will require their ejudiciary account details to book any coroner training through the Learning Management System (LMS).

82. New Assistant Coroners are expected to attend the mandatory Assistant Coroner induction training before they undertake any inquest work, including inquests in writing. This is in line with other judicial appointments.

83. All new coroner appointments are required to attend a 'Faculty Induction Seminar' which is run by the Judicial College and is a mandatory requirement for all new judicial appointments. The Seminar can be accessed and booked through LMS but should not be booked until a number of court sittings have been conducted as the

seminar is designed to complement and build upon court sitting skills and achieving a fair hearing.

84. All coroners must attend the compulsory annual coroner continuation training.

Requests for permission not to attend must be submitted to the Senior Coroner for the area and to the Chief Coroner for approval. Save for compelling personal reasons such requests are likely to be refused as training is an integral part of all appointments.

HH JUDGE ALEXIA DURRAN

CHIEF CORONER OF ENGLAND AND WALES

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