# Qualifying Test Feedback Report

# 104 Deputy District Judge (Magistrates' Courts)

# 17 October 2018

**Purpose**

The purpose of this report is to provide general feedback on candidate performance in the 104 Deputy District Judge (Magistrates' Courts) (DDJ (MC)) qualifying test. The report describes how the Judicial Appointments Commission (JAC) developed the test and marking schedule, how the test was structured, and how the number of shortlisted candidates were arrived at.

Although the qualifying test for this exercise was designed to test a candidate's transferrable skills and their potential to work effectively as a DDJ (MC), the additional selection criteria (ASC) for this selection exercise required that candidates must be able to demonstrate knowledge and experience of criminal law and procedure.

## Competency Framework

The test was designed to assess the following competencies:

- Exercising Judgement
- Possessing and Building Knowledge
- Working and Communicating with Others
- Managing Work Efficiently

The competencies were developed so that candidates could demonstrate the skills and abilities which were transferable to the role from other contexts. The specific bullet points under each competency heading were designed to reflect skills and abilities that an effective DDJ (MC) is expected to have. This enabled us to assess candidates in a fair and consistent way.

## Development of the test

The test and marking schedules for each element of the test were devised by a team of existing District Judges (Magistrate's Courts) led by the Senior Deputy District Judge (Chief Magistrate).

The JAC Advisory Group, which is composed of senior judiciary and representatives of the legal profession, offered advice and guidance during its development.

In common with all qualifying tests used by the JAC, both the test and marking schedule were subject to an extensive quality – and equality – assurance process including review by our Head of Diversity and Engagement and our Advisory Group.

The effectiveness of the test was assessed by means of a dry run with a range of volunteers from relevant candidate groups.

## Structure of the test

The test was hosted on the JAC website and was accessed by candidates using their online account. The 2-hour test presented candidates with 2 parts:

- Part 1 (multiple choice): Situational Judgement (60 minutes, 30 questions)
- Part 2 (multiple choice): Critical Analysis (60 minutes, 25 questions)

In **Part 1** of the test candidates were presented with a range of different situations they might experience in the job as a DDJ (MC). Although prior knowledge of rules and procedures were expected of candidates in line with the ASC, and preparation reading material was provided a week in advance of the test, candidates were assessed on their reading of a situation and their ability to judge the effectiveness of a number of different responses provided under each question.

In **Part 2** of the test candidates were presented with the text of a keynote speech titled 'Law, Morality and Religion in the Family Courts' given by Sir James Munby to the Law Society's Family Law Annual Conference on the 29 October 2013. The questions and answer options were based on the content of the speech. Candidates were required to read the speech within the 60 minutes allowed, and to then use their critical and logical thinking skills to decide upon the correct answer from four options for each of the 25 questions.

## Marking of the test

Both parts of the test were marked automatically.

## Marking schedule

In both parts of the test each question had four answer options. In almost all cases, each question had one correct answer which scored 1 point and 3 answers that were wrong and scored 0 points. Some questions had a best answer which scored 2 points and a sufficient answer which scored 1 point, and 2 answers that were wrong and scored 0 points.

## Distribution of scores

**821** candidates took the test. The scoring process was as follows:

- all candidates were scored on their answers to Part 1 and Part 2 of the test based on the marking schedule above
- all candidates were then ranked in order of merit from first to last based on the combined average percentage score of Parts 1 and 2 (further outlined below)
- a very small number were then immediately **sifted out** because on either Part 1 or Part 2 they had not met the minimum score of 30%
- This provided us with a merit list from which to determine how many candidates would be invited to the second stage of shortlisting based on the approach outlined below

The highest and lowest marks awarded are shown in the table below:

| Part | Highest score | Lowest score |
|---|---|---|
| 1. Situational Judgement | 32/32 (1 candidate) | 4/32 (1 candidate) |
| 2. Critical Analysis | 24/26 (13 candidates) | 5/26 (1 candidate) |

The test was clearly quite challenging because:

- only 1 candidate scored the maximum possible marks on Part 1
- no candidates scored the maximum possible marks on Part 2

## Approach to shortlisting

When the JAC receives a vacancy request from HMCTS confirming how many vacancies there are for a post, we calculate how many candidates we need to take to selection day (usually at a ratio of 2 or 3 candidates interviewed for each vacancy). This allows us to estimate the number of candidates we need to progress after the shortlisting stages until we reach the selection day ratio.

For this exercise we received a vacancy request to fill 30 posts. We therefore planned the selection exercise based on inviting around 80 candidates to selection day. To prevent a significant drop from the substantial number of candidates who applied to fill the much smaller number of selection day slots, we planned to have 2 shortlisting stages as part of the selection process.

All candidates who applied the for exercise were invited to sit the first stage of shortlisting, the online qualifying test (Part 1 and Part 2). The second stage of shortlisting, the online scenario test (Part 3), was marked by selection panels. We planned to take about 500 candidates to the second stage.  To identify the top 500 candidates from the qualifying test, the following method was used.

First, each candidate has their score for each part converted into a percentage. Then the 2 percentages are added and a combined average score is calculated. Then the combined average score for each candidate is used to rank all candidates into a merit list, with the highest combined average score at the top of the list, and the lowest at the bottom.

Using the combined average score to rank candidates in order of merit ensures tests with more points available in one the 2 parts don't disproportionately affect outcomes. For example, 30/40 (75%) in one part isn't better than 9/10 (90%) in another part just because the first part had 30 points scored compared to 9 points in the second part.

We do have a lower line below which candidates are automatically sifted out of the competition, this is usually 30% or less on any part of the test.

The number of slots available in the next stage of the process is then applied onto the merit list to create the initial cut off line. In the interest of fairness to all candidates however, if 2 or more candidates have the same score on the merit list we will take all those with the same score through to the next stage. When candidates have the same score on a merit list, we call this bunching. Once any bunching is taken into account, the final line of shortlisting is determined.

After applying the above process, **545** candidates were invited to progress to the second stage of shortlisting.

We therefore do not have a pre-determined pass mark for the test; the line of shortlisting is determined by the relationship between the relative performance of candidates against each other in any given test, and how many slots there are for the next stage of shortlisting.

The charts below show the spread of scores from Parts 1 and 2 of the qualifying test:

## Part 1 - spread of scores



## Part 1 - spread of scores

Part 2 - spread of scores



Part 2 - spread of scores
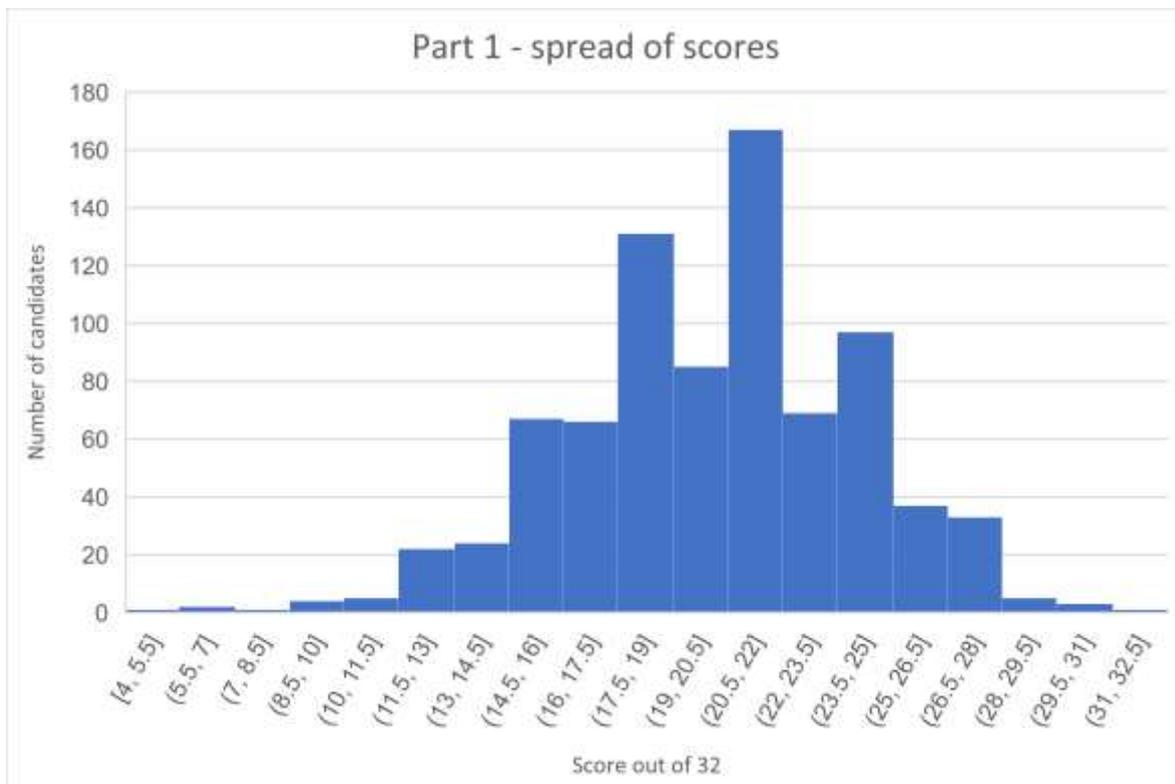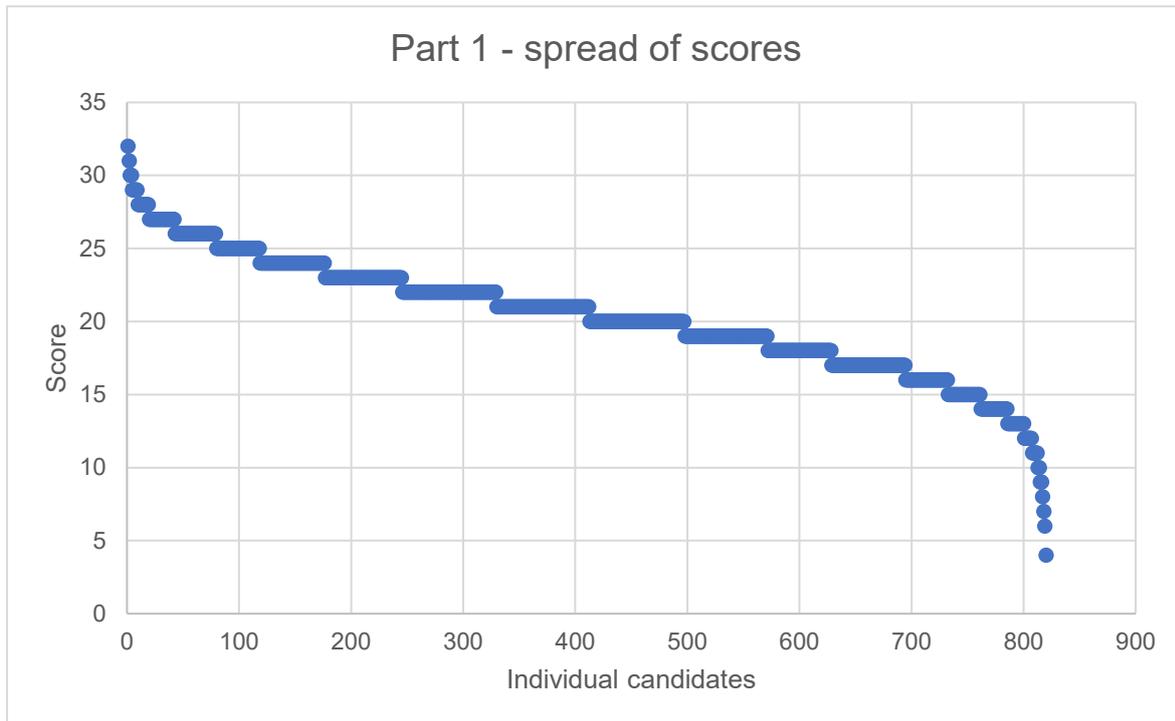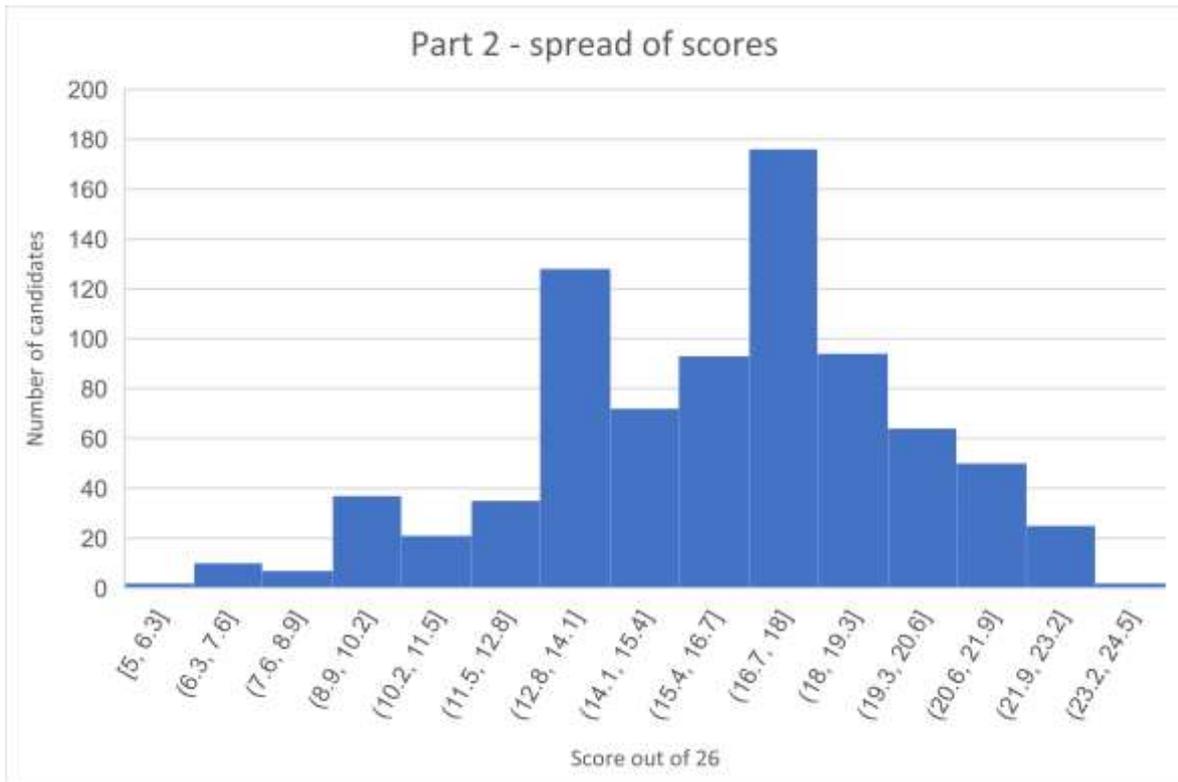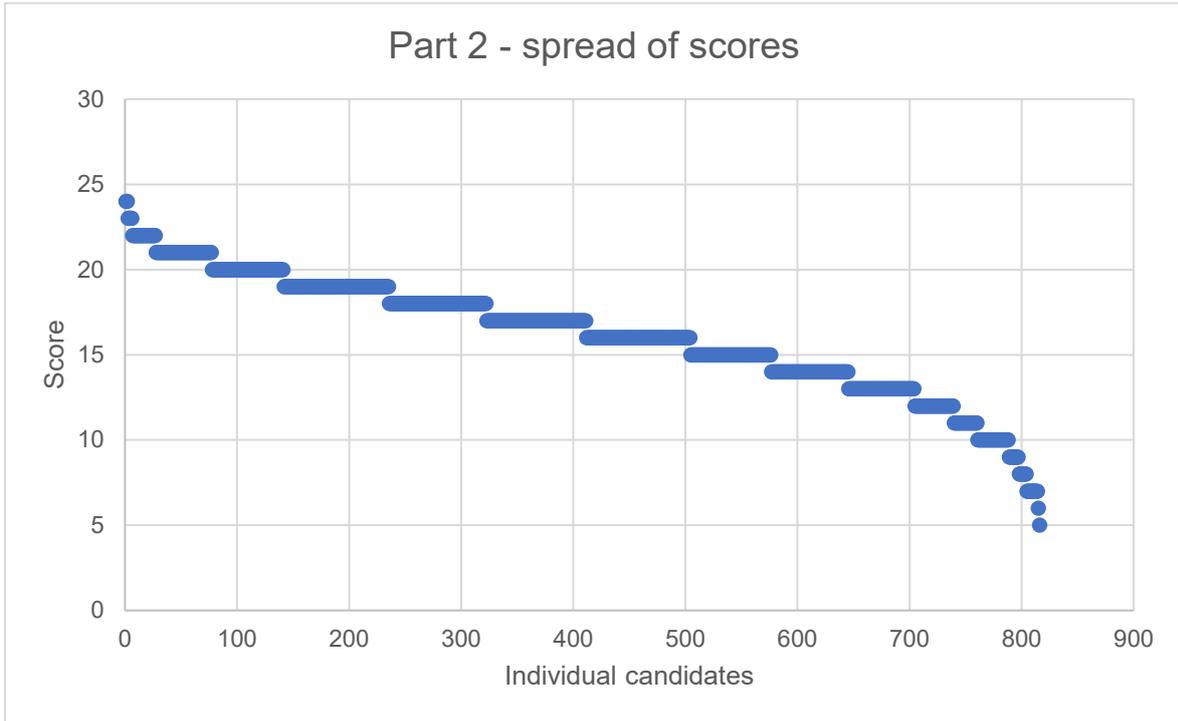
The average candidate scores over Parts 1 and 2 combined for this test were as follows:

- lowest average candidate score was 20%
- highest average candidate score was 96%
- the average candidate score was 62%

In Part 1 (situational judgement) there were:
- no questions where over 90% of candidates gave an incorrect answer (hard questions)
- 4 questions where 90% or more of candidates gave the best answer (easy questions)

In Part 2 (critical analysis) there were:
- no questions where more than 90% of candidates gave an incorrect answer (hard questions)
- 4 questions where 90% or more of candidates gave the correct answer (easy questions)

# Feedback from candidates

After the qualifying test, candidates were invited to complete an anonymous candidate survey.

270 candidates responded to the survey. Based on the results of the candidate survey:

**Part 1 – Situational Judgement**

Of the 60-minute time limit for the test:
- around 15% of candidates thought the time allocated was too short
- around 80% of candidates thought the time allocated was just right
- around 15% of candidates thought the time allocated was too long

When completing the test:
- around 94% of candidates finished within the 60 minutes
- around 5% of candidates ran out of time
- around 0.5% of candidates abandoned the test

In terms of the difficulty of the test:
- around 5% of candidates thought the test was not challenging enough
- around 70% of candidates thought the test was challenging
- around 25% of candidates thought the test was very challenging
- around 2% of candidates thought the test was too challenging

**Part 2 – Critical Analysis**

Of the 60-minute time limit for the test:
- around 41% of candidates thought the time allocated was too short
- around 54% of candidates thought the time allocated was just right
- around 4% of candidates thought the time allocated was too long

When completing the test:
- around 83% of candidates finished within the 60 minutes
- around 16% of candidates ran out of time
- around 0.5% of candidates abandoned the test

In terms of the difficulty of the test:
- around 3% of candidates thought the test was not challenging enough
- around 40% of candidates thought the test was challenging
- around 44% of candidates thought the test was very challenging
- around 14% of candidates thought the test was too challenging