



GUIDANCE NOTE

FOR THE ROLE OF LEGAL MEMBER OF THE UPPER TRIBUNAL FOR SCOTLAND

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1. INTRODUCTION

The Judicial Appointments Board for Scotland (JABS) is a Non-Departmental Public Body. The role of the JABS is to recommend to the Scottish Ministers individuals for appointment to Judicial Office within the remit of JABS, which includes appointments to the Upper Tribunal for Scotland.

JABS invites applications from suitably qualified individuals who wish to be considered for appointment to the office of Legal Member of the Upper Tribunal for Scotland.

JABS is seeking to recruit 2 legal members. The posts are part-time and paid on a daily fee basis. The current fee for the Upper Tribunal is £553.87 per day. Travel and subsistence expenses will also be met.

The time commitment is expected to be not less than 24 days per annum, depending on the volume of work of the tribunal. The number of sitting days in any year is not guaranteed. In addition, it is anticipated that there will be in the order of two days of training per year.

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

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. THE UPPER TRIBUNAL LEGAL MEMBER BRIEFING PACK AND ROLE PROFILES

Judicial Office have provided an [Upper Tribunal Legal Member Briefing Pack](#) and a role profile which can be found in Annex A of this guidance.

3. ELIGIBILITY

3.1 Current Legal Members of the Upper Tribunal for Scotland

Please note that if you are already a Legal Member of the Upper Tribunal for Scotland you are not eligible to apply for these posts. There is provision for an internal assignment process in Schedule 6 Part 2 of the 2014 Act, if this applies to you, please get in touch with Judicial Office.

3.2 Statutory Eligibility Requirements

The statutory eligibility requirements for appointment to Upper Tribunal are listed in [The Scottish Tribunals \(Eligibility for Appointment\) Regulations 2015](#)

5.—(1) A person is eligible for appointment as a legal member of the Upper Tribunal for Scotland under paragraph under paragraph 5(2) of schedule 5 to the Act if the person qualifies under paragraph (2).

(2) Subject to paragraph (5), a person qualifies under this paragraph, if the person has had—

- (a) previous engagement in practice for a period of not less than 7 years as a solicitor or

advocate in Scotland; and

(b) subsequent engagement in any of the activities listed in paragraph (3).

(3) The activities are—

(a) exercising judicial functions in any court or tribunal;

(b) practice or employment as a lawyer of any kind.

(4) The 7 year period referred to in paragraph (2)(a) (and the 7 year period referred to in paragraph 5(1) of schedule 5 to the Act) may be calculated on a cumulative or a continuous basis.

(5) A person is not to be treated as having satisfied paragraph (2)(a), if the person has been debarred from the person's professional body or if the person has been subject to any sanction that would have led to such debarment had the person not ceased to belong to the professional body.

[The Scottish Parliament \(Disqualifications\) Order 2020](#) also applies to this office.

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 \(legislation.gov.uk\)](#))

4. JUDICIAL SKILLS AND QUALITIES

4.1 Skills and Qualities

Each applicant will be assessed against a set of skills and qualities that are necessary for the role as detailed in the [Legal Member Briefing pack](#) and the role profile as seen in Annex A.

4.2 Education, Professional Qualifications, Training and Career History

While the legal career of an applicant and success in that career is important we also value information about non-legal career experience, voluntary or other general experience that may be relevant to the qualities required for this judicial office.

Whilst judicial experience, either in the courts or tribunals, part-time or otherwise, will be taken into account, you do not need to have held judicial office in order to apply. If you have had similar experience, you should explain why you consider it relevant. You should draw attention to any aspect of your career, or any other experience that demonstrates the qualities required for this judicial office.

5. THE PROCESS

The recruitment panel is made up of lay, legal and judicial members of the JABS Board, JABS lay appointment advisers and judicial members of the Upper Tribunal. 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 panel against the required criteria, and you will then be notified whether or not you have been shortlisted for interview. The interview will include two elements: a practical exercise

relevant to the work of the tribunal, and a general interview with scenario and competency-based questions.

Final decisions on recommendations are made by the JABS Board in line with statutory requirements. Recommendations are made solely on the basis of merit provided the JABS Board is satisfied about the good character and conduct of applicants.

Recommendations are then made to the Scottish Government who report to the Scottish Ministers. Appointments to the Upper 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 a 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 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 proof read your application and prepare and copy this from Microsoft Word if necessary.

Legal competence is assessed by the legal and judicial members of the panel. However, all members of the panel will use evidence from all parts of the application to assess ‘Personal and Judicial’ qualities. For example, the legal section and the overall content of the application form may provide evidence of ‘Communicating Effectively’.

Applications received after noon on the closing date of 20 February 2025 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 review the [Application Section](#) of our website before completing the form. There are some areas that require instruction, and these are detailed below:

7.1 Personal Information

It is essential to include your first, middle and surname, in your application, as well as ‘Any Other Surnames’ you are known by, as this may be needed to correctly identify you for eligibility, consultation and disclosure purposes. If you do not have a middle name, please add ‘N/A’. **Applicant names and other personal information will not be shared with the panel for shortlisting.**

There is a mandatory retirement age of 75 years for judicial office holders. You must include your date of birth for eligibility purposes. An applicant's date 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 age. Should a concern arise at this stage in the process the BMU will send anonymised information to the panel to make a decision on the matter.

7.2 Nationality

It is mandatory to include your nationality. Applicants should be aware that the 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' in this Guidance Note (section 3). You should also give a brief description of how you meet the statutory eligibility criteria - you do not need to use the full 300 words.

7.5 Relevant Memberships in Scotland

You are eligible to apply for appointment as a legal member to the Upper Tribunal if you have practised for a period of not less than 7 years as a solicitor or advocate in Scotland and:

- are continuing to practice as a solicitor or advocate; or
- have had subsequent engagement in any of the following activities:
 - a) exercising judicial function in any court or tribunal; or
 - b) practice or employment as a lawyer of any kind.

A "lawyer of any kind" includes solicitors, advocates and barristers working outside the Scottish jurisdiction who are able to evidence that they have practised as such. This may include:

- a solicitor or barrister in England and Wales or Northern Ireland; and
- a lawyer outside the UK who is a member of the relevant legal regulated body of that jurisdiction and is entitled to practise in that jurisdiction.

Practice as solicitor includes lawyers who are not required to hold a practising certificate and where they are subject to the public official exception regarding a practising certificate in terms of [section 24 of the Solicitors \(Scotland\) Act 1980](#).

If you have a practising membership, please ensure the dates you provide are consistent with the information contained on the relevant organisation's website.

[Law Society of Scotland](#)
[Faculty of Advocates](#)

7.6 Judicial Appointment

In this section you are asked to indicate if you have or currently exercise judicial functions in any court or tribunal.

This heading should be read widely and will include Scottish and UK courts and tribunals, overseas or international courts or tribunals. Scottish tribunals include those in the First-tier Tribunal for Scotland, the Upper Tribunal for Scotland and independent tribunals such as the Mental Health Tribunal for Scotland and the Parole Board of Scotland

7.7 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.

7.8 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.

7.9 Membership of Specialist Professional Organisations

Please give details of any specialist professional organisation of which you are a member, where relevant.

7.10 Any other experience and membership of organisations

Please provide any other experience or membership of organisations which is relevant to your suitability for judicial office, and not referred to elsewhere in your application.

7.11 Suitability

Please provide a statement explaining why you think you are suited to the role of a Legal Member of the Upper Tribunal for Scotland. Please include your motivation for applying and your ability to meet the time commitment expected.

7.12 Legal Experience

The purpose of this section is to let the panel see the breadth and depth of your experience in the law. This may include your experience in practice, from any judicial role held.

Your response should include such things as:

- Timescale – when you were involved in each area of work
- An indication of the volumes and range within each category
- You may wish to indicate any cases or transactions of particular importance or significance

This is your opportunity to highlight your legal experience and knowledge.

7.13 Self-Assessment - Legal

In this section you are required to give evidence, including **by way of examples**, of your knowledge and skill in the interpretation and application of the law in your area(s) of legal expertise. There are 2 criteria in this section, Knowledge of law and Interpretation of Law. You have 400 words to write your response for each criterion.

Your self-assessment should supplement what you have said about your career and demonstrate your ability to acquire and develop strong legal skills; and demonstrate your knowledge, interpretation and application of substantive and procedural law competence in your area(s) of legal expertise. You should provide evidence and examples of your willingness and ability to acquire and develop new legal knowledge and skills.

You may wish to tell us about a recent case or cases, or advice or an opinion provided, or a transaction or transactions, which you conducted or wrote, and which demonstrates legal competence.

You may wish to include:

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

Please avoid vague or general statements.

7.14 Self-Assessment – Personal and Judicial Qualities

In this section you are required to provide at least one example for each of the criterion Managing Work Efficiently, Exercising Judgement, Working with Others and Communicating Effectively.

Your response to each criterion should not exceed 400 words. Please consider and cover all of the bullet points in your answer. You may use different example(s) for each criterion.

You may wish to include:

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

In addition to the [information on our website](#), you should also consider the following specific information for the judicial role.

The answers for these sections should give specific examples which demonstrate how you meet each criterion. We have provided the following structure to assist with this:

- Briefly outline the situation – to provide context.
- State what you were trying to achieve.
- What action did you take? Explain what you did, how you did it and why you did it. What did you actually do? What was your contribution and role?
- Describe the result/outcome. What happened and what did you learn?

To help you do this, you may wish to reflect on times when you have used the skills required for the judicial role you are applying for to develop the evidence for this self-assessment. Avoid being vague and making general statements. We suggest you focus on actions in the evidence you provide. You may give different examples and you should use your strongest examples.

Please do not use hyperlinks. We suggest you do not use lists, generalised descriptions, or a sole reference to a position(s) held. There is a 400 word limit for each criterion in this section.

7.15 Reasonable Adjustments

If you need any reasonable adjustments or support at any point throughout the JABS recruitment process, please select yes or contact us at mailbox@jabs.gov.scot to discuss. The information you provide here is not used in the JABS recommendation process.

7.16 Conflicts of Interest

You are required to note family, personal or professional relationships with any JABS Board member (whether part of the recruitment panel for this competition or not) as well as Lay and Legal Appointment Advisers and with any of the Upper Tribunal for Scotland Judicial members who are on the recruitment panel for this competition.

JABS Board 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

Upper Tribunal for Scotland Judicial Member:

The Hon Lord Ericht

You also need to consider and provide details about any potential conflict which may arise of interest if you are appointed to the Upper Tribunal for Scotland.

You should 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 Board member or others specified above in a professional context, such as having appeared before the JABS Board member in a court or tribunal, sitting in the same court, 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.

7.17 Good Character and Conduct

Applicants are asked 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. This includes any unspent criminal convictions outside Scotland. Convictions for motoring offences should also be included.

7.18 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 require further information.

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

7.19 Diversity Questionnaire

The JABS has a duty under section 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 questionnaire is deliberately wide-ranging since we consider it important to cover all the areas relevant to section 14 considerations.

JABS uses this data to see whether any particular groups are underrepresented in the applicant pool compared to the number in the legal profession. We use this information to focus our future outreach towards such under-represented groups, so it is important that it is as accurate as possible.

This questionnaire will be separated from your application form. The information provided will not be held or otherwise processed in a manner which would allow you to be identified or that information linked to you by any member of the JABS Board or recruitment panel. The information is held securely by the BMU and used solely to produce diversity reports which show overall summaries and do not identify individuals.

8. ENHANCED DISCLOSURE

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

If you are successful in being invited to interview, a link to the online disclosure application form and guidance will be sent to you with your shortlisting outcome decision letter. You will be required to pay the cost of the Enhanced Disclosure check, which is £25. Only those with a satisfactory enhanced disclosure check can 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 Lord President
- President of the Scottish Tribunals
- Chamber Presidents of First-tier Tribunal for Scotland
- Presidents of any relevant Scottish or UK Reserved Tribunals
- The Crown Agent
- Scottish Legal Complaints Commission
- Professional Bodies (such as the Faculty of Advocates and the Law Society)
- The Scottish Legal Aid Board
- Disclosure Scotland

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. FEEDBACK

In line with our [Feedback Policy](#), the provision of feedback is dependent on the Board's capacity to do so based upon the size of the field and available resources.

11. COMPETITION SCHEDULE

We anticipate following the key milestone dates as detailed below:

Date	Milestone
30 January 2025	Application window opens
20 February 2025	Application window closes
February - March	Applicants notified of outcome of shortlisting
March	Interview period
April	Board decision meeting
April	Recommendation report sent to the Scottish Government
April	Interview outcome letters issued

Please note that these dates may be subject to change. Updated information will be provided to applicants.

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.

ROLE PROFILE

**ROLE PROFILE – UPPER TRIBUNAL FOR SCOTLAND
LEGAL MEMBER**

THE ROLE DESCRIPTION

The Scottish Ministers are seeking to appoint legal members to the Upper Tribunal for Scotland (Upper Tribunal) to hear non-domestic rates appeals and other Upper Tribunal appeals. Appointments are made under schedule 5, part 2 of the Tribunals (Scotland) Act 2014 (“the 2014 Act”).

Business of the Upper Tribunal

The Upper Tribunal hears and decides cases transferred or referred to it from the First-tier Tribunal for Scotland (First-tier Tribunal) and hears and decides appeals on decisions of the Chambers of the First-tier Tribunal. The current Chambers are the General Regulatory Chamber, the Housing and Property Chamber, the Health and Education Chamber, the Local Taxation Chamber, the Social Security Chamber, and the Tax Chamber.

The Upper Tribunal hears Non-domestic Rates (NDR) Valuation Appeals that have been referred from the Local Taxation Chamber to the Upper Tribunal. From December 2024 the Upper Tribunal will also hear appeals against decisions of the Traffic Commissioner in relation to bus service standard decisions and penalties.

Appellate Jurisdiction

A decision of the First-tier Tribunal in any matter in a case before the Tribunal may be appealed by a party to the Upper Tribunal on a point of law. An appeal to the Upper Tribunal requires the permission of the First-tier Tribunal or, if the First-tier Tribunal refuses its permission, the [Upper Tribunal \(s. 46 Tribunals \(Scotland\) Act 2014\)](#).

As the Upper Tribunal is an appellate jurisdiction, cases will often involve particularly complex issues of law and procedure. This requires knowledge and experience in the branch of the law in which individuals have practised and also an ability to work in other branches of the law that may arise in the course of their duties. It is therefore important that an Upper Tribunal legal member is a lawyer of sufficient standing to command confidence in their decisions with immediate effect. Upper Tribunal decisions are binding on the First-tier Tribunal. Appeals in the Upper Tribunal are heard by Senators of the College of Justice, Sheriffs or other legal or ordinary members. The composition of the Upper Tribunal depends on which First-tier Tribunal Chamber decision is being appealed, with legal members in the Upper Tribunal often sitting and hearing appeals alone. Parties in Upper Tribunal proceedings are often represented, although this is not always the case. Appeals against decisions of the Upper Tribunal are made to the Court of Session.

Legal Member

Legal members will initially be hearing and deciding NDR Valuation Appeals that have been transferred to the Upper Tribunal from the Lands Tribunal for Scotland and appeals that are referred to the Upper Tribunal under part 2 of the First-tier Tribunal for [Scotland Local Taxation Chamber \(Rules of Procedure\) Regulations 2022](#). Over time, legal members will be expected to hear other Upper Tribunal appeals. For example, the Upper Tribunal also considers appeals from the First-tier Tribunal (Local Taxation Chamber) in respect of council tax and water charge appeals; appeals in respect of council tax reductions; and appeals in respect of penalty notice appeals under the Non-Domestic Rates (Scotland) Act 2020. You will find more about the jurisdictions of First-tier Tribunal Chambers here: [Scottish Tribunals - First-tier Tribunal Chambers](#).

When sitting alone, legal members will have sole responsibility for making and drafting decisions. When sitting with ordinary members, the legal member will make and draft the decision in collaboration with the other members.

ELIGIBILITY

The eligibility criteria for this appointment are contained in the Scottish Tribunals (Eligibility for Appointment) Regulations 2015¹ (regulation 5) made under schedule 5, part 2 of the 2014 Act.

To be eligible for appointment you must have had:

- (i) Previous engagement in practice for a period of not less than 7 years as a solicitor or advocate in Scotland; and subsequent engagement in any of the following:
 - (a) exercising judicial functions in any court or tribunal;
 - (b) practice or employment as a lawyer of any kind.

The 7-year period of current or previous engagement in practice as a solicitor or advocate in Scotland may be calculated on a cumulative or a continuous basis.

A person is not to be treated as having satisfied the criteria at (i) above if the person has been debarred from the person's professional body or if the person has been subject to any sanction that would have led to such debarment had the person not ceased to belong to the professional body.

The [Scottish Parliament \(Disqualifications\) Order 2020](#) also applies to this office.

ESSENTIAL CRITERIA - SKILLS

Knowledge of Law

- A high level of expertise in the applicant's area of practice.
- Ability to master new areas of law and keep up to date with all relevant law.
- Thorough knowledge of the law of evidence, procedure and practice in courts or tribunals.
- Practical experience of rating and valuation is highly desirable but not essential.

¹ [The Scottish Tribunals \(Eligibility for Appointment\) Regulations 2015](#)

Interpretation of Law

- Ability to analyse and interpret case law and statute.
- Able to analyse and assess complex evidence and arguments, often involving significant volumes of written and oral submissions.
- Ability to identify and focus on key issues and apply the law in unfamiliar areas.
- Ability to analyse complex and challenging legal problems and reach clear and well-reasoned decisions applying the law correctly.

Managing Work Efficiently

- Able to take responsibility for processes and decisions, with responsibility for producing clear and well-reasoned decisions.
- Ability to confidently manage and chair the hearing process.
- Ability to efficiently and effectively despatch Upper Tribunal business.

Exercising Judgement

- Is confident in judging and making independent decisions.
- Ability to provide clear reasoning for decisions made.
- Remains impartial and open minded and is seen to be fair to all.

Working with others

- Able to work effectively (with other members of the Upper Tribunal) and be active in deliberations and decision making.
- Treats people fairly with respect and sensitivity
- Shows an understanding of and commitment to the role and to public service.

Communicating Effectively

- Able to use clear and straightforward language with all who appear before them in Upper Tribunal proceedings which will include unrepresented parties.
- Able to produce written work promptly that is clear, concise and well-reasoned.
- Able to establish authority and inspire respect and confidence.

DUTIES

- Communicate effectively with all parties and their representatives;
- Reading and assimilating appeal papers before a hearing, including studying substantial complex documentary evidence;
- Weighing up potentially conflicting evidence and reaching an independent and well-reasoned decision;
- Taking an active role in hearings, including asking questions, demonstrating familiarity with key issues including knowledge of the subject area, relevant legislation and the facts of the particular case;
- Where appropriate, carrying out site visits. Site visits may be required for appeals on ratings and valuation matters;

- Working collaboratively with other members of the Upper Tribunal when required and facilitating collective decision making. Producing high quality written decisions and statements of reasons;
- Manage cases actively and expeditiously, promoting the efficient disposal of business;
- Ensuring decisions, directions and any orders of the Upper Tribunal are made efficiently and effectively;
- Travel throughout Scotland, as required; and
- Carrying out all other Upper Tribunal tasks that may reasonably be required.

TIME COMMITMENT

The time commitment is expected to be not less than 24 days per annum, depending on the volume of work of the Upper Tribunal. The number of sitting days in any year is not guaranteed. In addition, it is anticipated that there will be in the order of two days of mandatory training per year.

FEES AND EXPENSES

The appointment is non-salaried. The current daily fee rate in the Upper Tribunal is £553.87. The daily fee is intended to encompass attendance at a hearing, preparation for a hearing and any other work related to a case. The daily fee rate may be reviewed from time to time and where it is agreed to uprate the fee, the uprate will be paid with effect from April in the relevant calendar year.

Travel and subsistence expenses will also be met.

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. You may resign by giving one month's written notice to the Lord President. It is requested, however, that wherever possible you give three months' written notice so as to facilitate succession planning.

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

RELEVANT LEGISLATION

The Tribunals (Scotland) Act 2014 is available [here](#).
The Upper Tribunal for Scotland website is available [here](#).