

Post Selection Day Evaluation and Feedback Report

**00211: Lay Members of the First-tier Tribunal, Property
Chamber, Residential Property**

May and June 2025

Purpose

The purpose of this report is to provide an evaluation of the selection days for Fee-paid Lay Members of the First-tier Tribunal, Property Chamber, Residential Property, 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

At selection day, the situational questions were designed to assess the following competencies:

- Exercising Judgement
- Assimilating and Clarifying Information
- Working and Communicating with Others

The competency-based interview questions at selection day were designed to assess:

- Possessing and Building Knowledge
- 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 Lay Member of the Residential Property Tribunal is expected to have. This enabled us to assess candidates in a fair and consistent way.

Performance of candidates

150 candidates applied for this exercise. Following the eligibility sift, 124 candidates were invited to selection day. 40 candidates were recommended by the Judicial Appointments Commission to the Senior President of Tribunals for appointment. A further 25 candidates were identified to be included in a s.94 list for any potential future vacancies. 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.

Equal Merit Provision

Where there are candidates judged to be of equal merit, our Equal Merit Provision (EMP) may be applied in line with the JAC's published policy, which is available [on our website](#). If the equal merit approach is applied, this will be consideration by the Selection and Character Committee. The 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.

Of the 65 candidates who were assessed as selectable at this stage, 40 were recommended for immediate appointment. EMP was applied at this stage of the selection process in line with the published policy.

Selection day

Selection days were held remotely via Microsoft Teams between 23 May and 11 June 2025. Candidates were provided with technical support to get ready for their remote selection day as detailed on our website: [Technical support: Getting ready for your Selection Day \(remote\) - Judicial Appointments Commission](#)

Situational questions

Development

The situational questions were drafted by the President of the First-tier Tribunal, Property Chamber. 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 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 mock assessment with a range of 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 comprised of one scenario with five questions for candidates. Candidates were asked to assume that they were a newly appointed Lay Member of the Residential Property Tribunal attending a hearing with a judge. The case concerned a landlord's allegation that the leaseholder was in breach of their lease because the leaseholder had let out the property on Airbnb when the lease stated that the property can only be used as a private residence. Candidates were instructed to consider how they would deal with the application and the behaviour of the parties, who were both unrepresented and the decisions they would make in respect of the Airbnb letting.

Advance preparation

One week ahead of selection days, candidates received pre-reading material with which they were asked to familiarise themselves. Candidates were sent the following:

- A background briefing document, explaining what is meant by a breach of a lease agreement. The document included an excerpt of a tribunal's ruling on a leaseholder who was in breach of their lease requirements.
- Additional information about the role of the Lay Member.

At selection day, candidates were allocated 40-minutes preparation time to read the additional materials below and to prepare their answers to the situational questions:

- The scenario and accompanying questions.
- An extract relating to Dyslexia taken from the Equal Treatment Bench Book

Assessment of candidates' responses to the situational questions

The evidence for each competency was assessed as either outstanding, strong, sufficient or insufficient.

Outstanding evidence included:

- Reaching a structured, clear and firm decision with detailed reasoning in recognising that the case was not easy because there was insufficient information about the letting.
- Awareness and a clear explanation of the serious consequences if a breach was determined, recognising that evidence should be heard fully and fairly for both parties.
- Detailed explanations and strategies to persuade the judge to hear more evidence in the case, communicating with the judge in a calm, polite and respectful manner.
- A clear, well-structured empathetic approach in dealing with the leaseholder's nervousness and his difficulties in reading and writing.
- A discreet and tactful approach to enable the leaseholder's full participation in the hearing via appropriate reasonable adjustments, citing the Equal Treatment Bench Book and practical suggestions, and monitoring the leaseholder's understanding throughout.
- A highly effective and balanced management of the hearing in light of the leaseholder's change of evidence.
- Providing clear reassurance to parties that the tribunal was impartial and that decisions would be based on the evidence and submissions alone.
- A reasoned explanation of how the parties would be engaged to ensure the smooth running of the hearing.

Strong evidence included:

- Reaching a structured decision with an explanation that the case was not easy because there was insufficient information about the letting.
- Explanation of the serious consequences if a breach was to be determined, recognising that evidence should be heard fully and fairly for both parties.
- A clear and structured approach in persuading the judge to hear more evidence in a calm, polite and respectful manner.
- A structured and empathetic approach in dealing with the leaseholder's difficulties in reading and writing.
- A discreet and tactful approach to enable the leaseholder's full participation in the hearing by suggesting a range of reasonable adjustments and monitoring the leaseholder's understanding throughout.
- An effective and balanced management of the hearing in light of the leaseholder's change of evidence.
- Reassuring and supportive of parties to demonstrate the impartiality of the tribunal.

Sufficient evidence included:

- Awareness that the case was not easy but the reasons for the decision were not explained.
- Recognition that it was necessary to hear from the leaseholder.
- Awareness that the judge would need tactful persuasion to hear the evidence in full.
- Awareness of the need to be tactful in dealing with the leaseholder's difficulties in reading and writing.

- Recognition that the leaseholder would need support and adjustments to participate in the hearing.
- Recognition that the tribunal would need to be seen as impartial and that parties should be reassured but with no explanation or reasoning.

Insufficient evidence included:

- No recognition that there were gaps in the evidence.
- Considered the case to be easy with no awareness of the need to hear from the leaseholder.
- No recognition of the need to persuade the judge to hear the case.
- No awareness of the needs of the leaseholder and how they might be addressed.
- No awareness of the need to assure parties that the tribunal was impartial and/or a dismissal of the landlord's concerns in response to the leaseholder's change of evidence.

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 Lay Tribunal Member.

Possessing and Building Knowledge

Outstanding evidence included:

- Comprehensive explanation of personal, professional or wider experience of housing or property matters which relate to the tribunal.
- A high-level demonstration of how candidates' personal and professional experiences brought a complementary perspective to the role of Lay Tribunal Member.
- A compelling, detailed example of acquiring knowledge in an unchartered and complex area of work. The example was outcome-focussed, with the candidates successfully sharing the knowledge across their organisation, ensuring understanding in readiness for new processes to be implemented.

Strong evidence included:

- Considerable personal experience in housing and homelessness matters through voluntary work and working with homeless charities.
- A highly effective explanation of how candidates' personal experiences would add value to the role of Lay Tribunal Member.
- Proactively seeking knowledge to understand changes brought about by a change of process and sharing this with relevant teams by way of a well-prepared briefing in a timely manner.

Sufficient evidence included:

- Personal and professional experience of purchasing a property, demonstrating a sound understanding of the process.
- An explanation of personal skills acquired through charity work which would be of benefit to the role of Lay Tribunal Member.
- Acquiring knowledge of a new process and sharing this with colleagues during a routine staff meeting.

Insufficient evidence included:

- Demonstrating a lack of clarity when providing examples.
- Relying on the use of legal terminology without explanation.
- Failure to evidence personal skills which would be of benefit to the Residential Property Tribunal.

Managing Work Efficiently

Outstanding evidence included:

- Applying a structured methodology to efficiently work through a multi-faceted voluminous task. The candidates familiarised themselves with all aspects of the task, drawing out relevant themes and ensuring correct policies were followed, using bespoke technology to aid and monitor progress.
- Maintaining personal and professional resilience in dealing with a long-term organisational issue. They explained how they remained strong and empowered their team members, drawing on their own inner strength and empathy.

Strong evidence included:

- Deploying highly effective strategies to assimilate voluminous materials under the pressure of time while balancing multiple competing priorities.
- Maintaining resilience when dealing with resistance from high-level stakeholders who opposed change. Able to create distance from the situation in order to take an alternative approach and conduct further research in support, ensuring a successful outcome.

Sufficient evidence included:

- A demonstration of a pragmatic and solution-focussed approach to assimilate a large amount of documentation against a tight deadline.
- Remained resilient when dealing with an ongoing challenging and difficult situation with a colleague by taking a step back, using their social networks, taking things in proportion and maintaining a range of interests.

Insufficient evidence included:

- Ineffective strategies to manage workload.
- Failing to answer the question asked.
- Not providing detail of what they did.
- Answers which included general commentary or assertion-based comments.

Feedback from Candidates

After the selection days, candidates were invited to complete an anonymous candidate survey. 70 candidates responded to the survey. Based on the results of the survey:

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

- 97% of candidates either agreed or strongly agreed

- 3% of candidates disagreed

I understood what was expected on the selection day

- 83% of candidates either agreed or strongly agreed
- 17% of candidates neither agreed nor disagreed

The situational questions were realistic and relevant to the role

- 93% of candidates either agreed or strongly agreed
- 7% of candidates neither agreed nor disagreed

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

- 90% of candidates either agreed or strongly agreed
- 7% of candidates neither agreed nor disagreed
- 3% of candidates disagreed

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

- 78% of candidates either agreed or strongly agreed
- 20% of candidates neither agreed nor disagreed
- 2% of candidates disagreed

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

- 70% of candidates either agreed or strongly agreed
- 19% of candidates neither agreed nor disagreed
- 11% of candidates disagreed

The panel behaved professionally and treated me with respect

- 99% of candidates either agreed or strongly agreed
- 1% of candidates disagreed

I am confident in the interview as a JAC selection tool

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