



GUIDANCE NOTE

FIRST-TIER TRIBUNAL FOR SCOTLAND HEALTH AND EDUCATION CHAMBER ORDINARY JUDICIAL OFFICE HOLDERS

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1. INTRODUCTION

This guidance note is provided for applicants who are considering applying for the role of First-tier Tribunal for Scotland Health and Education Chamber Ordinary Judicial Office Holders. This provides information and guidance about how to apply and how to complete the application form.

2. THE HEALTH AND EDUCATION CHAMBER ORDINARY JUDICIAL OFFICE HOLDER ROLE PROFILE

The role profile outlines the responsibilities and required skills for an Ordinary Judicial Office Holder.

The Judicial Appointments Board for Scotland (**JABS**) is seeking to recruit eight Ordinary Judicial Office Holders. The roles are paid on a total daily fee. The current total daily fee as outlined in the role profile is £293.69.

Membership of the Scottish Tribunals as an ordinary or legal member has the effect of granting the member judicial status and capacity (s.14, Tribunals (Scotland) Act 2014).

It is expected that the successful applicants will be appointed by February 2027 . Mandatory induction training will be provided on 17, 18 and 24 February 2027.

Please read the role profile carefully (produced by the Judicial Office for Scotland) on our website. You can also find additional information on the [Health and Education Chamber website](#).

3. ELIGIBILITY

3.1 Statutory Eligibility Requirements

Ordinary members of the First-tier Tribunal are judicial office holders appointed by the Scottish Ministers.

To be eligible for appointment to the Chamber you must have knowledge and experience of children or young persons with—

- (a) additional support needs within the meaning of section 1(1) of the Education (Additional Support for Learning) (Scotland) Act 2004; or
- (b) a disability within the meaning of section 6 of the Equality Act 2010.

[\(Scottish Tribunals \(Eligibility for Appointment\) Regulations 2015/381, paragraph 3A\)](#)

The Chamber has three types of Ordinary Judicial Office Holder: education, health and social work. An education judicial office holder will always sit on a hearing with a legal judicial office holder and another judicial office holder from a health or social work background.

Education judicial office holders are expected to have experience in school education. School education means nursery, primary and secondary school education. This may be in a mainstream or special school, a state school, residential school, a grant-aided school or an independent school.

Health judicial office holders are drawn from a wide range of fields, which include GPs, child and adolescent psychiatry, child psychology, allied health (e.g. speech and language therapy, physiotherapy, occupational therapy) and nursing.

Social work judicial office holders are drawn from social work practice. This can include the following social work fields: children and families, care experience, adoption and permanence and criminal justice.

3.2 All Applicants

You must confirm that you have sought and clarified with your current organisation or employer, if applicable, that should you receive a recommendation for the role of Ordinary Judicial Office Holder you would be able to take up that offer. You must also confirm that if you are recommended for the role of Ordinary Judicial Office Holder that it does not in any way create an actual or perceived conflict of interest with any other positions that you currently hold, including positions of employment.

3.3 Mandatory Retirement Age

There is a mandatory retirement age of 75 years for judicial office holders (s.16 of the [Judicial Pensions and Retirement Act 1993 \(legislation.gov.uk\)](https://www.legislation.gov.uk)).

4. JUDICIAL SKILLS AND QUALITIES

4.1 Skills and Qualities

We will assess each applicant against a set of skills and qualities that are necessary for the role as set out in the Role Profile.

Required Qualities for Ordinary Judicial Office Holders

- Specialist Knowledge
- Working with Others
- Exercising Judgement
- Managing Work Effectively
- Communicating Effectively

We do not expect applicants to be familiar with all of the areas of the work of an Ordinary Judicial Office Holder but they should be able to demonstrate how their current and past knowledge and experience will assist them in developing the necessary skills. Once appointed, there will be opportunities for judicial training and development. Judicial mentoring is also provided to all new Judicial Office Holders in the Chamber.

While some applicants may not be familiar with all aspects of a Judicial Office Holder's role, they may draw on their existing experience and expertise in order to demonstrate an ability to develop the relevant competence.

4.2 Knowledge, Skills and Abilities Being Sought for the Ordinary Judicial Office Holders

Set out below are the personal and judicial characteristics which are being sought for this role. These are repeated in the application form. You are expected to address each sub

criterion when completing your application. Please read these carefully to make sure that you cover all of the points.

Criterion 1: Specialist Knowledge

- Provide the tribunal with support and guidance on matters in which they hold specialist knowledge, lived experience, understanding and expertise on relevant issues which are in dispute
- Use experience and expertise to assist the tribunal to understand how a child or young person's additional support needs and/or disability affects their activities of daily living and school education, highlighting any barriers to participation and inclusion in school education.

Criterion 2: Working with others

- Work collaboratively and effectively as part of a team of judicial office holders and be active in the hearing, deliberations and decision making.
- Take tri-partite responsibility for process and decisions, ensuring they are fair and impartial.
- Manage difficult issues which may arise in hearings in an inclusive and supportive manner, with care and sensitivity.
- Is self-aware and uses feedback and self-reflection to develop self and others.

Criterion 3: Exercising Judgement

- Remains impartial and open minded and is seen to be fair to all.
- Able to absorb and distil complex arguments, summarise issues, and apply specialist knowledge to support well reasoned decisions.
- Able to focus on salient pieces of information and ask probing, focused questions in a way that is sensitive to those being questioned.

Criterion 4: Managing Work Effectively

- Is diligent and hard working.
- Is able to deliver work at speed and under pressure within timescales set by the Chamber President.

Criterion 5: Communicating Effectively

- Modifies communication style to meet the needs of other tribunal judicial office holder, parties and witnesses, consistent with trauma informed principles.
- Ability to communicate with children and young people in an inclusive and respectful manner.
- Listens with care, patience and respect.
- Participate fully in deliberations after the hearing has concluded and convey specialist knowledge clearly

4.3 Education, Professional Qualifications, Training and Career History

While we place great importance on the career of an applicant, and success in that career, we also value experience outside this area that may be relevant to the qualities required for Judicial Office.

Judicial experience is something that we will take into account, where it applies, however it is not necessary for appointment to this Judicial Office. If you have not held Judicial Office, you should not be deterred from applying. You should draw attention to any aspect of your career or any other experience, that demonstrates the qualities required for this role.

5. THE PROCESS

The recruitment panel comprises four members of JABS, one judicial member, and two lay members of JABS, one of whom will chair the panel and an Ordinary Judicial Office Holder from the HEC who acts as a member of the JABS Board for the purposes of this competition. They will assess applications, undertake interviews and make recommendations to the JABS Board for appointment.

You must complete an online application. Applications will be assessed by the recruitment panel on a name blind basis against the required criteria, and you will then be notified whether or not you have been shortlisted and invited for interview.

Final decisions on whether an applicant is to be recommended for appointment to this Judicial Office are made by the JABS Board in line with statutory requirements. Recommendations are made solely on the basis of merit and provided JABS is satisfied that the candidate is of good character.

Recommendations are made to the Scottish Government who report to the Scottish Ministers. Appointments to the First-tier Tribunal for Scotland are made by the Scottish Ministers.

You can view the whole assessment process, including guidance, hints and tips on [The Process page](#) of our website.

6. ONLINE APPLICATION

The first time you apply online for Judicial Office where the recruitment is carried out by JABS, you will be required to register on the GetGo portal via the JABS website. The email which is registered will become the default email contact for the recruitment process. If you have any difficulties, please contact the JABS Business Management Unit (**BMU**) on 0131 244 3131 or email us directly on mailbox@jabs.gov.scot.

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

Please check your application carefully before submitting it. The application system will not spell, or grammar check your submission. Please ensure you carefully proofread your application and prepare and copy this from Microsoft Word if necessary. Please take care to check that there are no typing, spelling or grammatical errors.

Applications need to be submitted by midnight on the closing date of 11 May 2026. Applications received after this will not be accepted unless this falls within the category of applications which are the subject of our Late Applications Policy (see para 14 below).

7. COMPLETING THE APPLICATION FORM

The online system is designed to be intuitive and includes instructions for completion within the form. You should also review the [Application Section](#) of our website before completing the form. There are some areas in the application form that require instruction, and these are detailed below:

7.1 Personal Information

It is mandatory to include your first name and surname in your application. It is optional to include 'Any Other Surnames' by which you are known as this may be needed in correctly identifying you for the process of eligibility, consultation and disclosure. If you do not have a middle name, please add 'N/A'. **Applicant names and personal information will not be shared with the recruitment panel for shortlisting purposes but will be shared with the recruitment panel if you are invited to interview.**

There is a mandatory retirement age of 75 for Judicial Office Holders, as defined in Section 16 of the [Judicial Pensions and Retirement Act 1993 \(legislation.gov.uk\)](https://www.legislation.gov.uk). It is therefore mandatory to include your date of birth for eligibility purposes. Applicants' dates of birth will not be shared with the recruitment panel.

A preliminary assessment of each application is carried out by the BMU in relation to eligibility and whether applicants meet the age requirement. Should a concern arise, the BMU will send anonymised information to the recruitment panel to make a decision on the matter.

7.2 Nationality

It is mandatory to include your nationality. Applicants should be aware that the recruitment panel will consider applications from applicants who are not citizens of the British Commonwealth. However, if recommended, the Scottish Ministers may be unable to appoint such an applicant. Applicant nationality will not be shared with the recruitment panel.

7.3 Address and Contact Information

We will use the email and contact information you have provided for registration as the main way to contact you. Please advise the BMU promptly if you have used an email address which you no longer have access to or any changes to your contact information. Your address and contact information will not be shared with the recruitment panel at any point.

7.4 Statutory Eligibility

You must confirm that you have read the 'Statutory Eligibility Criteria' which is found at the ELIGIBILITY section (para 3.1) in this Guidance Note. You should also give a brief description of how you meet the statutory eligibility criteria – you have a word limit of 300 words but you do not need to use the full 300 words.

7.5 Judicial Appointment

Please give detail of any judicial appointments, including courts and tribunals, which you hold or have held, including dates (starting with the most recent). Please include a brief description (no more than 50 words) of work undertaken in these roles. Appointment to the Mental Health Tribunal for Scotland, the Parole Board for Scotland or as a Justice of the Peace should be noted here.

7.6 Education, Professional Qualifications and Training

Please give details of your degree(s), as well as any other relevant qualifications in further or higher education; and any relevant training completed.

7.7 Career History

The system only allows you to enter one current role. We are aware that you may have more than one. In this instance you should enter what you consider to be your main role in the 'Current Job' section. Any other current role should be entered in the 'Previous Job' section. Where you are asked to add in your leaving date, in the box 'Dates To', enter the date that you submit your application.

If you are self-employed or a Judicial Office Holder, use the 'Employer Name' field to state this.

If relevant, please include information on any breaks in employment. This is not mandatory.

7.8 Membership of Specialist Professional Organisations

Please give details of any specialist professional organisation of which you are a member that relates to your career or profession, where relevant.

7.9 Any Other Experience and Membership of Organisations

Please provide any other experience, including membership of organisations which are relevant to your suitability for this Judicial Office, and not referred to elsewhere in your application.

7.10 Personal Statement

This section of your application is your opportunity to demonstrate how your skills, experience, and personal qualities align with the requirements of the role of Ordinary Judicial Office Holder in the Health and Education Chamber.

Your response should be no more than 800 words.

Please explain why you consider yourself to be suitable for this judicial office, as outlined in the Ordinary Judicial Office Holder role profile. You should read the role profile carefully before completing this section. Explain what you would find to be the most challenging or demanding aspects of this role and then explain how you would address these.

7.11 Self-Assessment – Specialist Knowledge and Personal and Judicial Qualities

In this section you are asked to provide evidence, including by way of example, of the personal and judicial qualities for each of criteria 1-5.

Your response to criterion 1 should not exceed 750 words, and your responses to each criterion 2–5 should not exceed 500 words.

Bullet points and note form are acceptable. However, if using this approach, please ensure you provide sufficient detail to enable the recruitment panel to fully assess your evidence and your written skills. Where examples are provided, please use your strongest ones and make sure that these are clear, focussed and relevant to the criterion or sub criterion.

The following structure may assist you here:

- A description of the situation and the context
- What you did
- What skills and knowledge you deployed
- Your personal contribution, outcome and reflection

Please do not use hyperlinks. Do not use lists, generalised descriptions, assertive aspirations statements or a job description, which solely refers to positions held.

The specialist knowledge section is your opportunity to demonstrate to the recruitment panel the relevant skills, knowledge and experience you hold which will assist you to develop the necessary skills for this Judicial Office. See also para 4.1 above which refers to judicial training and mentoring.

7.12 Reasonable Adjustments

We will consider any reasonable adjustment requests to ensure that you can participate in the appointment process fairly. Please indicate on the application form whether you require any reasonable adjustments in order to access associated material for the application process or at interview.

If you require larger font size for the Guidance Note, please contact the BMU. You are able to increase font size on GetGot.

You can email us at mailbox@jabs.gov.scot to discuss any reasonable adjustments. We may also contact you about your request and ask you for more details, if required.

The information you provide on any request for reasonable adjustments is not used in the selection decisions.

7.13 Conflicts of Interest

You are required to note family, personal or professional relationships with any JABS member (whether part of the recruitment panel (marked with an asterisk) for this competition or not) or any Legal or Lay Appointment Advisers. Dr Jane Laverick and Mrs Gillian McKelvie Health and Education Chamber Ordinary Judicial Office Holders are part of the recruitment panel for this competition.

JABS Members:

Mr Lindsay Montgomery CBE, Chairing Member

Mr Jonathan Barne, KC

Mrs Liz Burnley CBE

Mr Paul Cackette, CBE

Mrs Wilma Canning

Sheriff Principal Kate Dowdalls, KC

Chamber President May Dunsmuir, Health and Education Chamber*

Sheriff Farquharson, KC

Mr Paul Gray

The Hon. Lady Shona Haldane, KC

Ms Emma Marriott*

Dr Fiona McLean

Mr Gareth Morgan, QPM

Mr Peter Murray*

The Hon. Lord Robert Weir, KC

Legal and Lay Appointment Advisers:

Mrs Gillian Mawdsley, Legal Appointment Adviser
Dr Geoff Garner Lay Appointment Adviser
Mr Peter McGrath, Lay Appointment Adviser
Ms Marieke Dwarshuis, Lay Appointment Adviser
Mrs Deirdre Fulton, Lay Appointment Adviser

Health and Education Chamber Judicial Office Holders:

Dr Jane Laverick*
Mrs Gillian Mckelvie*

Please read the [JABS policy on conflicts of interest](#) which is on our website.

The conflict test is whether any particular relationship might reasonably create a perception by others that you might be treated differently from other applicants.

Infrequent social interaction or simple contact with a JABS member or others specified above in a professional context, such as having appeared before the JABS member or member of the recruitment panel in a court or tribunal, sitting in the same court, First-tier Tribunal for Scotland or a Scottish Tribunal, or having involvement in the same cases will not usually constitute a professional relationship without further involvement, and does not need to be declared. However, frequent contact of this nature may constitute a professional relationship and should be declared.

7.14 Good Character and Conduct

Applicants are asked to respond to a number of questions relating to their personal and professional life, relating to character and conduct, including the need to disclose any unspent criminal convictions as well as any other issues which may call into question an individual's suitability for judicial office. Applicants must also disclose spent convictions unless those spent convictions are protected from disclosure by virtue of the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013.

7.15 Judicial Ethics

The Judicial Office for Scotland has published guidance to Judicial Office Holders on Judicial Ethics. At application you are required to confirm that you will comply with this guidance, which is available online at the [Judicial Office website](#).

If you are not able to currently comply with the Judicial Ethics Guidance, please provide information on what you will need to do or change to be able to comply with this. You may be contacted by the BMU if the recruitment panel requires further information.

If invited to an interview, you will be asked some questions about your ability and willingness to adhere to requirements relating to the Judicial Ethics Guidance and if necessary, you will be given the opportunity to address any queries or concerns.

7.16 Diversity Questions

The JABS has a duty under s.14 of the [Judiciary and Courts \(Scotland\) Act 2008](#) to have regard to the need to encourage diversity in the range of individuals available for selection for judicial appointments. In order to do this, the JABS routinely monitors recruitment and

selection procedures. The questions are deliberately wide-ranging since we consider it important to cover all the areas relevant to s.14 considerations. JABS decisions on making recommendations for appointment are made solely on merit and matters to do with diversity cannot be taken into account when assessing merit.

This diversity questionnaire will be separated from your application form. The recruitment panel and other members of JABS will not have access to this form. The purpose of this is to provide data for recruitment rounds. The information contained in it will not be held or otherwise processed in a manner which would allow the JABS or recruitment panel members to identify you or otherwise link that information to you. The information is held by the BMU and used to produce diversity reports for each competition, which show overall summaries and do not identify any individual.

The declaration on the application form does not relate to information provided in the diversity monitoring form. The current online application system does not permit us to place the declaration at the end of the application section. We are endeavouring to change this.

8. ENHANCED DISCLOSURE

We are required to carry out a Level 2 Disclosure Scotland check as part of the judicial appointment process.

Should you be successful in being invited to interview, a link to the online disclosure application form and guidance will be sent to you with your outcome decision letter. You will be required to pay the cost of the disclosure check, which is £25.

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

9. CONSULTATIONS

We will conduct consultations for applicants who are invited to interview. These consultations will be sought from (amongst others) where applicable:

- The President of Scottish Tribunals
- Chamber Presidents of the First-tier Tribunal for Scotland
- Presidents of any relevant Scottish or UK Reserved Tribunals
- The Crown Agent
- Professional Bodies

If you are invited to interview and if relevant, you will be given the opportunity to address any queries or concerns arising from the [consultation](#) process.

10. SOCIAL MEDIA CHECKS

As part of our consultation process, candidates invited to interview will be subject to social and general media background checks. These will be conducted by an external party contracted by JABS called Giant Screening. JABS will provide Giant Screening with your name and email address which will allow Giant to contact you directly in order to carry out the check in advance of your scheduled interview.

11. FEEDBACK

We aim to offer feedback to those candidates who request it. We are unable to offer a timescale for this feedback.

The BMU will send you a survey to be completed anonymously following the application and interview stages. These surveys provide you with an opportunity to comment on your experience of the JABS recruitment process, which provide valuable feedback to JABS to help us to review, develop and improve our processes.

12. COMPETITION SCHEDULE

The following the key dates are detailed below:

Date	Milestone
21 April 2026	Application period opens
11 May 2026 (midnight)	Application period closes
July 2026	Applicants notified of outcome of shortlisting
28 July to 21 August 2026	Interview period
September 2026	Board decision meeting
September 2026	Recommendation report sent to the Scottish Government for the Scottish Ministers
September 2026	Interview outcome letters issued

Please note that these dates may be subject to change. Updated information will be provided to applicants and all recommendations are subject to approval by Scottish Ministers.

13. COMPLAINTS

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

14. LATE APPLICATION

Please consult the [Late Application Policy](#) available on the JABS website for information on applications submitted beyond the deadline.

15. FURTHER SUPPORT

BMU staff are available to answer appropriate queries on the process. Please email any questions to: mailbox@jabs.gov.scot