



Post Selection Day Evaluation and Feedback Report

00187 Fee-Paid Medical Members of the First-tier Tribunal, Social Entitlement Chamber (Social Security and Child Support)

May 2024

Purpose

The purpose of this report is to provide an evaluation of the selection days for Fee-Paid Medical Members of the First-tier Tribunal, Social Entitlement Chamber (Social Security and Child Support) as well as capture general feedback on candidate performance. The report describes how selection days were undertaken by both panels and candidates; including what characterised stronger and weaker demonstrations of the competencies needed to fulfil the requirements of this role.

Competency Framework

The selection day was divided into two parts. The first part was situational questioning, which was designed to assess the following competencies:

- Exercising Judgement
- Possessing and Building Knowledge
- Assimilating and Clarifying Information

The second part was a competency-based interview, which was designed to assess the following competencies:

- Working and Communicating with Others
- Managing Work Efficiently

The assessment criteria were developed so that candidates could demonstrate their proficiency and capability transferable to the role from other contexts. The specific behavioural indicators under each competency were designed to reflect the aptitude and faculty that effective Fee-Paid Medical Members of the First-tier Tribunal, Social Entitlement Chamber (Social Security and Child Support) are expected to have. This enabled us to assess candidates in a fair and consistent way.

Performance of candidates

A total of 222 candidates applied for this role, with 32 withdrawing during the course of the exercise. Due to the number of applications received against the number of vacancies available, shortlisting (which would have taken the form of an online qualifying test) was waived and all candidates who met the eligibility requirements for the post were invited to selection day. In total 158 candidates attended selection days and 115 candidates were recommended by the Judicial Appointments Commission (JAC) to the Senior President of Tribunals for appointment. In making this decision, the Commission took into account all evidence provided by the candidates at selection day, independent assessments, and all relevant character checks.

Selection day

Selection days were held remotely via Microsoft Teams between 8 May 2024 and 13 June 2024. An additional selection day was held remotely on 1 July 2024. All candidates were provided with technical support to get ready for their selection day as detailed on our website [here](#).

Development of the situational questions

The situational questions were drafted by the Chief Medical Member of the Social Entitlement Chamber. The material was designed to assess relevant transferable skills and

to minimise the extent to which candidates might be unfairly advantaged or disadvantaged by their professional background. The JAC Advisory Group, which is composed of members of the judiciary and representatives of the legal professions, and chaired by a lay JAC Commissioner, offered advice and guidance during the development of the situational questions.

The effectiveness of the situational questions was assessed by means of a mock assessment with volunteers from diverse candidate groups. This provided an opportunity to trial the test material and make any necessary amendments.

Structure of the situational questions

The situational questions were designed to assess how candidates would deal with scenarios that are likely to arise in the role of a Fee-paid Medical Member of the First-tier Tribunal, Social Entitlement Chamber (Social Security and Child Support). There was one fictional scenario with eight questions in relation to it.

The fictional scenario concerned a tribunal considering an appeal for Universal Credit and the Department for Work and Pensions was the defendant. Ms Garcia (the appellant) had a variety of medical conditions and there were issues with the assessments which had been undertaken.

Advance preparation

There was no pre-reading for this exercise.

Selection day

At selection day, candidates were presented with the scenario and the accompanying situational questions. Candidates were allocated 25 minutes preparation time to familiarise themselves with the materials. The candidates then had up to 30 minutes to respond to the situational questions.

Assessment of candidates' responses to the situational questions

The evidence for each competency is assessed as either outstanding, strong, sufficient, or insufficient. The following evidence was gathered from the marking guide which helped the panels differentiate between outstanding, strong, selectable, and not presently selectable candidates:

Outstanding evidence included:

- Discussing all the main potential disabling conditions.
- Having the ability to relate all the main potential disabling conditions to potential functional limitations and thus the descriptors, which impacted Ms Garcia's abilities.
- Succinctly explaining that co-codamol 30/500 is a dual preparation painkiller and that 'qds' (quarter die sumendum) meant they were taking it four times a day, which is the maximum dose.
- Clarifying that x-rays would not show a prolapsed disc and that x-rays were not a good indication of functional limitations.
- Dealing effectively with the additional 100 pages of evidence, recognising its relevance and how best to proceed.

Strong evidence included:

- Covering all of the key points and mentioning that the healthcare professional (HCP) assessment was completed by telephone and only lasted 15 minutes.
- Discussing most of Ms Garcia's potential disabling conditions.
- Stating that the collapses were likely to be due to either epilepsy, or the blood pressure dropping, and joint pains were probably osteoarthritis but could also be fibromyalgia.
- Speaking to the mother to see what the tribunal could do to enable Ms Garcia to give evidence.
- Realising that the information from the clerk was not something they would take into account.
- Recognising that it was not appropriate to adjourn solely for an x-ray report.

Sufficient evidence included:

- Recognising the main conditions and considering their functional significance.
- Identifying that in light of Ms Garcia's autism and learning disability, it was unlikely that she had completed the claim form herself or answered the HCP questions in any detail.
- Checking the British National Formulary to see if the dosage of medication was high.
- Demonstrating fairness by being sensitive to Ms Garcia's anxiety and suggesting a number of reasonable adjustments to enable her to participate in the hearing.

Insufficient evidence included:

- Showing a limited understanding of much of the material presented in the scenario and having gaps and omissions in their responses, such as missing out a main disabling condition.
- Hesitating to use the information presented to reach clear conclusions.
- Not being clear on what to do about the information from the clerk or the additional 100 pages of evidence.

Competency- based interview

Each candidate then participated in a competency-based interview. Here the panel was seeking examples from the candidate of the required competencies and in the context of the role of a Fee-paid Medical Member of the First-tier Tribunal, Social Entitlement Chamber (Social Security and Child Support). The following evidence was gathered from a range of candidates' responses which helped the panels differentiate between outstanding, strong, selectable, and not presently selectable candidates:

Working and Communicating with Others

Outstanding evidence included:

- The difference between outstanding and strong candidates would have been determined by the complexity and relevance of the examples provided, the clarity and structure of the answer and the lack of prompting or probing conducted by the panel in order to obtain evidence at a level commensurate with the role on offer.

- Taking the lead in a complex and sensitive shared task. Assigning roles to colleagues and remaining focused in a highly charged situation, evidencing how communication was maintained and adapted.
- Building trust with a patient through consultations and having the ability to listen and deal sensitively with the concerns being raised, whilst encouraging them to attend a face-to-face appointment.

Strong evidence included:

- Collaborating with senior stakeholders and managing directors to identify and remedy gaps in policies and procedures, and demonstrating how communication styles were adapted to achieve this.
- Demonstrating sensitivity by creating a safe environment for a vulnerable person, adapting their communication style, and working collaboratively with stakeholders to achieve this.
- Working with a culturally diverse range of stakeholders, demonstrating sensitivity and receptiveness to contributions, and evidencing how challenges to opinions were effectively and sensitively dealt with.

Sufficient evidence included:

- Demonstration of sensitivity, empathy, and effective communication.
- Demonstrating a sound level of reasoning in their answers.
- Evidencing routine examples to demonstrate how a shared task was achieved.
- Evidencing the ability to alter their approach and style to communicate effectively but the examples lacked depth and complexity.
- Evidencing the ability to communicate effectively with a diverse range of staff at all grades but the example lacked depth and challenge.

Insufficient evidence included:

- Answers which were irrelevant to the competency criteria.
- Answers which did not address the questions that were asked.
- Examples which were underdeveloped, unstructured and poorly explored.
- Answers which included general commentary or assertion-based comments, failing to provide specific examples.

Managing Work Efficiently

Outstanding evidence included:

- The difference between outstanding and strong candidates would have been determined by the complexity and relevance of the examples provided, the clarity and structure of the answer and the lack of prompting or probing conducted by the panel in order to obtain evidence at a level commensurate with the role on offer.
- Describing a change of system and a resulting positive impact and benefits.
- Clearly explaining how they prioritised during a clinical emergency and afterwards to ensure minimal impact on the duty list and that every patient was seen in a timely manner.
- Making efficiency improvements; by allowing improved speed of completion of the required documents and independently resolving a problem.

- Identifying an increase in requests for specific assessments and developing a questionnaire, which patients could complete on their smartphones, which automatically downloaded into the practice system.

Strong evidence included:

- Evidencing the management and introduction of a new efficiency improvement resulting in a significant financial saving.
- Demonstrating focus and resilience by calmly organising workload and delegating tasks to others in response to unforeseen, highly pressurised, and ever-changing circumstances.
- Evidencing an efficiency improvement, having made the best use of available resources to redesign and oversee the implementation of a new process and making further improvements on receipt of feedback.
- Undertaking the delivery of training to build resilience and facilitate effective inclusion in the workplace, for the benefit of teams and individuals with specific needs.
- Evidencing a positive outcome, resulting in greater team engagement and improved performance.

Sufficient evidence included:

- Demonstrating resilience and the ability to prioritise to deal with competing workloads.
- Demonstrating resilience under pressure when undertaking a large amount of work. Available resources were assessed and managed accordingly, delegating tasks appropriately.
- Describing the methods used to manage clients and prioritise what is urgent.
- Successfully dealing with an aggressive and abusive patient - remaining calm in the situation and drawing on their internal emotional resources to remain resilient.
- Maintaining clear boundaries so that prioritised important tasks were completed on time and maintaining a boundary not to work after hours.

Insufficient evidence included:

- A low-level or ineffective example which lacked innovation in demonstrating resilience under pressure.
- An example of prioritisation of workload which lacked an organised approach, demonstrating that the candidate had not maintained control of the workload.
- Citing several routine and universally adopted IT measures to demonstrate IT-related work efficiencies.
- Answers which were irrelevant or did not address the questions which had been asked.

Feedback from Candidates

After the selection days, candidates were invited to complete an anonymous candidate survey. Seventy-three candidates responded to the survey. The results are captured below:

The instructions provided beforehand enabled candidates to prepare for the selection day.

- 82% of candidates either agreed or strongly agreed.
- 7% of candidates disagreed.
- 11% of candidates neither agreed nor disagreed.

Candidates understood what was expected on the selection day.

- 78% of candidates either agreed or strongly agreed.
- 8% of candidates disagreed.
- 14% of candidates neither agreed nor disagreed.

The situations discussed in the situational questioning were realistic and relevant to the role.

- 86% of candidates either agreed or strongly agreed.
- 3% of candidates disagreed.
- 11% of candidates neither agreed nor disagreed.

The situational questioning gave candidates a chance to display how they would react to various tribunal situations.

- 74% of candidates either agreed or strongly agreed.
- 6% of candidates disagreed.
- 20% of candidates neither agreed nor disagreed.

Candidates are confident in the situational questioning as a JAC selection tool.

- 66% of candidates either agreed or strongly agreed.
- 5% of candidates disagreed.
- 29% of candidates neither agreed nor disagreed.

The interview questions gave candidates the opportunity to demonstrate their skills, abilities, and competence for this role.

- 52% of candidates either agreed or strongly agreed.
- 26% of candidates disagreed.
- 22% of candidates neither agreed nor disagreed.

The panel behaved professionally and treated candidates with respect.

- 95% of candidates either agreed or strongly agreed.
- 1% of candidates disagreed.
- 4% of candidates neither agreed nor disagreed.

Candidates are confident in the interview as a JAC selection tool.

- 59% of candidates either agreed or strongly agreed.
- 15% of candidates disagreed.
- 26% of candidates neither agreed nor disagreed.
