



We are looking for an outstanding individual for the post of  
**Tribunal Procedure Committee - Member**

**Reference number: PAT160061**

**(please use the above reference in all correspondence)**

**Location:** The role is currently based in Central London however some travel may be required

**Term of appointment:** Three years

**Time commitment:** Nine committee meetings per year

**Remuneration:** Unremunerated. Reasonable standard travel expenses and out-of-pocket expenses will be payable.


**Expected start date of role:** April 2023

**Closing date for applications is 11am on Wednesday 4 January 2023**

Applications should be submitted to the Ministry of Justice Public Appointments Team via [PublicAppointmentsTeam@justice.gov.uk](mailto:PublicAppointmentsTeam@justice.gov.uk).

*Guidance on how to write a successful application is provided at (Appendix 1).*

Alternative format versions of this candidate information pack are available on request from the Public Appointments Team, contact details as above.

 [Twitter](#) Follow us to keep up to date with public appointments vacancies.

All public appointments are advertised on the Cabinet Office's Public Appointments website (<http://publicappointments.cabinetoffice.gov.uk/>) and the Public Appointments Twitter feed (@publicappts).



## 1. Introduction

Dear Candidate,

Thank you for your interest in becoming a member of the Tribunal Procedure Committee (TPC).

You may already be aware about the important work of Tribunals in resolving disputes and handling appeals between citizens and the State. The TPC plays a vital part in this and the following pages will inform you on its purpose and nature of the role.

The TPC is an independent body, set up by Statute, with the function of making rules of procedure for all First-tier and Upper Tribunal; these are known as the Tribunal Procedure Rules. The TPC is responsible for ensuring that the tribunal system provides justice by ensuring it is accessible, fair, quick, and efficient by making simply expressed rules.

In addition to making and amending the Tribunal Procedure Rules, the TPC needs to keep all nine major sets of rules under constant review to identify and address any practical difficulties in their operation. In doing so, it works closely with the judiciary and other key personnel, both in Government Departments and those representing tribunal users. Consultation is also a fundamental part of its rule-making process, as those involved in the day-to-day work of particular tribunals are often best placed to assess the potential impact of rule changes.

Finally, it also needs to keep abreast of, and consider, new appeal rights and consequential technical amendments, brought about by an anticipation of and response to legislative change.

The work is important and significant: justice is delivered through the rules which govern procedure. The membership of the TPC is high powered; current members are appointed by the Lord Chief Justice, the Lord Chancellor and the Lord President of the Court of Session. I currently chair the TPC having been nominated by the Senior President of Tribunals (SPT). The current post is one to which the Lord Chancellor holds the powers of appointment.

I do hope that this gives you a greater understanding of the TPC's valuable work, and that you will consider applying for this important position.

If you have further questions about this post, you are welcome to speak to Vijay Parkash (020 3334 4471). If you have questions about the appointment process, you can contact the Public Appointments Team at: [PublicAppointmentsTeam@Justice.gov.uk](mailto:PublicAppointmentsTeam@Justice.gov.uk).

I welcome applicants from the widest possible field. Above all we are seeking an individual with independence of mind combined with analytical skills and reforming zeal. If you believe you have the experience and qualities we are seeking, I hope you consider applying for this important position.

**Mrs Justice Joanna Smith**

Chair of the TPC

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## 2. About the Tribunal Procedure Committee

The Tribunal Procedure Committee (TPC) was established, on 19 May 2008, under the Tribunals, Courts and Enforcement Act 2007 (TCEA) and its purpose is to make rules governing the practice and procedure for the First-tier and Upper Tribunals.

The Judicial Review and Courts Act 2022 (JRCA) received Royal Assent on 28 April 2022. The provisions to transfer responsibility for the practice and procedure rules for the Employment Tribunal and the Employment Appeal Tribunal (EAT) to the TPC will follow once the TPC member is appointed by the Lord Chancellor, and the other TPC member is appointed by Lord Chief Justice. The JRCA also amended the TCEA to provide for an additional Lord Chancellor appointment to the TPC

The TCEA requires the Lord Chancellor appointed members to be persons with “experience of practice in tribunals or experience of advising persons involved in tribunal proceedings”. For this appointment, the member must have specific experience of practice in employment tribunals and the EAT, or of advising persons involved in Employment Tribunal and EAT proceedings. Other TPC members are judiciary from each of the tribunals; a tribunal member; and a person with experience in, and knowledge of, the Scottish Legal system. The Lord Chancellor’s appointments are therefore key to ensuring that the Tribunal Procedure Rules are made with a user focus.

The TPC has a large remit and differs from other rule committees sponsored by the Ministry of Justice (MoJ) in that it is responsible for nine sets of Tribunal Procedure Rules covering thirteen very diverse Chambers in the First-tier and Upper Tribunals, and the Employment Tribunal and the Employment Appeal Tribunal. These Chambers cover a wide variety of jurisdictions and appeals such as immigration, war pensions, tax, social security, mental health, transport and employment. Members are therefore expected to have sufficient knowledge and understanding of the tribunals in operation to address the variety of subject matter.

When developing new rules the TPC is guided by the following principles: to make the rules as simple and streamlined as possible; to avoid unnecessary technical language; to enable tribunals to continue to operate tried and tested procedures which have been shown to work well; and to adopt common rules across tribunals wherever possible so that rules, specific to a chamber or tribunal, are permitted only where there is clear and demonstrable need for them.

## 3. The role of the Tribunal Procedure Committee

Members will be expected to play an active role on the Tribunal Procedure Committee and to:

- Attend and take an active role in Committee meetings; members will be expected to commit to attending approximately nine committee meetings per year, lasting three to four hours. However, the frequency of meetings can vary according to the need to accommodate the priorities of the work coming before the Committee;
- Members are usually asked to participate in two standing sub-groups which meet frequently. Associated work for these will depend on upcoming work requirements and members will be expected to read and consider papers outside meetings;
- Keep abreast of paperwork and issues relating to the work of the Committee;
- Chair and/or attend sub-committee meetings or meetings with stakeholders;
- Contribute to any reports or documents produced on behalf of the Committee, as required;
- To play an active role on the TPC that makes rules governing the practice and procedure in the First-tier and Upper Tribunals.

Members of the Committee have collective responsibility for the operation of the body and must:

- Where practicable and appropriate, hold at least one meeting a year in public;
- Respond appropriately to complaints if necessary with reference to the MoJ;
- Ensure that the Committee does not exceed its powers or functions.

Communications between the Committee and the Lord Chancellor will generally be through the Chair. Nevertheless, any Committee member has the right of access to Ministers on any matter that he or she believes raises important issues relating to his or her duties as a Committee member. In such cases the agreement of the rest of the Committee should normally be sought.

## Eligibility

There must be no employment restrictions, or limit on your permitted stay in the UK

We welcome applications from all those who are eligible.

However, as the TPC was established to carry out an independent function at arm's length from the Government, we are mindful that appointing someone who is employed by a government department might compromise that independence - or perception of independence - as well as diminishing the confidence of stakeholders and the general public.

If you are in receipt of a salary from a government department and wish to apply, you should expect that - if selected for interview - the Advisory Assessment Panel will explore whether any perceived or real conflicts of interest might exist if you were to be appointed and, if so, how this might be managed or mitigated. The latter might include an undertaking to resign from government employment, if appointed, and - if considered appropriate - for there to be an interval between resignation and taking up appointment to the TPC.

## Essential criteria

Candidates will be able to demonstrate the following:

- Experience of practice in the employment tribunals or the Employment Appeal Tribunal, or advising persons involved in Employment Tribunal and Employment Appeal Tribunal proceedings;
- Demonstrable ability to analyse and debate complex issues;
- Demonstrable ability to contribute to, and influence, Committee meetings;
- Demonstrable ability to manage time;
- Effective interpersonal and communications skills including a demonstrable ability to engage with stakeholders;
- An understanding of diversity issues.

## 4. Other important appointment information

**Tenure:** Public appointments are offered on a fixed term basis. We do this to ensure that the leadership of our public bodies is regularly refreshed and the TPC can benefit from new perspectives and ideas. The appointment will run for three years with the possibility of reappointment for a further term subject to satisfactory appraisal and at the discretion of Ministers. In line with the Governance Code for Public Appointments, there is a strong presumption that no individual should serve more than two terms or serve in any one post for more than ten years.

**Remuneration:** The post is unremunerated, but reasonable standard travel and out-of-pocket expenses will be payable. The post is not pensionable

**Performance Appraisal:** You will be assessed annually on performance by of the Chair of the TPC.

**Standards in Public Life:** Public appointees are required to uphold the Committee on Standards. [Seven Principles of Public Life](#) You are also expected to adhere to the [Code of Conduct for Board Members of Public Bodies](#)

## 5. Advisory Assessment Panel membership

### The Panel will be:

- David Parkin, Deputy Director for Civil Justice and Law Policy, (Panel Chair);
- Mrs Justice Joanna Smith, Chair of the Tribunal Procedure Committee; and
- Jody Chatterjee, independent panellist (from the list approved by Ministers)

The Advisory Assessment Panel Chair will report to Ministers on the outcome of the interviews.

## 6. The appointment process and timeline

These appointments will be made by the Lord Chancellor in accordance with the [Tribunals, Courts and Enforcement Act 2007 Schedule 5\(21\)](#).

The [Commissioner for Public Appointments](#) ensures that appointments are made in accordance with the Governance Code and the principles of public appointments. All appointments follow a recruitment process set out in the [Governance Code for Public Appointments](#).

Key stages and timings in the campaign process:

<b>APPLICATION</b> Personal Statement, CV and supporting documents must be sent by the closing date.	Wednesday 4 January 2023
<b>SIFT</b> The Panel will meet to assess the applications. Candidates will be informed of the outcome by e-mail approximately two weeks prior to the interview date.	January 2023 - date to be confirmed
<b>INTERVIEWS</b> Shortlisted candidates will be interviewed by the Panel. References will be taken before interview.	March 2023 - date to be confirmed
<b>INTERVIEW RESULTS</b> Candidates will be informed of the outcome by e-mail.. <b>Candidates will be updated if there are any changes to this timetable.</b>	April 2023
<b>ANNOUNCEMENT</b> Appointments are publicly announced and security checks started	April 2023
<b>EXPECTED START DATE OF ROLE</b>	April 2023

### Feedback

Please note that it is not possible to provide specific, individually tailored feedback following the sift stage but we will provide, on request, feedback to those who are interviewed.

## Interviews

Interviews may take place via MS Teams. If you accept an invitation to interview, we will take two references in advance of the interview. By providing the details of two referees you are consenting to us approaching them in this way.

If you cannot attend an interview on one of the dates shown, please advise us as soon as you can. It may be possible to arrange an alternative date at the discretion of the AAP. **Please note, if travel is required to attend interviews, travel expenses are not reimbursed.** The Secretary of State or another Minister may ask to meet each of the candidates before or after interview.

If called for interview, the AAP will explore your experience and expertise to determine whether you meet the essential criteria for the role. You may be asked to deliver a short presentation at the commencement of the interview. This will be confirmed in your invitation to interview letter.

## Security Clearance

For the successful candidate, confirmation of appointment will be subject to basic clearance checks, covering confirmation of identity and right to work in the UK plus a criminal record check. This will involve completion of several paper and electronic forms and can take up to **five weeks** to process following completion of the forms.

## 7. How to apply

To make an application, please send:

- **A CV (maximum two sides of A4)** detailing your qualifications, employment history and any appointments or offices you hold. Please also provide your preferred contact number and email address.
- **A personal statement (maximum two sides of A4)** providing evidence against the role criteria and your suitability for the post. Please consider the role and criteria carefully in preparing your statements. Information from AAP indicates that applications which offer specific and tailored examples against the criteria, making clear the candidate's role in achieving an outcome are often the strongest. Structuring the statement around the criteria using relevant headings also aids clarity.
- **Guidance on how to write a successful application can be found at (Appendix 1).**

## Supporting Documents (attached separately on cabinet office website)

Please also complete and return the following supporting documents:

- **potential conflicts of interest:** If you have any interests that might be relevant to the work of the TPC, and which could lead to a real or perceived conflict of interest if you were to be appointed, please provide details in your supporting documents.
- Given the nature of public appointments, it is important that those appointed as members of public bodies maintain the confidence of Parliament and the public. If there are any issues in your personal or professional history that could, if you were appointed, be misconstrued, cause embarrassment, or cause public confidence in the appointment to be jeopardised, it is important that you bring them to the attention of the Assessment Panel and provide details of the issue/s in your supporting letter. In considering whether you wish to declare any issues, you should also reflect on any public statements you have made, including through social media. The Advisory

Assessment Panel may explore any issues with you before they make a recommendation on the appointment. Failure to disclose such information could result in an appointment either not being made or being terminated.

- Conflicts might arise from a variety of sources such as financial interests or share ownership, membership of, or association with, particular bodies or the activities of relatives or partners. If you need further advice, please contact the [PublicAppointmentsTeam@justice.gov.uk](mailto:PublicAppointmentsTeam@justice.gov.uk)
- **note of public appointments** – please list any appointments currently held;
- **referee details** – please give names/contact details of two referees (who will be contacted if you are shortlisted for interview);
- **the political activity declaration form** – In line with the Governance Code for Public Appointments, details of any declared activity will be made public if you are appointed; and
- **the diversity monitoring form** – information is requested for monitoring purposes only and plays no part in the selection process. It will be kept confidential and will not be seen by the AAP. Please go to the “**how to apply**” section of the job advertisement and complete the diversity monitoring.

Please send your CV, personal statement and supporting documents to: [PublicAppointmentsTeam@justice.gov.uk](mailto:PublicAppointmentsTeam@justice.gov.uk) quoting reference **PAT160061** in the subject line of your email. We will acknowledge receipt.

**If you have any questions** about any aspects of this post, you are welcome to contact Vijay Parkash at [Vijay.Parkash@justice.gov.uk](mailto:Vijay.Parkash@justice.gov.uk).

## 8. Diversity and Inclusivity

The TPC and the Ministry of Justice are committed to inclusion and diversity. We encourage applications from all candidates regardless of ethnicity, religion or belief, gender, sexual orientation, age, disability or gender identity.

**Arrangements for candidates with a disability;** An offer of an interview would be given to candidate who declares a **disability**, if the candidate meets the minimum criteria for the **job** as defined by the recruiting ALB. (Please go to the “**how to apply**” section of the job advertisement and complete the diversity monitoring form.



### Reasonable Adjustments:

If you have a disability and require any arrangements or adjustments for any part of the recruitment or selection process, please state clearly on your form and contact Amira Aufogul Public Appointments Team by e-mail on [PublicAppointmentsTeam@justice.gov.uk](mailto:PublicAppointmentsTeam@justice.gov.uk). Please quote **PAT160061** in any correspondence.

To discuss any adjustments that you may require if appointed, please contact: Vijay Parkash (020 3334 4471) [Vijay.Parkash@justice.gov.uk](mailto:Vijay.Parkash@justice.gov.uk)

### Further information can be found via this link:

<https://publicappointments.cabinetoffice.gov.uk/recording-whether-or-not-you-have-a-disability/>

## 9. Complaints Process

If you have a complaint about any aspect of the way your application has been handled, we would like to hear from you. In the first instance please write to or e-mail the Public Appointments Team at the e-mail address given below quoting the appropriate reference number.

Maggie Garrett, Ministry of Justice, Head of the Public Appointments Team, Arm's Length Bodies Centre of Expertise: [PublicAppointmentsTeam@justice.gov.uk](mailto:PublicAppointmentsTeam@justice.gov.uk)

**Complaints must be received by the Public Appointments Team within 12 calendar months of the issue or the closure of the recruitment competition, whichever is the later.**

We will acknowledge your complaint within two working days of receipt and reply within 20 working days of receipt. We will tell you if we cannot meet this deadline for any reason and provide an expected reply date.

**Taking it further:** If you are still concerned after receiving your reply you can write to:

Commissioner for Public Appointments, Room G/8, Ground Floor, 1 Horse Guards Road, London, SW1A 2HQ.

The Commissioner for Public Appointments regulates and monitors appointments to public bodies to ensure procedures are fair. More information about the role of the Commissioner, the Governance Code for Public Appointments and the complaints process is available at <http://publicappointmentscommissioner.independent.gov.uk/>

Alternatively, please contact the Commissioner's office on 020 7271 6729, or 0207 271 3305 for a printed copy of the complaints process.

## 10. Checklist

Please refer to the table below to ensure you send us all the necessary information.

Documents to be completed and sent	Tick
Your CV	
Supporting Statement	
Completed Supporting Documents <ul style="list-style-type: none"><li>• potential conflicts of interest;</li><li>• referee details;</li><li>• the diversity monitoring form;</li><li>• political activity declaration; and</li><li>• public appointments held</li></ul>	

## 11. Your personal Information

In accordance with the Public Appointments Order in Council 2019(4)(5), we will process your application in accordance with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 and the Ministry of Justice's Information Charter, which can be found at <https://www.gov.uk/government/organisations/ministry-of-justice/about/personal-information-charter>.

Your data will be held securely and access will be restricted to those dealing with your application or involved in the recruitment process. Your data may also be shared with the Commissioner for Public Appointments and other relevant government departments, including the Cabinet Office, as part of a complaint investigation or review of the recruitment process. Cabinet Office will handle data in accordance with their Privacy Notice <https://publicappointments.cabinetoffice.gov.uk/privacy-notice>. Your data may also be disclosed as required by law or in connection with legal proceedings.

Your data will be stored for up to two years and processed for the purpose of the recruitment process, diversity monitoring and, if successful, your personal record. If appointed, your data will be stored for the duration of your tenure and may be shared with the organisation to which you are appointed, unless you specifically request us not to.

Should you wish your data to be removed from our records, please contact [publicappointmentsteam@Justice.gov.uk](mailto:publicappointmentsteam@Justice.gov.uk).

## Appendix 1 – Guidance for those applying for an MoJ Public Appointment

When applying for a public appointment, we require three pieces of documentation: **Your CV, 2. Supporting Statement, 3. Supporting Documents**

This guidance gives some helpful tips on how best to present yourself to the panel who will be reviewing your application. There is no official or 'correct way' to write your CV or supporting statement, this is simply a guide that you may wish to refer to or use as a template.

### 1. CV

Here are a few pointers to keep in mind whilst writing or updating your CV:

- **Please write your name at the top;**
- **Do not write more than 2 pages.** We appreciate this may be a challenge and your achievements could spread across several pages. However, please appreciate that the panel may have a large number of applications to assess so brevity would be appreciated.
- **Avoid spelling and grammatical errors;**
- **Tailor it to the position you're applying for.** Make sure to draw attention to how you have met the essential and desirable criteria throughout your achievements in life. An opening paragraph at the top of the front page would be beneficial;
- **Use an updated CV.** Explain what you are currently doing or what you most recently have done that fits to the role you are applying for, including dates of the positions you have held;
- **Avoid big blocks of solid text.** Using bullet points will help those reading the CV;
- **Always explain what abbreviations stand for;**
- **Only include key information.** The panel do not need to know about your hobbies unless they specifically match the criteria of the role you are applying for. Personal details including name, address, phone number & email address should be included. There is no legal requirement for you to put your age, or any other protected characteristic (under the Equality Act 2010) on your CV.

### 2. Supporting Statement

Your supporting statement is an opportunity to prove to the panel your reasons for applying for the role as well as highlighting your skills and attributes.

- **Do not write more than 2 pages.**
- **Use models to help structure your paragraphs.** There are two models that you may find useful when writing your supporting statements:
  - **The WHO Model** – What was your personal role? How you did it? And what was the Outcome? placing emphasis on the successful outcome.
  - **The STAR approach** – Situation: briefly describe the context and your role, Task: the specific challenge, task or job that you faced, Action: what you did, how and why you did it and Result: what you achieved through your actions.
- **Use the essential criteria as headings.** The essential criteria for roles can be found on the advert on the Cabinet Office website and within the Candidate Information Pack. It is useful to the panel when assessing your application. For example;

#### **Demonstrate intellectual capacity with the ability to make evidence-based decisions**

You would write a paragraph using evidence from your current role or from recent examples of how you have demonstrated the ability to make evidence-based decisions whilst achieving goals. You would then link this work to the public body you are applying for and how your work directly benefits the ALB and how you can be a part of the it's future with your skill-set.

### 3. Supporting Documents (attached separately on Cabinet Office website)

- Please fill in the conflict of interest declaration form honestly. If you are asked for an interview, due diligence checks will be performed by a member of the Public Appointments Team.
- Although completing the diversity monitoring form is voluntary, it would greatly help the MoJ to build a world class organisation and recruit public appointees who are as diverse as the society they represent.