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Information Pack:

00420: Fee Paid Member (Disability) of the Social
Entitlement Chamber of the First-tier
Tribunal

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INTRODUCTION

The Judicial Appointments Commission (JAC) is now inviting applications for the posts of Fee Paid Member (Disability) of the Social Entitlement Chamber of the First-tier Tribunal. The closing date for applications is 15 April 2009. The JAC has been asked to select 34 Fee Paid Members (Disability) for a variety of locations within seven regions across England, Wales and Scotland. Details of those locations are listed in the application form on page 14. Successful applicants will normally be offered a minimum of 15 sittings (30 half day sessions) annually. The daily fee is £189 and is currently under review.

This pack contains the information that you need about the posts. It includes eligibility criteria and the job description. It also describes the selection process that the JAC will follow, with relevant dates and advice on how to prepare for the various stages of this process.

Before you can be considered for appointment, there are eligibility requirements that you must meet. The JAC is also required to assess your character. Before applying you should read these requirements and the guidelines that the JAC uses to assess character. These can be found on our website (www.judicialappointments.gov.uk) along with outline terms and conditions of service and terms of appointment for these posts. You will also need to demonstrate the qualities and abilities required for this office.

The independent JAC selects candidates for judicial office. It does so on merit, through fair and open competition, from the widest range of eligible candidates.

ARE YOU ELIGIBLE?

Members of the First-tier Tribunal, who are not judges, are appointed by the Lord Chancellor under paragraph 2(1) of Schedule 2 of the Tribunals, Courts and Enforcement Act 2007. Under paragraph 2(2) of that Schedule, the qualifications for appointment are prescribed in Statutory Instrument 2008/2692.

To be eligible for appointment as a Fee Paid Member (Disability) of the Social Entitlement Chamber of the First-tier Tribunal you must meet the following requirements.

Statutory requirement

A person is eligible for appointment if he/she is a person, other than a registered medical practitioner, who is experienced in dealing with the physical or mental needs of disabled persons because they –

- (a) work with disabled persons in a professional or voluntary capacity; or
- (b) are themselves disabled.

Age

There is no upper or lower age limit for candidates apart from the statutory retirement age of age 70. The age at which someone is appointed to the Social Entitlement Chamber must allow for a reasonable length of service before retirement, usually about three years.

Nationality

You must complete a declaration of your nationality in the Application Form. In order to qualify for this post, you must be a citizen of:

- the United Kingdom; or
- another Commonwealth country; or
- the Republic of Ireland

Character

The JAC is required by statute to appoint only persons of good character. In order to make these assessments we have developed Good Character Guidance which you can find on our website at www.judicialappointments.gov.uk. You can also write to us to request a copy (see the 'Contacts and Further Information' section of this Information Pack for our contact details).

The Good Character Guidance gives you some indication as to whether anything in your past conduct or present circumstances might affect your application for judicial appointment. You should read it carefully before completing the Application Form.

Good character questions and declarations

You are required to answer a number of questions related to good character in the Application Form and must make appropriate declarations as requested.

Applicants for judicial appointments are not protected by sections 4(2) and 4(3) of the Rehabilitation of Offenders Act 1974. Any convictions which would normally be regarded as having expired under that Act should therefore be declared in writing (Rehabilitation of Offenders Act 1974 (Exemptions) Order 1975). You must provide details of all offences for which you have been convicted or cautioned. Details should include the nature of each offence, date of conviction or caution and the penalty imposed.

Where proceedings of any kind are pending, you should give details of the offence with which you have been charged or the disciplinary process you are subject to and, if known, the date when the case or action may be heard. It is important that you inform us of the outcome of any case or action concluded while your application is under consideration. Similarly, if you are charged with any offence or any action is brought against you after submitting your application you should inform us immediately (see the 'Contacts and Further Information' section of this Information Pack).

In all cases, please provide as much detail as you can and indicate if there are any mitigating factors that you think the JAC should take into account in assessing your good character.

Good character checks

The JAC will also carry out checks on all candidates whom it intends to recommend for appointment. Further information about these checks will be provided separately to relevant candidates.

Failure to have declared any matters that come to light from these checks may prejudice the outcome of your application.

Disqualification

You should note that the House of Commons Disqualification Act 1975 applies to this office.

REASONABLE ADJUSTMENTS

The JAC is committed to considering any reasonable adjustments needed to ensure that you can participate in the selection process fairly. The Application Form asks you to identify any arrangements and adjustments you may require. Requests will be considered on a case-by-case basis and the information given will not be used in selection decisions.

Unfortunately, we are unable to apply widespread arrangements to reimburse any expenses incurred attending the qualifying test or selection day. However, we are prepared to consider making exceptions to this rule to help in limited circumstances such as where a candidate has a disability. Additionally, and resources permitting, we hold qualifying tests in venues around the country to facilitate access and in exceptional circumstances hold selection days outside of London.

If you are recommended for appointment, reasonable adjustments will be considered if you have a disability under the meaning of the Disability Discrimination Act, as they are for serving judges. Any reasonable adjustments to enable you to take up appointment will be discussed separately with you by the Ministry of Justice after the JAC has made its recommendation.

JOB DESCRIPTION

The following information has been provided by the Ministry of Justice.

FEE PAID MEMBER (DISABILITY) OF THE SOCIAL ENTITLEMENT CHAMBER OF THE FIRST-TIER TRIBUNAL

Jurisdiction

The geographical jurisdiction of the Social Entitlement Chamber of First-tier Tribunal includes England, Scotland and Wales (but not Northern Ireland, where there is a separate system). The jurisdiction is divided among seven regions, one in Scotland, another covering Wales and the South West of England and the remaining five covering the rest of England. There are currently some 130 sites throughout Great Britain, but this is being reviewed and may change. The President of the Social Entitlement Chamber is responsible for the functions of the Tribunals.

Main Activities

The Appeal Tribunals have an inquisitorial function. The main activities of a disability qualified panel member are:

1. Preparing for a hearing

Reading and assimilating appeal papers before the hearing commences, including on occasions studying substantial amounts of complex documentary evidence. Such preparatory work is necessary regardless of whether the appellant has opted for an oral hearing of the appeal or it is to be determined on the basis of the appeal papers alone.

2. Determination of appeals

In conjunction with the other Tribunal members, deciding appeals by considering facts, applying the relevant law to them and contributing to the provision of a reasoned written judgement by the chairman of the Tribunal.

3. Conduct of Hearings

In conjunction with other Tribunal members, ensuring that parties who are not always represented are able to present their evidence and have it considered fully and fairly. Some appellants are represented. Representation can come from a wide variety of sources, including the Citizens Advice Bureau, local advice and legal centres, trade unions and solicitors. In conjunction with other members, ensuring that hearings are conducted efficiently and effectively in a manner which is compatible with the interests of natural justice.

Further Information

The terms and conditions for this post can be found on the JAC website www.judicialappointments.gov.uk.

THE SELECTION PROCESS

Application form

Details of the qualities and abilities against which you will be assessed are set out in the Application Form. You can draw on your full range of work and personal experience to demonstrate these qualities and abilities including, for example, voluntary work or any publication to which you have contributed. Please be specific in giving information.

Timetable

Closing date for applications	15 April 2009
Provisional dates for qualifying test	22 - 30 June 2009
Provisional dates for selection days	17 – 24 August 2009

Shortlisting

The first step in the process is a qualifying test. For further information about the test and preparation you may wish to undertake will be on our website at www.judicialappointments.gov.uk from Monday 27 April 2009.

Following the test, if you are shortlisted, you will be invited to a selection day. Further details will be sent with your invitation to attend. We are sorry that we are not able to provide written explanations to candidates who are not shortlisted.

The qualifying test and selection days will be held in London and Glasgow and you can select your preferred location on page 12 of the application form.

References

We may seek information from people who are well placed to comment on how you meet the qualities and abilities. Referees are usually approached before the selection day takes place and will be encouraged to draw on appraisal material if it is available. The material provided by referees will usually inform decisions at selection day and final selection decisions by Commissioners.

Candidate nominated

You are invited to nominate up to three referees who know you well either personally or professionally. **We strongly recommend that you check with your referees that they are not conflicted.**

JAC nominated

The JAC may also request references from those identified in the section of this pack titled 'JAC nominated referees'.

Please provide the name, title, position and address of your referees. You may also tell us if you do not wish us to approach the relevant JAC referee now, but you must give reasons. If you have excluded your relevant JAC referee, you must suggest an alternative referee who is familiar with your work.

Conflict of interest

The Judicial Appointments Commissioners are listed at the back of this pack. You should not nominate a Commissioner as a referee. You should also state in the Application Form if you are in any way related to, or known to, any of the Commissioners and give details.

Outcome of the selection exercise

You will be advised of the outcome of your application in writing.

All successful candidates will be required to undertake training. This is planned for week commencing 22 February 2010.

If you are unsuccessful at the selection day stage of the process, you can request a written explanation. You should make this request within six weeks of the date of the letter informing you that you have not been successful. We will aim to respond to your request within four working weeks.

Complaints procedure

If you are dissatisfied with any aspect of the way your application has been handled, please refer to the JAC's published complaints procedure, which is available from our website, or in writing on request.

CONTACTS AND FURTHER INFORMATION

Obtaining an application form

All the information about applying for this selection exercise is available at www.judicialappointments.gov.uk (current selection exercises).

The Application Form for this selection exercise can be obtained electronically by downloading it from the website.

Please contact the Judicial Appointments Applications Service (JAAS) team at the JAC if you wish to request a hard copy of the Application Form or Information Pack, or if you have any questions about submitting your application.

If you need the form and/or pack in a different format, for example Braille, please contact the JAAS team.

Acknowledgement of your application

You should receive an acknowledgement of your application within five working days of receipt. If you do not, please contact the JAAS team by telephone or e-mail.

Contact details

1. JAAS

Reference: 00420 (Please use this reference on all communications)

Judicial Appointments Commission
3rd Floor, Steel House
11 Tothill Street
London
SW1H 9LH

DX 149822 WESTMINSTER 6

E-mail: jaas@jac.gsi.gov.uk

Telephone: 0203 334 0123

2. Selection Exercise Team:

Sheila Newman

020 3334 0082

Assistant Director

Jagdish Gandam

020 3334 0111

Selection Exercise Team Leader

Jasika Shivji

020 3334 0086

Administrative Officer

E-mail: jagdish.gandam@jac.gsi.gov.uk

Fax: 0203 334 0134

3. Director:

Sarah Gane

0203 334 0567

JAC NOMINATED REFEREES

The JAC may also request references from those categories listed below.

Judicial referees

If you sit on a Tribunal, the Tribunal President or equivalent.

Professional referee

If you are a solicitor, your managing partner or relevant equity partner.

If you are a barrister, your Head of Chambers.

If you are an advocate, the Dean of the Faculty of Advocates (Scotland only).

If you are employed, your line manager or equivalent.

If you are self employed, your business partner or someone who can comment on your work.

JAC COMMISSIONERS

Chairman of the JAC

Baroness Usha Prashar CBE

Members

Mrs Justice Jill Black DBE

Dame Lorna Boreland-Kelly DBE

Professor Dame Hazel Genn DBE QC

Lady Justice Heather Hallett DBE

Sir Geoffrey Inkin OBE

Her Honour Judge Frances Kirkham

Mr Edward Nally

Ms Sara Nathan OBE

District Judge Charles Newman

His Honour Judge David Pearl

Mr Francis Plowden

Ms Harriet Spicer

Mr Jonathan Sumption OBE QC

Lord Justice Roger Toulson