



**JUDICIAL
APPOINTMENTS
BOARD FOR
SCOTLAND**

GUIDANCE NOTE AND ROLE PROFILE

FOR APPLICANTS WISHING TO BECOME:

**ORDINARY MEMBERS
(WITH VALUATION and/or VALUATION APPEAL
PANEL EXPERIENCE)**

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

**The deadline for applications is
12.00 (midday) BST, WEDNESDAY 8 JUNE 2022**

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1. INTRODUCTION

The Judicial Appointments Board for Scotland invites applications from suitably qualified and capable individuals who wish to be considered for appointment as an **Ordinary Member (with valuation and/or Valuation Appeal Panel experience), of the First-tier Tribunal for Scotland, and assigned to work within the Local Taxation Chamber (LTC)** (LTC title will be confirmed through regulations currently being developed). Successful applicants will acquire judicial status and capacity by virtue of section 14(1) of the Tribunals (Scotland) Act 2014.

The following information is provided to assist you in completing the online application form and in preparing for the interview. **Please read it carefully before completing your application.**

2. ELIGIBILITY FOR APPOINTMENT AS AN ORDINARY MEMBER (WITH VALUATION and/or VALUATION APPEAL PANEL EXPERIENCE) OF THE FIRST-TIER TRIBUNAL FOR SCOTLAND

The eligibility criteria for this appointment are stated at the Scottish Tribunals (Eligibility for Appointment) Amendment Regulations 2021 (SSI 2021/341). are available [here](#).

A person is eligible for appointment as an Ordinary Member (with valuation and/or Valuation Appeal Panel experience) of the First-tier Tribunal for Scotland if the person -

(a) has knowledge of a valuation area, and

(b) has substantial experience of the valuation of domestic or non-domestic properties.

(2) In this regulation—

(a) “substantial experience of the valuation of domestic or non-domestic properties” means either—

(i) demonstrable knowledge and understanding of relevant valuation matters, whether obtained in a business, trade, charity or not-for-profit organisation, profession or academia (but such experience does not count as relevant experience where a person is a former member of professional body, board or academic institution if the person has been debarred from that body, board or institution or has been subject to any sanction that would have led to such debarment had the person not ceased to belong to it), or

(ii) at least 3 years’ experience regularly sitting as a member of a valuation appeals committee constituted under section 29(1) of the Local Government etc. (Scotland) Act 1994(3),

(b) “a valuation area” has the meaning given in section 27(1) of the Local Government etc. (Scotland) Act 1994,

(c) “regularly” means at least 4 times per year.

The following individuals are disqualified from becoming an Ordinary Member (surveyor rating experience) of the First-tier Tribunal: Members of the House of Commons, the Scottish Parliament, the European Parliament, the Scottish Government or Ministers of the Crown.

The Scottish Parliament (Disqualifications) Order 2015 also applies to this office.

3. THE ROLE DESCRIPTION

Please see below the role description (produced by the Scottish Government).

ROLE DESCRIPTION

FIRST-TIER TRIBUNAL FOR SCOTLAND, LOCAL TAXATION CHAMBER¹ VALUATION MEMBER

The Scottish Ministers are seeking to appoint a number of ordinary members with valuation and/or Valuation Appeal Panel experience, to the First-tier Tribunal for Scotland assigned to the Local Taxation Chamber. Ordinary members of the First-tier Tribunal for Scotland are appointed under Part 1 of Schedule 3 of the Tribunals (Scotland) Act 2014 (“the 2014 Act”).

The 2014 Act created a new simplified statutory framework for tribunals in Scotland, bringing existing tribunal jurisdictions together and providing a structure for new jurisdictions. The 2014 Act created 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 and the Council Tax Reduction Review Panel will transfer to the LTC on 1st January 2023. The valuation appeal functions of the Lands Tribunal for Scotland will transfer to the Upper Tribunal on the same date.

The LTC will deal with –

- valuation appeals and complaints under the Valuation Acts (this includes Non-domestic rates appeals) and
- Council tax appeals under section 81(1) and 87(6) of the Local Government Finance Act 1992, which are currently heard by valuation appeals committees by virtue of section 29(1)(a) of the Local Government etc (Scotland) Act 1994 (This refers to council tax finance appeals re chargeable properties and chargeable persons, calculation of the amount of council tax due and Banding appeals and appeals re validity of council tax appeals);
- Appeals against determinations made in respect of applications for council tax reduction², which are currently considered as reviews by the council tax reduction review panel;(to note, these appeals are not within remit of ordinary members)
- Appeals against civil penalties under section 31 or section 34 of the Non-Domestic Rates (Scotland) Act 2020.

¹ Name of chamber subject to regulations.

² In accordance with the functions sets out in the Council Tax Reduction (Scotland) Regulations 2021

Role of an Ordinary Member (Valuation)

Depending on the type of case, ordinary members (with valuation experience) will sit jointly with a panel comprising, in addition to themselves, a legal and ordinary member (with valuation and/ or Valuation Appeal Panel experience) or a legal and ordinary member with surveyor rating experience, hearing appeals in connection with decisions and determinations in relation to Valuation Acts, council tax valuation appeals, council tax finance appeals and penalty notice appeals under the Non-Domestic Rates (Scotland) Act 2020.

Members will be required to:

1. communicate effectively with all parties;
2. actively assist in the management of cases and promote efficient dispatch of business;
3. weigh up potentially conflicting evidence and support other members to reach an independent and reasoned decision;
5. work collaboratively with other members of the Tribunal, participating effectively and impartially in the decision making process;
6. be courteous and considerate to all Tribunal users and staff and sensitive to people from different backgrounds;
7. engage positively, effectively and openly with all parties and the public;
8. use their additional knowledge and expertise in relation to the valuation area to assist the Tribunal to understand the evidence provided;
9. ensure that parties can effectively present their case and have it considered fairly;
10. support the legal member in drafting a decision and statement of reasons that accurately reflects the issues under consideration and the collective decision of the members considering the case;
11. travel throughout Scotland, as required; and
12. carry out all other tasks which may reasonably be required.

Time Commitment

The time commitment, which can be discussed and agreed with the Chamber President, is expected to be in the order of 10-15 days per year, depending on the volume of work of the Tribunal. Sittings need not always be on a full day basis, and where possible half day sittings can be accommodated. In addition there will be in the order of four days training in the first year and one day training per annum thereafter.

Fees and Expenses

The fee is £213.82 per day. Travel and subsistence expenses, in line with any guidance issued, will also be met.

Period of appointment

By virtue of paragraph 4 of schedule 7 of the 2014 Act members are automatically reappointed for periods of five years, unless one of the following conditions, listed in paragraph 4(3) of schedule 7, applies

- the member has declined to be reappointed,
- the member is ineligible for reappointment,
- the President of Tribunals has recommended to the Scottish Ministers that the member should not be reappointed.

Members may decline automatic reappointment by providing one month's written notice to the President of Scottish Tribunals that they do not wish to continue in post at the expiry of their current period in office. A member is ineligible for reappointment only if the member would not be eligible for appointment to the position in accordance with the relevant provisions of the 2014 Act were they being appointed to the position for the first time.

Pursuant to section 26 of the Judicial Pensions and Retirement Act 1993, members are required to vacate their office on the day on which they attain the age of 70, except where the Scottish Ministers determine that it is desirable in the public interest for them to continue in office, for a period not exceeding one year at a time and not extending beyond the date on which they reach the age of 75.

Relevant legislation

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

The Local Government etc. (Scotland) Act 1994 (section 29) is available [here](#).

The Local Government Finance Act 1992 (sections 81 and 87) is available [here](#).

The Non-Domestic Rates (Scotland) Act 2020 is available [here](#)

The Scottish Tribunals (Eligibility for Appointment) Amendment Regulations 2021 are available [here](#) (SSI 2021/341).

4. SKILLS AND QUALITIES

We will assess each applicant against a set of essential skills and qualities that are necessary for the role as outlined below:

Specialist qualities	
<ul style="list-style-type: none"> • A high level of specialist knowledge, skill or experience relevant to the work of the Local Taxation Chamber • Where the appointment requires expertise within a particular discipline, evidence of relevant qualifications at an appropriate level in that field or a minimum of three years experience as a member of a Valuation Appeal Panel • In all cases, a high level of interest in and commitment to the work of the chamber 	
Personal and judicial qualities	
<p>Managing work efficiently</p> <ul style="list-style-type: none"> • Manages cases and time effectively • Is diligent and hardworking • Is able to deliver work at speed and under pressure • Is confident in managing the hearing process 	<p>Communicating effectively</p> <ul style="list-style-type: none"> • Inspires confidence and respect • Modifies communication style to meet the needs of different tribunal users • Listens with patience and respect • Is able to communicate about their specialist area in a way which is accessible and clear and will help fellow tribunal members understand specialist issues in a case
<p>Exercising judgment</p> <ul style="list-style-type: none"> • 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 able to contribute constructively to decision-making 	<p>Working with others</p> <ul style="list-style-type: none"> • Is able to work collegiately with fellow tribunal members • Is amenable to appropriate direction and professional guidance from fellow tribunal members • Allows people to give of their best • Is even tempered and consistent • Treats people with respect and sensitivity • Understands people and society
<p>Mind-set</p> <ul style="list-style-type: none"> • Shows an understanding of and commitment to the role and to public service <ul style="list-style-type: none"> • Is self-aware and uses feedback and self-reflection to develop 	

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 at mailbox@jabs.gov.scot

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 12.00 (midday) BST on the closing date, Wednesday 8 June 2022, 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;

- The Crown Agent
- Police Scotland

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, please refer to the [what we're looking for](#) and [application](#) sections of our website. Core skills and qualities for judicial posts including tribunal roles can be found at [what we're looking for](#).

Additional skills and qualities required for the role of LTC Member*.

*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 Technical 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 technical practice and/or other relevant areas of work. It should also include example(s) which illustrate an ability to acquire and apply new areas of technical knowledge in depth and with speed and accuracy. Summary details of examples relating to a rating or council tax case that you have been involved with or rating or council tax advice that you have given are particularly welcome.

7.3.2 Location

Please ensure that you select from the Location List which of the 13 Valuation Areas in the application form that you claim to have expertise of and please answer the questions to provide evidence of this local knowledge. Local knowledge is particularly important for this role.

It will be for the Chamber President to deploy members as they see fit but geography and local knowledge of the area will be a factor in these decisions.

7.4 Conflict of interest

You should declare any potential conflict of interest though a relationship with any Board / panel members or other reason.

Details of the full Board membership are on the JABS' website.

The Selection Panel comprises Ms Liz Burnley (JABS Lay Member and Panel Chair); Mrs Deirdre Fulton (JABS Lay Member); The Hon. Lord Minginish (JABS Tribunals Member); and Ms Jacqui Taylor (Local Taxation Chamber President)

The Selection Panel oversees the recruitment process, developing and approving paperwork including drafting questions etc. but is not directly involved with assessing applications or interviews.

There are two interview panels comprising Paul Gray (JABS Lay Assistant and Panel Chair); Marieke Dwarshuis (JABS Lay Assistant and Panel Chair); and representatives of the President of the Scottish Tribunals Collette Gallagher, Paul Doyle, Andrew McFarlane and Robert Buchan.

The interview panels are responsible for assessing applications, conducting interviews and making initial recommendations to the Board.

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 should you be invited to interview.

We will ask you to complete your form and carry out a virtual ID check via Microsoft Teams, normally about 10 days prior to the interview schedule commencing.

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

9. FEEDBACK

In line with our [Feedback Policy](#), the provision of feedback is usually not available for unsuccessful tribunal applicants (following shortlisting stage) due to the number of candidates and the resources available but is available upon request following interview.

10. TIMETABLE

DATE	Event
18 May 2022	Advertisement published
8 June 2022	Closing date for application forms
Circa w/e 8 July 2022	Applicants notified of outcome of initial assessment
19 July – 17 August 2022	Interviews
w/c 29 August 2022	Board Decision Meeting
w/c 5 September 2022	Applicants notified of outcome of interview
w/c 5 September 2022	Recommendation for appointment* made 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 process.

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.