



**JUDICIAL  
APPOINTMENTS  
BOARD FOR  
SCOTLAND**

**PRESIDENT OF THE LOCAL TAXATION CHAMBER OF THE  
FIRST-TIER TRIBUNAL FOR SCOTLAND**

**INFORMATION FOR APPLICANTS**

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## 1. INTRODUCTION

The Judicial Appointments Board for Scotland invites applications from suitably qualified individuals who wish to be considered for appointment as **President of the Chamber, with subject to regulations, we anticipate being called the Local Taxation Chamber** of the **First-tier Tribunal for Scotland**. Successful applicants acquire judicial status and capacity by virtue of section 14(1) of the Tribunals (Scotland) Act 2014.

## 2. THE ROLE PROFILE

Please read the [role profile](#) document (produced by the Scottish Government) on our website.

## 3. ELIGIBILITY

The eligibility criteria for this appointment are stated in Section 22 of the Tribunals (Scotland) Act the [Tribunals \(Scotland\) Act 2014](#)<sup>1</sup>. A person is eligible for appointment under subsection (1) only if the person is:

(a) a legal member of the Upper Tribunal, or

(b) if not falling within paragraph (a), eligible to be appointed as such a member of the Tribunal (whether or not already any type of member of the First-Tier or Upper Tribunal).

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# ROLE DESCRIPTION

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## CHAMBER PRESIDENT OF THE LOCAL TAXATION CHAMBER<sup>2</sup> OF THE FIRST-TIER TRIBUNAL

The Chamber President of a chamber of the First-tier Tribunal is appointed by the Scottish Ministers by virtue of section 22(1) of the Tribunals (Scotland) Act 2014 (“the 2014 Act”) and has the function of presiding over the chamber to which they are appointed in accordance with the terms of that Act.

The 2014 Act creates a new simplified statutory framework for tribunals in Scotland, bringing existing tribunal jurisdictions together and providing a structure for new jurisdictions. The 2014 Act creates two new tribunals, the First-tier Tribunal for Scotland and the Upper Tribunal for Scotland, known collectively as the Scottish Tribunals.

Subject to regulations, it is anticipated that the Local Taxation Chamber of the First-tier Tribunal (“the LTC”) will be established by the end of 2021. The functions of the Valuation Appeals Committees<sup>3</sup> and the Council Tax Reduction Review Panel<sup>4</sup> will transfer to the LTC on 1<sup>st</sup> January 2023. The ratings valuation appeal and complaints functions<sup>5</sup> of the Lands Tribunal for Scotland will transfer to the Upper Tribunal on the same date.

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<sup>1</sup> See section 16(2) and section 29 (b) and Sch 2/section 32(3) and Sch 5 (Part 2) Paras 4 and 5

<sup>2</sup> Name of chamber subject to regulations

<sup>3</sup> Under section 29 of the Local Government etc. (Scotland) Act 1994

<sup>4</sup> Under Part 11A of the Council Tax Reduction (Scotland) Regulations 2012 (as amended by SSI 2013/218)

<sup>5</sup> Under section 1(3A) – (3BA) of the Lands Tribunal Act 1949

Initially, in the period prior to the transfer, from 1 January 2022, or as soon as possible thereafter, the Chamber President of the LTC will be expected to provide input into the transfer process, including considering the draft Rules of Procedure for the LTC. The Chamber President will also assist with the recruitment and appointment of members to the LTC and other administrative actions.

### **Role of the Chamber President of the LTC (post transfer)**

1. The Chamber President will provide leadership and management of the Chamber. The Chamber President will maintain and develop the Chamber's reputation as independent and accessible, providing a professional and expert service.
2. The Chamber President will contribute to the strategic development of the Scottish Tribunals, supporting the Lord President and the President of the Scottish Tribunals in their statutory responsibilities.
3. The Chamber President will be responsible on a day to day basis for the quality, efficiency and smooth running of the Chamber, reporting to the President of the Scottish Tribunals. The Chamber President will demonstrate effective oversight of operations of the Chamber and its members, liaising as appropriate with the President of the Scottish Tribunals to discuss and resolve matters of concern.
4. The Chamber President will be responsible on a day to day basis for adherence by the Chamber to the relevant rules of procedure.
5. The Chamber President will provide such guidance to members in relation to the discharge of duties of the Chamber as appears necessary or expedient.
6. The Chamber President will have regard to the welfare of the members of the Chamber and ensure that any policies issued by the Judicial Office for Scotland on behalf of the Lord President in respect of welfare are adhered to.
7. The Chamber President will represent the Chamber at conferences, official functions and other meetings.
8. The Chamber President will manage and develop appropriate arrangements for the specialist training of Chamber members and adhere to any arrangements the Lord President has put in place for the training of members of the Scottish Tribunals.
9. The Chamber President is responsible for ensuring that appropriate training is available for members of the Chamber to undergo continuous professional development, including ensuring adherence to any arrangements the Lord President has put in place for the training of members. The Chamber President is also responsible for ensuring that judicial standards are maintained and that public confidence remains high regarding decisions of the Chamber.
10. The Chamber President will submit a report to the President of the Scottish Tribunals, around April or May each year, explaining how the Chamber has exercised its functions during the financial year. This will be for inclusion in the Scottish Tribunals Annual

Report, which will be published by the President of the Scottish Tribunals in accordance with their statutory responsibility.

### **Time Commitment**

**The time commitment will vary depending on the work of the Chamber, but is expected to be between around 30-40 days per year, which will be kept under review. Prior to the transfer date it is anticipated that a higher commitment may be required to facilitate that process.**

### **Fees and Expenses**

**Until the date on which the functions of the VAC and CTTRP transfer into the local taxation chamber, the daily fee for the role will be £354.70 per day, pro rata. This fee reflects the fact that until such time as the LTC has the relevant functions transferred to it under section 28 of the 2014 Act, the Chamber President will not be undertaking the full range of functions expected of the role. After that date, the daily fee will be £506.71. Travel and subsistence expenses will also be met.**

### **Period of appointment**

Appointment will commence on 1<sup>st</sup> January 2022 (or such other date as may be agreed) and is for an initial period of 5 years. By virtue of paragraph 4 of schedule 7 of the 2014 Act the Chamber President will be automatically re-appointed on a 5 yearly basis, unless one of the conditions listed in paragraph 4(3) of schedule 7 applies. Those conditions are that:

- the Chamber President declines appointment; the Chamber President is ineligible for reappointment (in terms of paragraph 5 of schedule 7); or
- the President of the Scottish Tribunals has recommended to the Scottish Ministers that the Chamber President should not be reappointed.

In accordance with paragraph 6 of schedule 7, the President of the Scottish Tribunals may recommend that a member is not re-appointed only if satisfied that:

- the member has failed to comply with any of the relevant terms and conditions of membership or any other requirement imposed on the member under the 2014 Act;
- the First-tier Tribunal no longer require a member with the qualifications, experience and training of that member; or
- the First-tier Tribunal no longer requires the same number of members for the efficient disposal of its business.

In accordance with section 26 of the Judicial Pensions and Retirement Act 1993, appointment will end on the day on which the Chamber President attains the age of 70, except where the Scottish Ministers determine that it is desirable in the public interest to authorise the continuation of the period in office, for a period not exceeding one year. The Scottish Ministers may, if they consider it remains in the public interest to do so, authorise further such periods of continuation in office, of no more than one year at a time and not extending beyond the date on which the Chamber President reaches the age of 75.

## **Relevant legislation**

The Tribunals (Scotland) Act 2014 is available [here](#).

## **4. SKILLS AND QUALITIES**

We will assess each applicant against a set of skills and qualities that are necessary for the role.

The Skills and Qualities for this role are:

### **Mind-set**

- Shows an understanding of and commitment to the role and to public service
- Is self-aware and uses feedback and self-reflection to develop

### **Legal Qualities**

#### **Knowledge of the law**

- A high level of expertise in the applicant's area of practice
- Good working knowledge of the relevant law or proven ability to master new specialities rapidly
- Thorough knowledge of procedure and practice in Scottish courts or tribunals

#### **Interpretation and application of the law**

- Ability to analyse complex legal problems and apply the law correctly
- Ability to analyse and interpret case law and statute

### **Personal and Judicial Qualities**

#### **Leadership**

- Ability to exercise strong leadership and engage constructively with members and judicial colleagues and the administration.
- Ability to represent the chamber effectively and authoritatively both internally, within SCTS, and more widely

#### **Strategic Direction**

- Ability to think strategically in relation to both the Chamber and the wider tribunal landscape to lead change and maintain clear organisational direction.
- Ability to master new specialities rapidly.

#### **Management Skills**

- Ability to recruit, coach, develop and review the performance and development of members assigned to the Local Taxation Chamber.
- Ability to manage the work of the Chamber efficiently, at speed, and under pressure whilst maintaining judicial standards and public confidence.
- Able to demonstrate problem-solving capability and solutions-focused approach.

- Ability to manage case hearings effectively and efficiently.

#### Communicating Effectively

- Establishes authority and inspires respect and confidence
- Modifies communication style to meet the needs of different tribunal users, staff, stakeholders and public.
- Listens with patience and respect
- Produces written work that is clear, concise and well-reasoned.

#### Exercising judgement

- Remains impartial and open minded and is seen to be fair to all
- Is able to analyse and assess complex evidence and arguments
- Is able to reason clearly
- Is confident in judging and making independent decisions in the face of challenge

#### Working with others

- Is able to generate collegiate working
- Allows people to give of their best
- Is even tempered and consistent
- Treats people with respect and sensitivity
- Understands people and society

## 5. THE PROCESS

You can view the whole assessment process, including guidance, hints and tips on our website: <https://www.judicialappointments.scot/process>

## 6. ONLINE APPLICATION

The first time that you apply online for a judicial vacancy, you will be required to register on our website. If you have any difficulties, please contact the Business Management Unit on 0131 528 5101.

When you submit your application, you will receive acknowledgement by email. You should contact us if you have **not** received an acknowledgement within 24 hours of submitting your application.

Applications received after 12 noon on the closing date will not be accepted.

## 7. COMPLETING THE APPLICATION FORM

The online system is designed to be intuitive and includes instructions for completion within the form. You should also see the Application section of our website before completing the form: <https://www.judicialappointments.scot/process/application> .

There are some areas that require instruction and these are detailed below:

## 7.1 Full Name

It is mandatory to include your full name, including any middle names, in your application as this will be used for essential consultation purposes if you are shortlisted for interview. We will consult with the following;

- Lord President
- Chief Executive of the Law Society
- Chief Executive of the Scottish Legal Complaints Commission
- The Faculty of Advocates
- Sheriffs Principal
- Crown Agent

## 7.2 Career history

We are aware that you may have more than one current role, however, the system only allows you to enter one current role. You should enter your main role in the “Current Job” section, and the others in the “Previous Job” section and in the section “To” enter the date that you submit your application

## 7.3 Self-Assessment

For information on how to complete this section of your application, please refer to the “What we are looking for” section on our website where you will find the core skills and qualities for judicial posts. Additional skills and qualities are required for the role of Chamber President\*

<https://www.judicialappointments.scot/resources/what-were-looking> and the application section of our website <https://www.judicialappointments.scot/process/application>.

\*The required skills and qualities for this role are set out in section 4 in this Guidance and you should consider each criterion and all sub-criteria.

### 7.3.1 Legal knowledge, skills and competence

In addition to the information on our website, you should consider the following information for this role.

Your self-assessment should include specific examples which demonstrate depth of knowledge and competence in your own area(s) of legal practice. It should also include example(s) which illustrate an ability to acquire and apply new areas of legal knowledge in depth and with speed and accuracy.

You are asked to upload **one** example of written work for which **you alone** have been responsible and explain, briefly, how it demonstrates your knowledge of the law and your skills and competence in the interpretation and application of the law.

The application system has a set word limit of 100 words for your example and it will not allow you to exceed this.



Written work should demonstrate your knowledge of the law. Examples include:

- advice given to clients in the form of letters or memos
- opinions or notes
- written submissions or other written legal argument
- reports
- judgments
- stated cases
- decision letters given in a judicial, tribunal or similar capacity
- written advice given internally in a firm or other institutional environment
- any other written explanation of the law, and how that applies in the circumstances of a particular case or other factual situation.

The example that you choose should have a broad range, ideally be recent, and clearly demonstrate the legal competence criteria. Choose your written work carefully, making sure that it is concise and to the point.

If your written work contains a lengthy narration of the facts, please indicate which paragraphs contain the analysis and application of the law that you wish us to consider.

You should **delete or redact any references to the identity of clients** or others in such documents. The selection panel will treat your examples in confidence.

**Your written work examples must all be uploaded in one PDF format.**

To convert a Microsoft Word Document to PDF format you must:

1. Open the Microsoft document that you would like to convert to PDF.
2. Click 'File', then click 'Save As'
3. Click the 'File Format/ Save as type'
4. Select 'PDF' on the drop down list.
5. Click 'Export/ Save'. This will save your document as a PDF however, you will still have the original Word document.

### **7.3.2 Cases, Matters, Transactions, Publications and Situations**

You are required to provide a list of the most significant cases or matters, transactions, publications or situations which are examples of legal work carried out by you and are available in the public domain.

As a guide, please provide **up to five examples**. You have up to 150 words for each. The purpose of this is to enable the legal and judicial members of the Board, and the Lord President, to be aware of the wider context of the work that you have done. Please do not send us a copy of the related paperwork, a list is sufficient.

The list is in addition to the request for examples of your written work that the legal and judicial members of the Board will assess separately. However, the examples of written work may be related to one or more of the five you list, if you think that best represents your work overall.

## 8. ENHANCED DISCLOSURE

We are required to carry out Enhanced Disclosure checks for judicial appointments.

An application form and guidance note will be sent to you after the invitation to interview letters have been issued.

We will ask you to complete the form and bring it your interview for checking, but we will not send it to Disclosure Scotland unless you are recommended for appointment.

You are required to pay the cost of the Enhanced Disclosure check, which is £25.

## 9. FEEDBACK

In line with our [Feedback Policy](#), we offer feedback at each stage of the process for President of a First-Tier Tribunal applicants. However, the provision of feedback will depend on the number of candidates and the resources available.

## 10. TIMETABLE

DATE	Event
Thursday 7 October 2021	Advertisement published
Thursday 4 November 2021 (Noon)	Closing date for application forms
Monday 6 December 2021	Applicants notified of outcome of initial assessment
Monday 10 and Tuesday 11 January 2022	Interviews
Monday 17 January 2022	Board Decision Meeting
Week commencing Monday 17 January 2022	Applicants notified of outcome of interview
Week commencing Monday 17 January 2022	Recommendation for appointment* to the Scottish Government. Formal appointment by Ministers will follow.

\*Only those with a satisfactory disclosure check will be recommended for appointment.

## 11. REASONABLE ADJUSTMENTS

We are committed to considering any reasonable adjustment requests, to ensure that you can participate in the appointment process fairly.

We will consider requests on a case-by-case basis and the information you give will not be used in the selection decisions.

If you are recommended for appointment, you should discuss any reasonable adjustment requests with the Judicial Office for Scotland.

## 12. COMPLAINTS

If you are dissatisfied with any aspect of the handling of your application, you should refer to the [Complaints Handling Procedure](#) on our website.