
REPORT FOR INFORMATION

DATE 26th January 2010

SUBJECT **JUDICIAL STUDIES BOARD – EVALUATION OF ADJUDICATOR TRAINING**

REPORT OF: **The Chief Adjudicator**

PURPOSE OF REPORT

To inform Members of a recent evaluation of adjudicator training at the Traffic Penalty Tribunal by the Judicial Studies Board.

BACKGROUND

The Judicial Studies Board (JSB) is responsible for ensuring that high quality training is delivered to enable those who discharge judicial functions in England and Wales to carry out their duties effectively, in a way which preserves judicial independence and supports public confidence in the justice system.

While the JSB is principally responsible for the development and delivery of training to judges in the Crown, county and higher courts, they also provide some direct training to tribunal judges. The judiciary in all tribunals are now referred to as 'judges' and the Traffic Penalty Tribunal Adjudicators fall within that category

The JSB have also recently decided to evaluate judges' training that takes place in individual tribunals. Consequently during the Autumn of 2009 a team from the JSB undertook an assessment and evaluation of the Adjudicators' training arrangements and provision at the Traffic Penalty Tribunal.

A summary of the purpose of the evaluation and the findings and recommendations are set out in Appendix 1. A copy of the Judicial Studies Board's full report is available on request.

RECOMMENDATIONS

It is recommended that the Committee:

[i] Note the findings of the Judicial Studies Board set out in Appendix 1

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Appendix 1:

Summary of the Judicial Studies Board evaluation of the Traffic Penalty Tribunal Adjudicator training provision

1. Introduction

An evaluation with the Traffic Penalty Tribunal [TPT] was undertaken throughout the Autumn of 2009 and was concluded at a meeting on 26 November 2009 at the JSB headquarters in London. The evaluation consisted of a review of training provision within the tribunal, in accordance with the JSB Evaluation Framework – *Evaluation of Training, Appraisal and Mentoring in Tribunals*, April 2006.

Although the tribunal's Appraisal and Mentoring arrangements were not formally in the scope of this evaluation, the tribunal's current provision are touched on in this report.

2. The evaluation process

The evaluation was conducted by a team from the JSB, led by Stuart Vernon, the Judicial Director (and the Chief Adjudicator at the Office of Fair Trading), John Gibbons (Tribunals Training Adviser) and Tony Massally from the JSB. Judge Sarah Williams also contributed to the evaluation process during the JSB's observation of the TPT's Annual Conference. (Members

The evaluation was conducted by means of:

- Observation of a day's tribunal hearings in Nottingham on 12 May 2009;
- A focus group discussion with a representative spread of Adjudicators in attendance at the TPT's Annual Conference, 11-13 October 2009;
- Observation of the TPT's Annual Conference for its Adjudicators and tribunal staff in Oxford, 11-13 October 2009;
- The completion of self-assessment pro-forma commentary by the tribunal on its training programme, and examination of the pro-forma commentary and other supporting documentation related to the tribunal's training programme;
- A short telephone interview (on 26 November 2009) with the TPT's Head of Service, Louise Hutchinson, to discuss the tribunal's finance and administration arrangements in relation to the Adjudicator service provision;
- An evaluation meeting at the JSB with the Chief Adjudicator, Caroline Sheppard, Terence McNeil, the lead Adjudicator for training, and Richard Charles, the lead Adjudicator for Appraisal on 26 November 2009.

3. Summary of commendations

The JSB wishes to commend the TPT for the progress it has made in meeting the JSB training standards and in particular:

- For undertaking a training needs analysis (TNA) of all the tribunal's Adjudicators, providing the impetus for the future development of the training programme and an evidential base should funding be required for its implementation. The user friendly questionnaire provides a useful model, which could benefit other tribunals as a template.
- The commitment of the Chief Adjudicator to maintaining close links and working closely with the other parking jurisdictions in London on policy matters and other issues of mutual interest, including training.
- For the tribunal's programme of 'outreach work' with external parking and traffic stakeholders, which promotes greater understanding of the work of the tribunal and contributes to wider best practice, effective policy making and improved first instance decision making.
- Creation of a holistic approach to training centred around the popular Annual Conference, supported by regional events, 'just in time' 1 to 1 training, followed by consolidation, together with an informal mentoring system, all of which seek to make full use of the skills and expertise that exist within the tribunal's judiciary and officials.

4. Summary of recommendations

There are seven recommendations resulting from the evaluation, which are summarised below:

Recommendation 1: the tribunal should continue with its plans to increase regional training opportunities for Adjudicators as part of its new two-year training programme (which is set to be circulated in April 2010). The Adjudicators indicated a preference for this type of training in the tribunal's recent training needs analysis (paragraph 4.15).

Recommendation 2: the tribunal should proceed with the planning for the new cycle of appraisals in 2010, based around the JSB's new standards and competences, and extend an invitation to the JSB to review its appraisal system, once the new cycle of appraisals is complete (paragraph 5.6).

Recommendation 3: the tribunal should continue with the development of the Annual Conference format, building on the variety of different delivery methods and subjects (identified through the TNA) and increasing opportunities for practical judgecraft sessions (paragraph 4.11).

Recommendation 4: The tribunal should pursue plans to increase its current pool of trainers and facilitators (following the expressions of interest received as part of the TNA). The tribunal should note the future availability of the JSB's *Effective Use of Small Groups in Training Seminar* and "*Training the Trainer*" Course to support this development (paragraph 3.4).

Recommendation 5: the tribunal should continue with the planning of its induction training programme in readiness for the anticipated recruitment of several (4-8) new Adjudicators in 2010/11. A more formal mentoring scheme should be developed in conjunction to support new members (paragraphs 4.6 and 6.4).

Recommendation 6: The tribunal should proceed with its work to implement the outcomes from the recent training needs analysis (TNA) and endeavour to incorporate the training requests and preferred learning types of its Adjudicators into the new two year training programme (paragraph 3.3).

Recommendation 7: the tribunal should explore the opportunities and the benefits of joint training with the other parking and traffic related jurisdictions. This may take the form of a joint Annual Conference or the provision of training modules, which can be shared nationally with the parking judiciary in generic judicial skills or topics of mutual interest (paragraph 4.12).

The tribunal is invited to report back to the JSB on progress with the above recommendations by 26 November 2010. The JSB would be pleased to advise and assist the tribunal, as far as it is able, with the implementation of these recommendations.

5. Summary

The Chief Adjudicator with the support of the Adjudicators' Training and Appraisal Committee (TAC) has done much to develop training and development along the lines set out in the JSB's frameworks. That so much has been achieved since the formation of the TPT is a testament to the commitment of the Chief Adjudicator and the TAC to maintaining a culture of continuous improvement. It is also evident that the TPT's collegiate nature has created opportunities for the Adjudicators to share their knowledge and ideas regularly and informally. Although the Annual Conference has proved successful as the main vehicle, the tribunal has a holistic approach to training and development with a developing regional programme and 1 to 1 support provided at and from the hub in Manchester.

Although the Adjudicators are well served in relation to their current training needs, it is encouraging to see that the TPT is in the process of implementing some progressive plans for its future training and appraisal programme, based on an effective TNA. In many ways the TPT is a model example of what can be achieved by the judiciary and administration working together to improve all aspects of the tribunal's operation.

The tribunal is encouraged to develop the judgecraft element of its Annual Conference and to further develop its regional training. There is every reason to suppose that new members will be well supported through their induction. However, in addition to revising the induction programme, care should be taken to ensure that new members are quickly familiarised and orientated into what is currently a very close knit community, perhaps through proactive mentor support.

The tribunal is of a size that enables the entire tribunal to meet once a year and the unique way it is funded enables sufficient training to be organised and for Adjudicator needs to be adequately met, indeed the blend of training and the commitment to its organisation and development compares well even against much larger tribunals with standing training infrastructures.

The Chief Adjudicator is to be praised for encouraging the Adjudicators (and staff alike) to make the most of their knowledge and skills, in a way that supports their ongoing personal development and the organisation as a whole. Her strong but open leadership style is highly respected both within the tribunal and beyond. It is quite clear that she is at the centre of a well established collegiate organisation, which recognises the strengths of its Adjudicators and officials and in which training and development are central features. The training and appraisal functions are joined up and clearly in safe and expert hands. The culture of openness that she has created came through very strongly in the judicial focus group and it was clear that the Adjudicators felt empowered by this positive approach to their career development and welfare.