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**Information Pack:**

00427:Fee Paid Member of the Social Entitlement  
Chamber (Medically Qualified: Expert and  
Non-Specialist)

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## INTRODUCTION

The Judicial Appointments Commission (JAC) is now inviting applications for the post of Fee Paid Member of the Social Entitlement Chamber (Medically Qualified: Expert and Non-Specialist). The JAC has been asked to recommend 202 fully registered medically qualified members for appointment to various locations across England, Scotland and Wales as follows:-

Non-specialist medical posts are available in the following regions:

- Central region – 38 vacancies
- Eastern region – 29 vacancies
- North East region – 28 vacancies
- North West region – 12 vacancies
- Scotland – 6 vacancies
- South East region – 10 vacancies
- Wales & South West region – 21 vacancies

Posts for medical members qualified in the following specialisms are available within the following regions:

- **Chest Physician**  
Central region – 2 vacancies  
Eastern region – 1 vacancy  
North East region – 2 vacancies  
Scotland – 3 vacancies  
Wales and South West region – 2 vacancies
- **General Physician**  
Central region – 1 vacancy  
Eastern region – 4 vacancies  
South East region – 6 vacancies  
Wales and South West region – 4 vacancies
- **General Surgeon**  
Central region – 2 vacancies  
Eastern region – 2 vacancies  
North East region – approximately 5 vacancies  
Scotland – 1 vacancy

- **Orthopaedic Surgeon**  
Eastern region – 2 vacancies  
North East region – approximately 5 vacancies  
North West region – 4 vacancies  
Wales and South West region – 1 vacancy
- **Rheumatologist**  
Eastern region – 1 vacancy  
North East region – approximately 2 vacancies
- **Neurologist**  
North East region – approximately 2 vacancies
- **ENT**  
Scotland – 2 vacancies  
Wales and South West region – 2 vacancies
- **Dermatologist**  
Wales and South West Region – 1 vacancy

You should be aware that Central London is split between the Eastern and South Eastern regions. Those appointed to the South Eastern region may be asked to sit in the Eastern region, and those appointed to the Eastern region may be asked to sit in the South Eastern region. Further information as to the areas covered by these regions can be obtained from the Tribunals Service at [www.tribunals.gov.uk](http://www.tribunals.gov.uk).

This pack contains the information that you need about the appointments. 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](http://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.

**The closing date for applications is 26 May 2009.**

## ARE YOU ELIGIBLE?

To be eligible for appointment as a Fee Paid Member of the Social Entitlement Chamber (Medically Qualified: Expert and Non-Specialist) you must meet the following requirements.

### **Statutory requirement**

Eligibility for these posts is provided for within the Statutory Instrument 2008 No. 2692 (Tribunals and Inquiries: the qualifications for Appointment of Members to the First-tier Tribunal and Upper Tribunal Order 2008).

It states that you must be a fully registered medical practitioner to be eligible.

## **Age**

There is no upper or lower age limit for candidates apart from the statutory retirement age of 70. The age at which someone is appointed 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](http://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.

# 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.

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 Social Entitlement Chamber after the JAC has made its recommendation.

## JOB DESCRIPTION

The Ministry of Justice has provided the following information.

### **FEE PAID MEMBER OF THE SOCIAL ENTITLEMENT CHAMBER (MEDICALLY QUALIFIED: EXPERT AND NON-SPECIALIST)**

#### **Main Activities**

##### *Preparing for a hearing*

Reading and assimilating appeal papers before the hearing commences, including on occasions the study of substantial amounts of complex documentary evidence. Such preparatory work is necessary regardless of whether the appellant has opted for an oral hearing or it is to be determined on the basis of appeal papers alone. In particular, the medically qualified member will be expected to use his or her professional expertise to analyse the medical evidence provided

##### *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 giving of reasoned written judgement by the Tribunal Judge. It may be necessary for medical members to carry out a medical examination at the hearing, although this will be dependent upon the type of tribunal to which the member is assigned.

##### *Conduct of hearing*

In conjunction with other appeal tribunal members, ensuring the parties (who are not always represented) are able to present their evidence and have it considered fully and fairly. Some appellants are able to present their evidence and have it considered fully and fairly. Some appellants are represented. This 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**

Terms and conditions for this post can be found on the JAC website at [www.judicialappointments.gov.uk](http://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	<b>26 May</b>
Provisional dates for selection days	<b>3 August – 14 August</b>

## Shortlisting

Shortlisting will be by way of sift based upon your application form and references. If you are shortlisted, you will be invited to a selection day. Further details will be sent with your invitation to attend. We will let you know if you have been shortlisted but we are not able to provide written feedback to candidates who are not shortlisted.

## References

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

### 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 relevant professional and or judicial referees. You may also tell us if you do not wish us to approach the relevant professional referee now, but you must give reasons. If you do not currently hold a judicial office and have excluded your relevant professional referee, you must suggest an alternative referee who is familiar with your work.

## Selection Days

The selection days will take place at the JAC Assessment Centre in London. The nearest tube stations are at St James's Park and Westminster.

## 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.

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.

### **Training**

If you are successful in obtaining an appointment, you will be invited to induction training in the week commencing 22 February 2010.

### **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](http://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:** 00427 (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

0203 334 0082

Assistant Director

Ryan McMullen

0203 334 0085

Selection Exercise Team Manager

E-mail: ryan.mcmullen@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.

Professional referee

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

If you are a consultant or hospital based medical practitioner, the Medical or Clinical Director of the hospital where you work

If you are a GP and part of a General Practice, the senior partner in the practice

If you are a GP with a mixture of locum (and similar) work, the senior partner in the General practice where you have worked the most in the last six months

If you are a GP and the senior partner in the practice, your partner in that practice

# 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