

## **Post Selection Day Evaluation and Feedback Report**

**00130 Senior Member (Chair) of the Valuation  
Tribunal for England**

**September 2023**

## Purpose

The purpose of this report is to provide an evaluation of the selection days for Senior Member (Chair) of the Valuation Tribunal for England, 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
- Assimilating and Clarifying Information
- Working and Communicating with Others

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

- Possessing and Building Knowledge
- Working and Communicating with Others
- Managing Work Efficiently

The assessment criteria were developed so that candidates could demonstrate the 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 an effective Senior Member (Chair) of the Valuation Tribunal for England is expected to have. This enabled us to assess candidates in a fair and consistent way.

## Performance of candidates

**89** candidates applied for this exercise. The vacancy request was originally for 30 posts but due to business need within the tribunal it was agreed that all selectable candidates would be recommended.

Due to the number of applications received, shortlisting (which would have taken the form of an online qualifying test) was waived and the **88** eligible candidates were invited to selection day. A number of candidates withdrew before the selection day. **45** candidates were recommended by the Judicial Appointments Commission to the Lord Chancellor 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. **24** candidates were assessed as 'not presently selectable'.

## Selection day

Selection days were held remotely via Microsoft Teams between 7 September 2023 and 26 September 2023. Candidates who took part in remote interviews were provided with technical support to get ready for their selection day as detailed on our website [here](#).

## Situational questions

### Development

The situational questions were drafted by the President of the Valuation Tribunal for England. In common with all the selection tools developed for this exercise, the situational questions were 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 their development.

The effectiveness of the situational questions was assessed by means of a dry run with volunteers from relevant 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 Senior Member (Chair) of the Valuation Tribunal for England. At selection day, candidates were instructed to consider themselves as a Senior Member (Chair) and were asked to assume that they were part of a tribunal panel. Candidates were presented with three fictitious appeal hearing scenarios that a tribunal panel might deal with. The scenarios were as follows:

- Scenario one the tribunal panel hears a council tax appeal, where the resident taxpayer is seeking a reduction of council tax banding. The Senior Member does not agree with the decision of their panel member.
- Scenario two the tribunal panel is due to hear an appeal against a decision for discretionary relief at a face-to-face hearing. The appellant does not appear and seeks an adjournment. The billing authority does not consent. The Senior Member must make a decision on the request to adjourn.
- Scenario three the tribunal panel has fallen behind with the appeals hearing list. What action should the Senior Member take and why?

### **Advance preparation**

A week in advance of selection days, candidates were provided with the following materials, with which they were asked to familiarise themselves:

- The High Court ruling in the case of Domblides.
- The Consolidated Practice Statement for the Valuation Tribunal for England (candidates were directed to section PS4- 'postponements and adjournments').
- An extract from the Equal Treatment Bench Book.

Candidates were allowed to annotate and refer to these materials at selection day.

### **Selection day**

At selection day, candidates were presented with the scenarios and the accompanying questions (situational questions). They were allocated 25 minutes preparation time to familiarise themselves with the materials. Candidates then had up to 25 minutes to respond to the situational questions put by the judicial panel member. They were advised that they could refer to the materials provided and refer to any notes they may have made.

### **Assessment of candidates' responses to the situational questions**

The evidence for each competency is assessed as either outstanding, strong, sufficient, or insufficient. The panels then make a final overall assessment of candidates as either

outstanding, strong, selectable, or not presently selectable. The following evidence was gathered from the drafting judge's marking guide which helped the panels differentiate between outstanding, strong, selectable, and presently not selectable candidates:

Outstanding evidence included:

- Recognition of the comparable evidence to support the correct council-tax banding. Identification of the flaws in the appellant's argument. Referring their panel member to paragraph 21 in the High Court's judgment for Domblides -v- Listing Officer.
- Asking the member to explain their reasons for allowing the appeal. Inviting the clerk to give legal advice.
- Demonstrating a full awareness that if a two-member panel cannot agree, a new hearing must be arranged and must be heard by a completely different panel comprising of an odd number of members.
- Making the correct decision in respect of the appellant who does not attend the face-to-face hearing. Stating all the reasons why it would be unfair to agree to an adjournment.
- Asking the clerk to assist in managing the overrunning appeals list. Prioritising the list based on the information received, differentiating between the cases to be heard in full and those to be adjourned.

Strong evidence included:

- Recognition that the only piece of evidence in support of the appellant's case is a theoretical calculation. Further recognition that the evidence is unreliable and identifying the reliable source of evidence.
- Steering the member with a difference of opinion into rationalising and testing their decision.
- Some awareness that if a two-member panel cannot agree, a new hearing must be arranged and must be heard by a completely different panel comprising of an odd number of members.
- Making the correct decision in respect of the appellant who does not attend the face-to-face hearing, picking up most of the points on why the hearing should proceed.
- Asking the clerk to assist in managing the overrunning appeals list. Prioritising the list by identifying most of the factors to be taken into consideration.

Sufficient evidence included:

- Recognition that it would be wrong to allow the appeal purely based on house prices indices without being able to explain why-or- making a decision based on sales or comparable evidence.
- The Senior Member asking the panel member to explain why they think the appeal should be allowed, explaining that they have a different view. Exploring how the Senior Member could encourage the panel member to change their mind and come around to their thinking. A willingness to seek the clerk's advice regarding what happens next.
- Making the correct decision in respect of the appellant who does not attend the face-to-face hearing, picking up some of the points on why the hearing should proceed.
- Asking the clerk to assist in managing the overrunning appeals list. Prioritising the list by identifying some key factors to be taken into consideration.

Insufficient evidence included:

- Any decision to allow the appeal based on unreliable evidence or any decision to dismiss the appeal because the appellant has not proven their case.
- The Senior Member informs the panel member that they are wrong without any attempt to explain why that is, when persuading them to come around to the Senior Member's thinking.
- Assuming that as Senior Member, their decision takes precedence over their fellow member or that the clerk has a vote or concedes to their fellow member's viewpoint and allows the appeal, in order to dispose of it because a re-hearing would be inconvenient for the parties and have cost implications.
- Adjourning the face-to-face hearing to another date or refusing the adjournment and subsequently dismiss it due to the appellant's non-appearance/failure to attend.
- Asking critical questions of the clerk about the appeal listings, giving little or no thought to case management and objectively deciding which appeals should be prioritised and heard. There is little or no consideration given to the parties who have been inconvenienced.

### **Competency- based interview**

Each candidate then participated in a competency-based interview. Here the panel was seeking further evidence and examples from the candidate of the required competencies and in the context of the role of Senior Member (Chair). The following evidence was gathered from a range of candidates' responses which helped the panels differentiate between outstanding, strong, selectable, and presently not-selectable candidates:

### **Possessing and Building Knowledge**

#### Outstanding evidence included:

- Assimilating a high volume of information in an unknown area within a tight timescale.
- Delivering a complex piece of work under extreme time pressure and media scrutiny.
- Preparing for a factually novel and legally complex case, requiring a nuanced approach to acquiring and applying the knowledge.
- Pooling and sharing newly acquired knowledge to build resilience and continuity within the team, for example, by holding a 'lunch and learn' session.
- Keeping up to date in a specialised field by attending training courses both as a delegate and then as a tutor to test assimilation and understanding.
- Identifying a knowledge gap and training need after researching new legislation and/or guidance, subsequently arranging for existing training materials to be revised and delivered.

#### Strong evidence included:

- Dealing with a time-sensitive challenge involving a novel or complex area of work.
- Assimilating significant new material during the COVID-19 pandemic lockdown where it was difficult to liaise and share information with others due to restrictions.
- Volunteering to assist with projects and campaigns to build on existing knowledge of novel or specialised areas.
- Overcoming challenges in identifying and addressing knowledge gaps, resulting in the development of new training materials for team members.

#### Sufficient evidence included:

- Demonstrating the steps taken to get up to speed in a new area of work in a short amount of time.
- Undertaking research in an unfamiliar area to provide a range of advice for clients, sharing new information with colleagues via weekly newsletters.
- Volunteering to field departmental internal enquiries to test assimilation and understanding of newly acquired knowledge.
- Keeping own area of knowledge up to date by volunteering to regularly maintain their organisation's digital reference library.
- Keeping own area of expertise up to date by reading newsletters, signing up for online alerts and seeking relevant and timely training events.

Insufficient evidence included:

- Demonstrating a low-level example of how knowledge and information is kept up to date.
- Demonstrating a low-level example of how newly acquired knowledge was obtained and applied to a new area of work.
- Providing examples which were underdeveloped or incomplete.
- Providing examples which lacked in focus and clarity, failing to address the panel questions.
- Provided generalisations and hypothetical responses, failing to provide specific examples to demonstrate the competency criteria.

## **Working and Communicating with Others**

Outstanding evidence included:

- 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.
- Encouraging and improving diversity amongst colleagues, resulting in an increase of diverse membership of an organisation's union branch, achieving this by developing confidence and providing support to colleagues from ethnic minority backgrounds.

Strong evidence included:

- Working alongside senior stakeholders and managing directors to identify and remedy gaps in policies and procedures, demonstrating how communication styles were adapted to achieve this.
- Demonstrating sensitivity by creating a safe environment for a vulnerable client, adapting their communication style and working collaboratively with stakeholders to achieve this.
- Evidencing how reluctant team members were persuaded to adopt a new approach in the workplace by demonstrating its benefits and using an effective means of communication to reassure colleagues.
- 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.
- Bringing a cross-functional team together to embed a new system by setting out a clear process and creating a positive team culture by celebrating success along the way, evidencing the development of an inclusive working environment.

#### Sufficient evidence included:

- A demonstration of sensitivity, empathy and effective communication but the answers were not developed enough.
- 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 asked.
- Examples which were underdeveloped, unstructured and poorly explored.
- Providing inadequate examples which lacked in detail and depth.
- Answers which included general commentary or assertion-based comments, failing to provide specific examples.

### **Managing Work Efficiently**

#### Outstanding evidence included:

No candidate demonstrated outstanding evidence for this competency. 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 carried out by the panel in order to obtain evidence at a level commensurate with the role on offer.

#### Strong evidence included:

- Evidencing the management and introduction of a new efficiency improvement resulting in a significant financial saving. To achieve an outstanding grade, evidence of greater complexity of the task and evidence of how the candidate initiated the tasks undertaken were required.
- 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 new a 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 a 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 an extraordinary amount of work. Available resources were assessed and managed accordingly, delegating tasks as appropriate.
- The implementation of a revised mentoring system for trainee employees. The new system allowed for remote mentoring, enabling a more efficient use of time and for travelling costs to be reduced.
- Implementation of a new enquiry mailbox and a rota system for colleagues to manage this to enable colleagues to plan and focus on their own workloads more effectively.

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 or used IT to assist with workload management.
- A failure to demonstrate resilience and prioritisation of 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 asked.

## **Feedback from Candidates**

After the selection days, candidates were invited to complete an anonymous candidate survey. 39% of candidates responded to the survey. Based on the results of the survey:

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

- 88% of candidates either agreed or strongly agreed.
- 6% of candidates disagreed.
- 6% of candidates neither agreed nor disagreed.

### **Candidates understood what was expected on the selection day.**

- 91% of candidates either agreed or strongly agreed.
- 3% of candidates disagreed.
- 6% of candidates neither agreed nor disagreed.

### **The situational questions discussed in the situational questioning were realistic and relevant to the role.**

- 88% of candidates either agreed or strongly agreed.
- 12% of candidates neither agreed nor disagreed.

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

- 88% of candidates either agreed or strongly agreed.
- 6% of candidates disagreed.
- 6% of candidates neither agreed nor disagreed.

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

- 82% of candidates either agreed or strongly agreed.
- 6% of candidates disagreed.
- 12% of candidates neither agreed nor disagreed.

**The interview questions gave me the opportunity to demonstrate my skills, abilities and competence for this role.**

- 80% of candidates either agreed or strongly agreed.
- 5% of candidates disagreed.
- 15% of candidates neither agreed nor disagreed.

**The panel behaved professionally and treated candidates with respect.**

- 97% of candidates either agreed or strongly agreed.
- 3% of candidates neither agreed nor disagreed.

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

- 77% of candidates either agreed or strongly agreed.
- 2% of candidates disagreed.
- 21% of candidates neither agreed nor disagreed.