
PERSON SPECIFICATION

FIRST-TIER TRIBUNAL FOR SCOTLAND, SOCIAL SECURITY CHAMBER LEGAL MEMBERS

The specification lists the skills, knowledge and personal qualities required to be considered for appointment to the First-tier Tribunal for Scotland as a legal member with assignment to the Social Security Chamber.

The Social Security Chamber currently deals with appeals in connection with decisions and determinations in terms of sections 46 and 61 of the Social Security (Scotland) Act 2018.

ESSENTIAL CRITERIA

ELIGIBILITY

1. To be eligible for appointment you must:
 - Have previous engagement in practice for a period of not less than 5 years as a solicitor or advocate in Scotland; and
 - Subsequent engagement in any of the activities listed below:
 - (a) exercising judicial functions in any court or tribunal;
 - (b) practice or employment as a lawyer of any kind;
 - (c) teaching or researching law at or for an educational institution.

SKILLS

2. **Leadership**
 - Able to exercise strong leadership.
 - Able to take responsibility for processes and decisions, ensuring they are fair and ethical.
 - Self-aware and recognises personal prejudices.
 - Able to confront difficult issues openly and sensitively.
 - Able to work effectively as part of a team and be active in deliberations and decision making.
3. **Sound Judgement & Intellectual Capacity**
 - Able to focus on salient pieces of information and ask probing, focused questions in a way that is sensitive to those being questioned.

- Able to absorb arguments, summarise factual and legal issues, and apply knowledge to arrive at balanced judgements.

4. Management skills

- Able to manage workloads actively and expeditiously.

5. Interpersonal skills

- Courteous and considerate to all those you interact with and sensitive to people from different backgrounds.

6. Written and oral communication skills

- Able to use straightforward language with all types of tribunal users.
- Able to draft clearly, accurately and concisely and within any timescales set by the Chamber President.

7. Legal Knowledge

- Able to demonstrate professional achievement in the law, knowledge of substantive and procedural law.

PERSONAL QUALITIES

- 8.** Objective and impartial. Independent with a personal commitment to probity and integrity.

ROLE DESCRIPTION

FIRST-TIER TRIBUNAL FOR SCOTLAND, SOCIAL SECURITY CHAMBER LEGAL MEMBERS

The Scottish Ministers are seeking to appoint a number of legal members to the First-tier Tribunal for Scotland and assigned to the Social Security Chamber.

Appointments are made under Schedule 3, Part 1 of the Tribunals (Scotland) Act 2014.

The Social Security Chamber currently deals with appeals in connection with decisions and determinations in terms of sections 46 and 61 of the Social Security (Scotland) Act 2018.

Role of a legal member

In the first instance you will hear appeals against Social Security Scotland determinations relating to sections 46 and 61 of the Social Security (Scotland) Act. You will sit as a Convenor in some appeals and in others you would sit with ordinary members with disability and medical experience.

1. To exercise strong teamwork.
2. To prepare for hearings through consideration of case papers, as appropriate.
3. To absorb arguments, summarise issues, and apply your knowledge to arrive at balanced judgements.
4. To lead relevant proceedings and provide assistance to parties to the proceedings on the legal issues arising, ensuring proceedings are fair and efficiently managed.
5. When convening a hearing, to exercise strong leadership and support other members.
6. To manage cases actively and expeditiously, and produce a high quality of written work quickly.
7. To be courteous and considerate to all tribunal users and staff, sensitive to people from different backgrounds.
8. To engage positively and openly with parties and the public.
9. To ensure that decisions, directions and any orders of the tribunal are made efficiently, effectively and fairly, and are notified timeously.
10. To maintain up to date knowledge of Scottish Social Security law, practice and procedures.
11. Ensure that parties who are not represented can effectively present their case and have it considered fairly.
12. Travel throughout Scotland, as required.

Time Commitment

The time commitment is expected to be in the order of 10 to 30 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, it is anticipated that there will be in the order of two days of training per year.

Fees and Expenses

The current fee is £432.92 per day. Travel and subsistence expenses will also be met.

There is no requirement for applicants to reside in Scotland. It should be noted, however, that for members that are located outside of Scotland expenses will not be reimbursed for travel outside of Scotland.

Period of appointment

By virtue of paragraph 4 of schedule 7 of the 2014 Act you will be automatically reappointed for periods of five years, unless one of the conditions listed in paragraph 4(3) of schedule 7 applies. You may decline automatic reappointment by providing one month's written notice to the Lord President that you do not wish to continue in post at the expiry of your current period in office.

Pursuant to section 26 of the Judicial Pensions and Retirement Act 1993, as amended by paragraph 25 of Schedule 1 of the Public Service Pensions and Judicial Offices Act 2022, you are required to vacate your office on the day on which you attain the age of 75.

Relevant legislation

The Tribunals (Scotland) Act 2014 is available [here](#).
The Social Security (Scotland) Act 2018 is available [here](#).
The Eligibility Regulations are available [here](#).