

Judicial Appointments Commission

Strategic Plan 2016–20

incorporating the Business Plan 2017–18

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April 2017 (*Archived March 2018*)

Section 1: Purpose and aims

This document sets out what the JAC intends to achieve over a 4-year period, covering 2016–17 to 2019–20 – the Strategic Plan. However, we have focused immediate priorities that we also intend to address during 2017–18, which makes up the Business Plan. We are also mindful of the internal and external factors that may affect us, such as Ministry of Justice/HMCTS reform, changes to staff and the Commission, new legislation, Brexit, new ways of working, pay and recruitment controls all within overarching financial spending control limits.

The [2016-17 business plan](#) is on the JAC website.

Purpose

The JAC is an executive non-departmental public body sponsored by the Ministry of Justice. Our purpose is:

- to be an independent selection body for judicial appointments in courts and tribunals in England and Wales and for some tribunals with UK-wide jurisdiction
- to run a selection programme agreed with the Ministry of Justice and respond to individual requests from the Lord Chancellor
- to make selections solely on merit
- to select only persons of good character and
- to have regard to the need to encourage diversity in the range of persons available for selection

Aims

We will achieve the following aims in order to fulfil our purpose, whilst recognising the government's overall objective to reduce public expenditure:

- flexibly support the evolving business need
- increase confidence in the selection process and selections
- promote and encourage diversity throughout the selection process
- continually improve the candidate experience
- make the JAC a centre of excellence in selection
- be digital by default

Section 2: Priorities and objectives

The JAC Board set out 6 priorities that were to be delivered by September 2017.

These include:

- Core functions delivered, including high profile senior selections, without further reputational damage
- New risk management, mitigation and contingency planning in place
- Digital strategy reviewed; new contractual arrangements for JARS in place
- Resourcing strategy agreed; People Plan, staffing and organisational changes being implemented
- Medium-term communication strategy developed
- New Commissioners appointed and inducted
- Resource allocation requirements for remainder 2017–18 agreed

The Board subsequently met to review progress against these priorities in October 2017. The Board agreed that these had been largely achieved and agreed a further set of priorities through to March 2018. These include:

- Effective delivery of (unprecedented volume/staff resource) exercise programme to tight budget headroom

- Programme of continuous improvement of internal processes and lessons learned
- Active and leadership role in encouraging and coordinating support to development of a strong and diverse candidate pool
- Continue to demonstrate commitment to address diversity outcomes from our processes [partially, through the provision of improved data]
- Develop options for future development of JARS – new contractual arrangements and funding from 2018–19 onwards
- Communication strategy, decisions on data release, and post-Recorder outreach to judiciary and candidate base

These priorities are further divided into the following objectives, against which specific actions are set in this Business Plan:

1. Effective delivery of the 2017–18 selection exercise programme as required by HMCTS/MoJ – using selection policy to improve flexibility and improved delivery
2. Active role in encouraging and coordinating support to develop a strong and diverse candidate pool
3. Explore measures to continue to demonstrate our commitment to address diversity outcome from our processes
4. Active role in improving the forward planning and programming of selection exercises
5. Cross-cutting performance in direct support of the Commission priorities

Plan for addressing priorities

The following detail sets out what is to be delivered in 2017–18.

1. Effective delivery of the 2017–18 selection exercise programme as required by HMCTS/MoJ – using selection policy to improve flexibility and improved delivery

| Objectives | Timetable |
|---|---------------|
| Ensure that selection exercises are delivered in line with Commission’s selection policy and that governance and quality assurance is provided by the Selection Exercise Programme Board (SEPB). This includes demonstrating flexibility by absorbing changes to the selection programme. | Ongoing |
| Review, evaluate and refine the selection process to ensure continuous improvement of outcomes, developing new tools and techniques where appropriate. Ensure advice provided by the JAC Advisory Group supports the delivery of the selection exercise programme. | Ongoing |
| Effective delivery of senior judicial selection exercises to meet statutory and stakeholder requirements. | Ongoing |
| Effective and timely delivery of revised assessment process for Recorder exercise; and successful delivery of vacancy requests. | March 2018 |
| Effective and timely development and delivery of “non” JARs assessment processes for e.g. District Judge (Magistrates Courts (DJ(MC))); 1 st Tier Tribunal (salaried); and District Judge (Civil and Family). | November 2017 |
| External Inquiry and Review of JARS and implementation of Review recommendations. Development of forward digital strategy; and new contractual arrangements in place to meet future business need and recommence full JARs functionality. | October 2017 |

| | |
|---|------------|
| JAC leads on joint work to strengthen integrity of the process (working with professional bodies / JO on reporting breaches to professional codes / judicial conduct. | March 2018 |
| Panellist support and oversight of panels and decision-making. | Ongoing |

2. Active role in encouraging and coordinating support to develop a strong and diverse candidate pool

| Objectives | Timetable |
|--|---------------|
| Deliver both generic and selection exercise- specific outreach to ensure that as many potential candidates as possible are reached, including our target groups. | Ongoing |
| Review and evaluate selection exercise outreach as part of closedown for all exercises and review new strategy and process by end Q3. | December 2017 |
| Work with Judicial Diversity Forum partners to enhance candidate support, including by providing material to support the design and delivery of professional development programmes. | March 2018 |
| The JAC to lead on a joint project with Judicial Office and the Judiciary to develop clear guidance on judicial pathways | Ongoing |
| Introduction of improved, more targeted feedback, underpinned by clear understanding upfront in exercises about when and what feedback will be provided | March 2018 |

3. Explore measures to continue to demonstrate our commitment to address diversity outcome from our processes

| Objectives | Timetable |
|--|-----------|
| Equality proof selection exercise materials, design of process and delivery. | Ongoing |
| Review progression of candidates from key target groups, and take appropriate steps where progression is not in line with levels in the eligible pool (where available). | Ongoing |
| Work with partners to continue to break down barriers to application to ensure as many diverse candidates as possible apply and progress, including through the Diversity Forum. | Ongoing |

4. Active role in improving the forward planning and programming of selection exercises

| Objectives | Timetable |
|---|-----------|
| Contribute to the development of forward planning of judicial recruitment, to enable effective planning of exercises to meet short and long-term business needs; ensure JAC expertise reflected in recruitment planning | Ongoing |

5. Cross-cutting performance in direct support of the Commission priorities

| Objectives | Timetable |
|---|----------------|
| Implement improved financial, risk management, governance and contingency planning, with primary focus on the delivery of selection exercises. | September 2017 |
| Development and implementation of communication strategy with the overarching aim to increase awareness and understanding of the JAC selection processes and confidence in merit based decisions. | September 2017 |
| Development, and implementation of a People Plan, covering resourcing, organisational changes and staff engagement – to ensure that JAC has an effective and engaged workforce utilising available resources to meet the overall needs of its business. | September 2017 |
| Production of the full annual accounts and Report that are subject to audit. Production of the quarterly accounts and monthly management accounts. | March 2018 |
| Keep under review future legislative opportunities to provide statutory basis for charging for JAC services for those non-judicial exercises (Also in the Triennial Review). | Ongoing |

Section 3: Resources

This sets out the details of resources used over recent years, and those planned in 2017–18:

| | 2011-12 | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 forecast |
|---|--------------|--------------|--------------|--------------|--------------|--------------|---------------------|
| Applications | 5,490 | 4,637 | 5,591 | 2,356 | 2,588 | 2199 | 5316 |
| Recommendations | 746 | 597 | 806 | 310 | 340 | 290 | 829 |
| Average applications per recommendation | 7.3 | 7.8 | 6.9 | 7.6 | 7.6 | 7.6 | 6.4 |
| Number of Exercises reported | 25 | 36 | 35 | 30 | 22 | 26 | 27 |
| Staffing average FTE over year | 73 | 68 | 67 | 59 | 50 | 49 | 50 |
| Cash funding available (£000) | 5,520 | 5,120 | 4,911 | 4,683 | 4,375 | 4,120 | 5,080 |
| Expenditure (£000) | 4,985 | 4,894 | 4,180 | 4,016 | 3,725 | 3,581 | 4,890 |
| Non-cash charges (£000) | 1,889 | 1,801 | 1,388 | 1,427 | 1,153 | 1,290 | 1,100 |
| Total spend (£000) | 6,874 | 6,695 | 5,568 | 5,443 | 4,878 | 4,871 | 5,990 |

The JAC has made continuous savings year on year as demonstrated in the figures above. However, due to increases in demand for judicial recruitment and the need to restore the Judicial Appointment Recruitment System (JARS), spend is expected to increase during 2017–18. In June 2017, the Ministry of Justice agreed an additional allocation of funds of £500k to ensure that the JAC is able to deliver the demand on the programme. This has also meant that additional recruitment has been undertaken throughout the year to support delivery of the programme. Following the JARS IT failure in February 2017, a number of manual sifts have been introduced where online qualifying tests would usually have been taken using JARS. These manual processes are expected to incur additional costs and will likely affect the outturn this

year. Remedial work on JARS is now complete and JARS will be fully operational in time for the 2018-19 programme of work.

Section 4: Measures

Success will be measured through the delivery of the selection exercise programme, as agreed through the MoJ and HMCTS. Summary details of the selection exercise programme (as delivered to the Lord Chancellor) are as provided below, as well as the diversity of JAC selections and the 'end-to-end' appointments process time. The JAC also publishes a wide range of information on its policies, processes, operations, official statistics, annual report and the minutes of all Commission Board meetings.

| | 2011/12 | 2012/13 | 2013/14 | 2014/15 | 2015/16 | 2016/17 | 2017/18 Forecast |
|--|--------------|--------------|--------------|--------------|--------------|-------------|---------------------|
| Applications | 5,490 | 4,637 | 5,591 | 2,356 | 2,588 | 2199 | 5316 |
| Recommendations | 746 | 597 | 806 | 310 | 340 | 290 | 829 |
| Average applications per recommendation | 7.3 | 7.8 | 6.9 | 7.6 | 7.6 | 7.6 | 6.4 |
| Number of Exercises reported | 25 | 36 | 35 | 30 | 22 | 26 | 27 |
| Average cost per application | £1,252 | £1,444 | £996 | £2,310 | £1,885 | £2,215 | - |
| Average cost per recommendation | £9,214 | £11,214 | £6,908 | £17,558 | £14,347 | £16,793 | - |
| End-to-end appointments process* | 30 wks | 24 wks | 21 wks | 17 wks | 22 wks | 20 wks | - |
| Recommendations % women candidates | 48% | 48% | 50% | 43% | 42% | 39% | - |
| Recommendations % BAME candidates | 12% | 12% | 11% | 13% | 9% | 20% | - |
| Recommendations % disabled candidates | 4% | 3% | 12% | 4% | 3% | 6% | - |

* The end-to-end time is the time from the launch of an exercise to the Judicial Office sending out offer letters.

In line with central government departments we are transparent with information on our operations, where this does not affect personal data of those applying for judicial appointment. For example, we will continue to publish generic reports on performance in qualifying tests to support unsuccessful candidates and inform future applications.

We will continue to manage the operation of the JAC using the measures captured under previous key performance indicators, including diversity of applications, timeliness of exercises and levels of complaints.

Section 5: Risks

The following sets out the key risks as currently provided in the JAC Corporate Risk Register, which may impact on our ability to deliver the Business Plan.

| Risk | Mitigating Action |
|--|---|
| <p>Failure of JARS and/or associated IT support</p> <p>Risk: That the Judicial Appointments Recruitment System (JARS) and JAC website are not available to candidates, referees or staff.</p> | <ul style="list-style-type: none"> • JARS Programme Board with Commissioner Chair formed to provide governance and oversight • Helpdesk arrangements in place with supplier. • Service management arrangements in place between JAC/ CACI (hosting provider). • Security accreditation of JARS completed for 3 years, subject to annual review. • Emergency Response Plan approved by SLT. |
| <p>Progression and diversity of selection</p> <p>Risk: Target groups do not apply or progress in line with the eligible pool.</p> | <ul style="list-style-type: none"> • Panels briefed on diversity, fair selection and unconscious bias at annual training event and before each exercise. • Outreach plan developed for all exercises. • Website refreshed to make it easier to find candidate resources, including revised guidance on competency-based applications. • Independent occupational psychology and diversity experts has reviewed previous QTs and other selection materials, and all recommendations have been implemented, including in improved commissioning brief. • JAC Advisory Group provided with all selection materials for comment. • 'Am I Ready' tools on website to enable candidates to assess their readiness to apply. |
| <p>Confidence in the selection process</p> <p>Risk: That stakeholders including: candidates; the judiciary; commissioners; panellists; MoJ; and staff do not have sufficient confidence in the selection process.</p> | <ul style="list-style-type: none"> • Significant policy developments subject to approval of Commission Board. • Minor policy developments subject to approval by Selection Exercise Programme Board chaired by Head of Ops and Head of Strategy and policy. • Customer feedback is collected on candidate experience in all selection exercises, and taken into account when reviewing and developing selection processes. • All major changes to the selection process are piloted, evaluated against business plan aims, and only taken forward if they deliver improvements. |
| <p>Confidence in the effective delivery of the selection exercises</p> <p>Risk: That stakeholders do not have sufficient confidence that the JAC can deliver a selection exercise or that it fails to deliver on merit and from a diverse field of candidates in an efficient and effective manner.</p> | <ul style="list-style-type: none"> • Agreed 2017-18 exercise programme aligned to available resources • Agreed rolling programme of key exercises to 2023 • Introduced lessons learned meetings to review operational issues. • Created an operations manual covering due process and emergency/recovery protocols. • A new operational training team has been created to ensure new and existing staff are able to deal with a range of responsibilities. |

| Risk | Mitigating Action |
|--|---|
| <p>Staff engagement and morale</p> <p>Risk: That staff engagement and morale reduces due to increased workloads, reduction in staff complement and poor performing systems.</p> | <ul style="list-style-type: none"> • Monthly meetings with senior leaders to discuss HR related issues, including staff resources and deployment of existing staff at each senior leaders' meeting. • Adoption of the TW3 concept of working to provide further flexibility of when and where staff can work through enhanced IT delivery. • People Plan launched in Sept 17. Reviewed in December 2017 to incorporate finding from 2017 People Survey. • Regular CEO stand-ups with staff, providing opportunity to disseminate information and gather feelings |
| <p>Loss of corporate knowledge</p> <p>Risk: That sufficient experience/knowledge of staff/commissioners remains to ensure that business delivers its priorities.</p> | <ul style="list-style-type: none"> • Re-appointment of a cadre of Commissioners for a further 6 months, with further extension requested. Recruitment of 7 new Commissioners to take place by the end of the year. • Appropriate knowledge transfer when staff leave to incoming staff, or to others to ensure business interruption kept to a minimum. • Job opportunities are advertised when required. • Cadre of Panellists now up to 65 with appropriate induction undertaken. |
| <p>Financial resources</p> <p>Risk: That financial resources are insufficient, either in current year, or next year, especially if large exercises are rolled forward.</p> | <ul style="list-style-type: none"> • Regular meetings with MoJ Sponsorship team to review the financial position and upcoming programme of work. There is an agreed understanding that the JAC is a demand led organisation and therefore the required budget is subject to change during the year. • Management accounts are reviewed monthly by Senior Leadership. • FOM agreement with MoJ that includes support from two financially qualified persons. • Regular contact with budget managers to ensure accurate forecasting. • Approval of business case submitted to MoJ requesting additional financial resources for 2017/18. |
| <p>Information security</p> <p>Risk: That data will be lost/purported or obtained by unauthorised persons.</p> | <ul style="list-style-type: none"> • Service management process in place for JARS suppliers to carry out regular security updates. • Anti-Virus software embedded in JARS platform. • Laptops and devices covered by MoJ Security updates. • Security policy and guidance to staff reviewed regularly. |
| <p>Delivery of the agreed selection exercise programme</p> <p>Risk: That the JAC is criticised for failing to deliver the agreed selection exercise programme with sufficient candidates of</p> | <ul style="list-style-type: none"> • Engagement of judges/HMCTS/JO as early as possible • 2017/18 programme of exercises agreed with Her Majesty's Courts and Tribunal Service. • Rolling programme of main court & tribunal exercises to 2023 agreed and published. |

| Risk | Mitigating Action |
|---|---|
| necessary quality to fulfil vacancy requests. | <ul style="list-style-type: none"><li data-bbox="671 159 1326 248">• Re-organisation of the operational team in effect from January 2018 to focus most experienced staff resource on high profile competitions. |