



## **Online Qualifying Test Evaluation and Feedback Report**

**00181: Fee-paid Disability Qualified Tribunal Member of the First-tier Tribunal, Social Entitlement Chamber (Social Security and Child Support Appeals Tribunals)**

**May 2024**

## **Purpose**

The purpose of this report is to provide an evaluation of the Fee-paid Disability Qualified Tribunal Member of the First-tier Tribunal, Social Entitlement Chamber (Social Security and Child Support Appeals Tribunals) online situational judgement test and general feedback on candidate performance.

The report describes how the Judicial Appointments Commission (JAC) developed the test and marking schedule, how the test was structured, and how the number of candidates shortlisted for progression was attained. Additionally, it provides information on the overall performance of candidates in the test, identifying areas of good and poor performance.

## **Competency Framework**

The test was designed to assess the following competencies:

- Exercising Judgement
- Working and Communicating with Others
- Managing Work Efficiently

The competencies were developed so that candidates could demonstrate the proficiency and capability transferable to the role from other contexts. The specific bullet points under each competency heading were designed to reflect the skills and abilities that an effective Fee-paid Disability Qualified Tribunal Member of the Social Entitlement Chamber is expected to have. This enabled us to assess candidates in a fair and consistent way.

## **Development of the test**

The test was devised by three tribunal judges from different chambers who work with non-legal members. In common with all the selection tools developed for this exercise, the questions were designed to assess relevant transferable skills and to minimise the extent to which candidates might be advantaged or disadvantaged by their experience and background.

The materials developed for this exercise were reviewed internally by Operations, Policy, and Diversity and Engagement teams to quality and equality assure the material to ensure it was an effective tool to assess candidates. The teams also ensured that the materials did not unfairly advantage or disadvantage any potential candidates taking the test on the basis of their diversity characteristic.

Following this internal quality assurance, the material was then reviewed by the JAC Advisory Group. The Advisory Group, chaired by a JAC lay Commissioner, is composed of members of the judiciary and representatives of the legal professions. It offers advice and guidance on the development of selection material; quality assures the material and considers – and mitigates – any negative impacts on diverse groups.

The effectiveness of the test was assessed by means of a mock assessment with a range of volunteers, none of whom were legally qualified as the role does not require a legal qualification. This provided an opportunity to trial the test material and make any necessary amendments.

## **Structure of the test**

Candidates were presented with a 40-minute situational judgement test which consisted of 20 multiple choice questions. No advance reading or preparation was required. Candidates

were assessed on their reading of a situation and their ability to judge the effectiveness of a number of different options provided under each situation. Candidates were asked to identify both the most appropriate and least appropriate option. All situations within the test were hypothetical, and no prior knowledge of rules or procedures was required.

### **Marking of the test**

The test was marked automatically by the JAC digital platform. Candidates who did not finish their test within the allotted time had their test automatically submitted by the online platform, and these tests were also marked.

The pass mark is determined by the number of candidates needed at the next selection stage, which varies between different exercises. Candidates who score below 30% in the test do not proceed and are removed from consideration.

Each situational judgement question had five answer options. It was necessary for the candidate to identify the most appropriate and least appropriate option, with one point scored for each correct answer. Therefore, candidates could score a maximum of two points for each question.

### **Distribution of marks**

- **658** candidates were invited to take the test
- **58** candidates withdrew from the process or did not take the test
- **600** candidates took the test

The process of scoring the situational judgement test was as follows:

- All candidates were scored on their answers to the test based on the marking criteria.
- Candidates were then ranked in order of merit from first to last based on their percentage score. This provided a merit list determining how many candidates would be invited to the next stage of the selection process.
- Candidates who scored less than 30% in the test were removed from consideration.

### **Approach to shortlisting**

When the JAC receives notification from HM Courts and Tribunals Service confirming the final number of vacancies for the requested post, calculations are made to establish how many candidates will be taken to selection day (usually at a ratio of two or three candidates interviewed for each vacancy). This allows us to estimate the number of candidates we need to progress after the shortlisting stages until we reach the selection day ratio. For this exercise we received a vacancy request to fill **200** posts. We therefore planned the selection exercise based on inviting around **440** candidates to selection day.

Candidates' scores from the test were placed on a merit list with the highest score placed at the top and the lowest score placed at the bottom. The number of slots available in the next stage of the process was then applied onto the merit list to create the initial cut-off line. We do not have a pre-determined pass mark for the test; the line of shortlisting is determined by the relationship between the relative performance of candidates against each other in any given test, and how many slots there are for the next stage of shortlisting (the eligibility checks). After the moderation process, **436** candidates proceeded to the next stage.

### **Equal Merit Approach**

Where there are candidates with the same score at the cut-off line, the Equal Merit Provision (EMP) may be applied in line with the [JAC's published policy](#). If the equal merit approach is applied, this will be after the consideration of a sub-committee of Commissioners, consisting of a legal Commissioner, a lay Commissioner and the Assigned Commissioner for the exercise. The sub-committee will consider and will need to be satisfied that:

- the candidates about whom a decision is being taken are of equal merit,
- the particular protected characteristic is underrepresented either in the judiciary as a whole or at the relevant level of judiciary, and
- reliance on EMP in the shortlisting process being conducted is a proportionate means of achieving the aim of increasing judicial diversity.

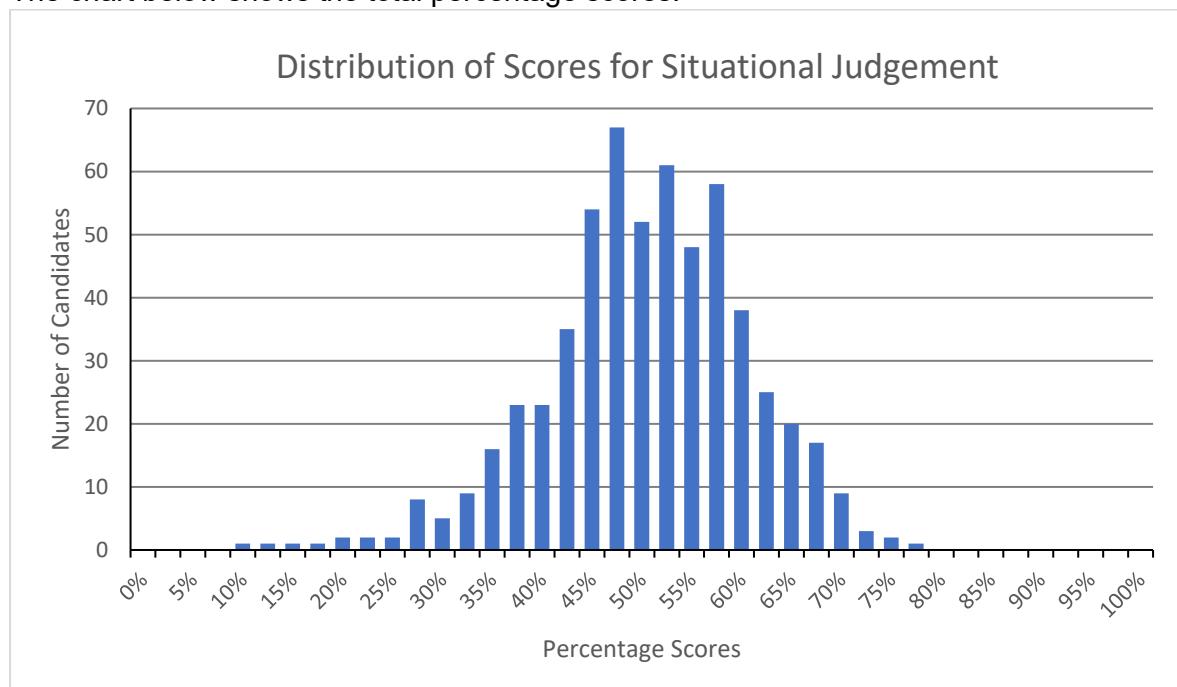
The EMP was not applied at this stage of the selection process as all candidates with the same score at the cut-off line proceeded to the next stage.

### Candidates' performance

The range of candidate scores for the situational judgement test were as follows:

- lowest candidate score was **10%**
- highest candidate score was **78%**
- the average candidate score was **50%**

The chart below shows the total percentage scores:



The highest scoring question was about the importance of maintaining fairness, impartiality, and ethical standards in tribunal proceedings, with a particular focus on ensuring procedural integrity and equal treatment of all parties. **60%** of candidates correctly identified both the most appropriate and least appropriate answer.

The lowest scoring question concerned maintaining control of proceedings. **4%** of candidates correctly identified both the most appropriate and least appropriate answer.

## **Feedback from candidates**

After the qualifying test, candidates were invited to complete an anonymous candidate survey. **226** candidates responded to the survey. The results of the survey are as follows:

When asked if they understood, from the instructions, what was expected during the qualifying test:

- 98% of candidates agreed or strongly agreed
- 2% of candidates neither agreed nor disagreed

When asked if the situational judgement test enabled them to demonstrate how they would tackle daily challenges working in a court or tribunal:

- 81% of candidates agreed or strongly agreed
- 14% of candidates neither agreed nor disagreed
- 5% of candidates disagreed or strongly disagreed

When asked if the situational judgement test was easy to complete:

- 64% of candidates agreed or strongly agreed
- 22% of candidates neither agreed nor disagreed
- 14% of candidates disagreed or strongly disagreed

When asked if they were confident in the situational judgement test as a JAC selection tool:

- 69% of candidates agreed or strongly agreed
- 21% of candidates neither agreed nor disagreed
- 10% of candidates disagreed or strongly disagreed

In terms of the quality of the customer service received from JAC staff during the qualifying test process:

- 88% of candidates said it was good or excellent
- 5% of candidates said it was fair or very poor
- 7% of candidates responded not applicable

## ***Foot note***

*The JAC apologises for inadvertent delay in publishing this report. Unfortunately, due to an administrative error, a feedback survey was not issued to candidates following the selection day stage of the exercise.*