Post Selection Day Evaluation and Feedback Report

00235 Fee-paid Valuer Chairs and Fee-paid Valuer Members of the First-tier Tribunal, Property Chamber, Residential Property Division

April and May 2025

Purpose

The purpose of this report is to provide an evaluation of the selection days for Fee-paid Valuer Chairs and Fee-paid Valuer Members of the First-tier Tribunal, Property Chamber, Residential Property Division 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 the roles.

Competency Framework

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

- Exercising Judgement
- Possessing and Building Knowledge
- 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:

- 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 effective Fee-paid Valuer Chairs and Fee-paid Valuer Members of the First-tier Tribunal, Property Chamber, Residential Property Division are expected to have. This enabled us to assess candidates in a fair and consistent way.

Additional selection criteria

For this exercise candidates were required to be a Member or Fellow of the Royal Institution of Chartered Surveyors (RICS).

Performance of candidates

36 candidates applied for this exercise. Following the eligibility sift, 29 candidates were invited to selection day. 18 candidates were recommended by the Judicial Appointments Commission to the Senior President of Tribunals for appointment. In making this decision the Commission took into account all relevant character checks, and all evidence provided by the candidates at selection day as well as the candidates' independent assessments.

Selection day

Selection days were held remotely via Microsoft Teams between 29 April and 7 May 2025. Candidates who took part in remote interviews were provided with technical support to get ready for their selection day as detailed on our website.

Development of the situational questions

The situational questions were drafted by a Judge of the First-tier Tribunal, Property Chamber.

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, to ensure the material assessed relevant transferable skills.

The effectiveness of the situational questions was assessed by means of a mock assessment 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 Fee-paid Valuer Chair and Fee-paid Valuer Member of the First-tier Tribunal, Property Chamber, Residential Property Division.

Candidates were able to apply for the Chair role, the Member role or both. If candidates applied for the Member role only, they were tested on two scenarios and subsequent questions. If candidates applied for the Chair role or both, they were tested on the same two scenarios and questions, plus an additional scenario and its subsequent questions. The fictional scenarios were as follows:

- o **Scenario 1.** This related to applications received by the Tribunal for determinations as to whether or not dwelling houses were particularly suitable for occupation by elderly persons.
- o **Scenario 2**. This related to an application by a tenant to determine whether or not service charges payable in respect of a flat were reasonable and payable. An extract from the lease was provided together with a service charge statement and demand.
- o **Scenario 3.** For candidates who applied for the Valuer Chairs' role. This related to how a candidate might deal with a conflict of interest and a disruptive landlord.

Advance preparation

The materials sent one week in advance of selection day consisted of:

For all candidates
- Paragraph 11 of Schedule 5 to the Housing Act 1985
- ODPM Circular 07/2004 RIGHT TO BUY: EXCLUSION OF ELDERLY PERSON'S HOUSING
- Milton Keynes Council and Bailey [2018] UKUT 207 (LC)
- Sections 18 to 30 of the Landlord and Tenant Act 1985 *(*with particular emphasis on sections 19 and 20*)*.

For candidates applying for the Chair role
- Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013 *(*Rule 3 only*)*

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 of the situational questions.

Outstanding evidence included:

- Using judgement to act quickly and decisively, demonstrating independence of mind.
- Making decisions relating to the areas raised in the scenarios, with full reasons provided.
- Demonstrating a consistent and compelling understanding of the subject matter across the scenarios and showing that they keep abreast of changes in their own field of expertise.
- Demonstrating that they fully absorbed the information in the brief and pre-reading, applying these in their answers.
- Communicating all points clearly and concisely, that was easy to understand.
- Explaining decisions and considerations in a well-structured way, without the use of jargon or unexplained technicalities.
- Highly effective and clear message to parties to ensure proceedings would be dealt with impartially, addressing parties in an authoritative and respectful way.
- Speaking to the Chair privately about the Lay member and their views in a discreet and tactful way, ensuring that the integrity of the tribunal is maintained.

Strong evidence included:

- Acting decisively, demonstrating independence of mind.
- Demonstrating a comprehensive range of knowledge and expertise in their own field of expertise.
- Referencing appropriate rules and legislation.
- Absorbing most of the key parts of the brief and pre-reading but missing smaller or more nuanced points.
- Providing a structured and analytical approach in formulating answers.
- Identifying most of the areas requiring clarification.
- Communicating key points, decisions and reasons comprehensively and clearly, in terms that lay people would understand.
- Communicating clearly and authoritatively to parties that proceedings would be dealt with impartially.
- Advising the Chair about the Lay member and their views to ensure that the integrity of the tribunal is maintained.

Sufficient evidence included:

- Making some key decisions but missing some of them.
- Decisions were sound but not so well-reasoned and lacking detail.
- Demonstrating a good knowledge of the subject matter across the scenarios but missed some points, for example, not referencing particular rules or legislation.
- Absorbing key parts of the brief and pre-reading however some issues were missed or confused.
- Demonstrating some analysis of the key areas to be considered in the scenarios.
- Awareness of the need to demonstrate the need for fairness.
- Awareness of the need to address the behaviour of the lay member to ensure impartiality.

Insufficient evidence included:

- Failing to make decisions or making multiple incorrect decisions across the scenarios.
- Making evidenced-based decisions that are not logical.
- Failing to answer the questions.
- Demonstrating a lack of knowledge.

- Completely missing or misunderstanding the scenarios.
- Having an unstructured and confusing approach to demonstrate understanding.
- Failing to give clear explanations/reasons.
- Assuming that the use of jargon/ technical language would be understood.
- Failure to demonstrate their understanding of fairness or to maintain the integrity of the tribunal.

Competency- based interview

Each candidate then had 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 Fee-paid Valuer Chairs and Fee-paid Valuer Members of the First-tier Tribunal, Residential Property Division.

Working and Communicating with Others

Outstanding evidence included:

No candidate demonstrated outstanding evidence for this competency. The difference between an outstanding and strong grade 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:

- Working alongside senior stakeholders to identify and remedy gaps in processes, demonstrating how communication styles were adapted to achieve this.
- Evidencing how reluctant and uncooperative team members were persuaded to adopt a new process. The benefits were communicated effectively to reassure colleagues.
- Working with a culturally diverse range of stakeholders, demonstrating sensitivity and receptiveness to contributions. Challenges to opinions were effectively and sensitively dealt with.

Sufficient evidence included:

- Working collaboratively with a range of stakeholders to implement a new process brought about by a legislative change.
- Evidencing empathy and using simple and plain language to calm and reassure a vulnerable individual in a highly charged situation.
- Reaching a fair decision by listening to colleagues and considering the views of others.
- Evidencing skills of tact and effective persuasion in prompting a senior colleague to adjust their unwelcome approach to delivering a project. The candidate dealt with the situation discreetly and effectively.

Insufficient evidence included:

- Answers which were unstructured, ineffective, circuitous, and lacked focus despite prompts from the panel.
- Failure to demonstrate an understanding of diversity and/or sensitive needs.
- Evidencing a lack of empathy and making unprofessional comments when explaining attempts to resolve professional conflict.
- 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 an outstanding and strong grade 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:

- Deployed effective strategies to manage competing priorities across multiple professional roles, regularly assessing these against available resources.
- Adapting their professional and home life to deal with unforeseen and challenging circumstances, delegating tasks to colleagues where possible.
- Redesigning and overseeing the implementation of new a process to increase time-efficiency and making further improvements on receipt of feedback.

Sufficient evidence included:

- Balanced competing priorities by delegating tasks to a junior colleague, enabling the candidate to deal with the most urgent matters.
- Maintained professional resilience during a period of staffing shortages by keeping lines of communication open across their team, maximising the use of available resources, while adopting a calm approach.
- Adopting a new system of online mentoring and training, enabling a time and cost saving for both facilitators and attendees.

Insufficient evidence included:

- Examples which lacked context and explanation.
- Failing to answer the questions.
- Evidencing ineffective strategies to manage workload and/or a change in circumstances.
- Evidencing an unimpactful use of IT to improve or create an efficiency saving.
- Evidencing a low-level, unimpactful example of personal or professional resilience.
- Answers which included general commentary or assertion-based comments, failing to provide specific examples.

Feedback from Candidates

After the selection days, candidates were invited to complete an anonymous candidate survey. 16 candidates responded to the survey:

How would you rate the quality of customer service you received from JAC staff on selection day?

- 100% of candidates said either excellent or good

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

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

I understood what was expected on the selection day.

- 94% of candidates either agreed or strongly agreed
- 6% of candidates disagreed

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

- 81% of candidates either agreed or strongly agreed
- 19% of candidates neither agreed nor disagreed

The situational questioning gave me a chance to display how I would react to various tribunal situations.

- 81% of candidates either agreed or strongly agreed
- 19% of candidates neither agreed nor disagreed

I am confident in the situational questioning as a JAC selection tool.

- 81% of candidates either agreed or strongly agreed
- 13% of candidates neither agreed nor disagreed
- 6% of candidates disagreed

The interview questions gave me the opportunity to demonstrate my competence for this role.

- 69% of candidates either agreed or strongly agreed
- 25% of candidates neither agreed nor disagreed
- 6% of candidates disagreed

The panel behaved professionally and treated me with respect.

- 94% of candidates either agreed or strongly agreed
- 6% of candidates disagreed

I am confident in the interview as a JAC selection tool.

- 63% of candidates either agreed or strongly agreed
- 31% of candidates neither agreed nor disagreed
- 6% of candidates disagreed