



**Recorder 2017**

**Report on administration and outcomes of  
scenario-based shortlisting test**

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## **Background**

In response to a request from the Lord Chancellor for 100 new Recorders for locations across England and Wales, the JAC launched a selection exercise on 1 February 2017. More than 2,400 candidates applied, an unprecedented number of candidates for a JAC exercise. The Lord Chancellor has now increased the number of vacancies to 150.

There are 4 stages in the selection process:

1. multiple-choice qualifying test
2. written scenario-based test
3. telephone assessment and self-assessment
4. selection day (interview and role play)

The stage 1 qualifying test which took place on 15 February 2017 was affected by a serious IT failure. In light of the problems experienced, the JAC decided to invite all candidates to proceed to stage 2 – the scenario test. The IT failure has been subject to an external investigation. The JAC has terminated a contract with an existing supplier and is working with another supplier to resolve the issues identified.

## **Administration of the scenario test**

The scenario test was administered on 7 March 2017 by email due to the IT problems experienced with the original qualifying test. The JAC decided to maintain the original 70 minute time limit, by running the test in time-limited slots. Candidates were offered a choice of twenty possible time slots over the course of the day between 6am and 8:30pm. In an effort to ensure candidates received their test before the beginning of their slot, the JAC emailed tests papers to candidates up to 15 minutes before. Candidates were instructed to complete and return their test within 70 minutes of receipt.

A number of candidates contacted the JAC either because their test had not arrived at the beginning of their slot, or because the test arrived early when they were not ready to take the test. An administrative error resulted in all candidates in one particular slot (8pm) being sent their test 45 minutes early. Where candidates made contact with the JAC, they were reassured about the timings involved and when their time slot would start. Every issue reported to the JAC before and after the test was logged and details filed.

## Outcomes of the test

2,413 candidates were invited to take the test. 2,222 test scripts were received and marked. This represents a candidate drop-out rate of 9%. This is the same as the first-stage drop-out rate in the 2016 Deputy District Judge (Magistrates Courts) exercise, which is the only other JAC exercise to date in which candidates were not asked to complete a self-assessment at application.

Every test script was marked by a panel consisting of an independent panel chair and a current or recently retired circuit judge. Marking was carried out independently of the consideration of any issues reported by candidates during the test. Panels did not see the candidates' names, any personal details, or details of any issues they reported. The lead judges who were responsible for drafting the test and took part in its marking were content with its quality and integrity as a shortlisting tool. There was also a high level of satisfaction reported by the dry run candidates.

60 marks were available. The average score was 26.5 marks. Chart 1 shows the distribution of scores. If we had not seen a normal distribution, or if the distribution were skewed, this may have indicated a flaw in the test. In this case, there is a normal distribution, covering almost the full range of available marks, with no skew. On this basis, there is no suggestion that the reported issues with the administration of the test had a significant, wide-ranging effect on candidates' performance.

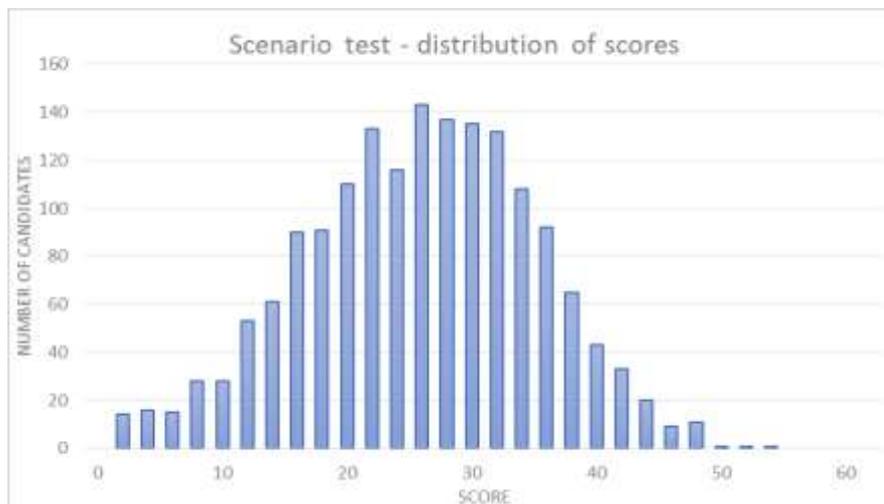


Chart 1 – Distribution of scores

Chart 2 compares the distribution of scores among candidates who reported that they were disadvantaged by the difficulties they encountered in the test against candidates who did not report any issues<sup>1</sup>. Again, this shows that the difficulties encountered did not have an obvious effect on many candidates' scores. The average score among candidates who **did** report administrative issues was 27. The average score among candidates who **did not** report administrative issues was 25.9.

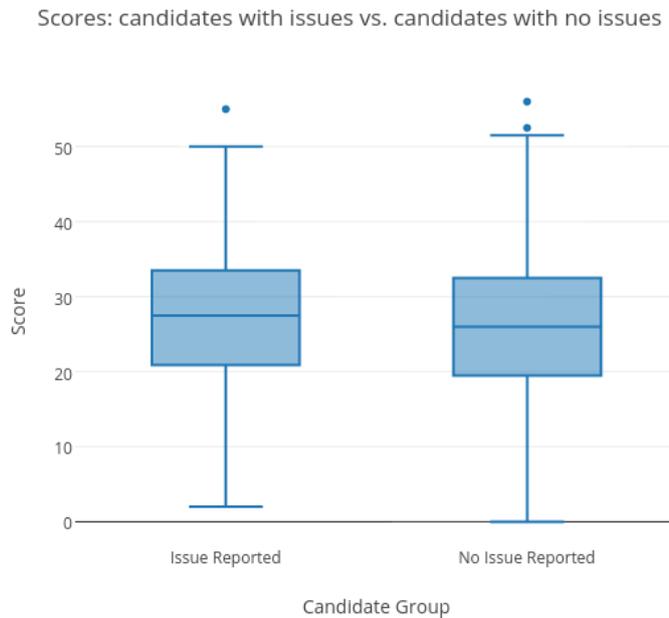


Chart 2 – Distribution of scores for candidates who reported administrative issues vs. candidates who did not

The baseline passing score for this shortlisting test was determined by the score of the candidate at the 60<sup>th</sup> percentile; that is, the score which was achieved or exceeded by 40% of candidates. This is a greater percentage of candidates than would have been taken forward in this test at the second stage as originally planned, reflecting the fact the test was now being used as the first stage of shortlisting. The baseline passing score was 29.5.

However, in recognition of the administrative issues some candidates faced, and the possibility that candidates could have been disadvantaged or advantaged by the administration of the test, the Commission decided to:

- **increase the number of places available** at the next stage of the test by a prudent estimate of the number of candidates who may have been advantaged by early access to the test materials. This was to ensure that no candidate would be displaced at the next stage of the exercise by a candidate who was advantaged. 266 extra places were created at the next stage for this reason, bringing the passing score after this adjustment to 26.5 and;

<sup>1</sup> This boxplot summarises the distributions of scores in each of the two groups. Each plot divides the distribution into quartiles. The highest and lowest quartiles are shown by the vertical lines at the top and bottom of the plot. The middle two quartiles are shown by the box, so the middle-scoring 50% of candidates scored in this range. The horizontal line in the middle of the box represents the median score. The dots represent outliers.

- **where individuals had reported problems, the JAC looked at each case individually.** If the difficulties encountered by a candidate were considered likely to have been material to their outcome, that candidate was allowed to progress to the next stage of the exercise. Whether the effect was material was judged in relation to how far below the adjusted passing score the candidate fell and the severity of the difficulties reported.
  - Candidates whose scores were within 5 points of the adjusted passing score, who believed that they were disadvantaged, were reviewed personally by JAC Commissioners. 72 candidates below the adjusted passing score were allowed to progress due to the difficulties they experienced
  - 7 candidates who were considered by JAC Commissioners to have encountered severe difficulties beyond their control due to the administration of the test were allowed to progress to the next stage irrespective of their score
  - 488 candidates who reported difficulties fell above the passing score. As these candidates would progress to the next stage irrespective of their difficulties, the JAC decided not to investigate these cases further

## **Moderation**

A moderation exercise was carried out on 29 March 2017. The exercise was focused on providing assurance around the marking and was independent of any consideration of candidates' circumstances. In line with JAC's moderation process, test scripts which were close to the passing score, or which had been flagged by panels as needing a second opinion, were marked by a second panel. Any significant differences were discussed and scores were agreed.

Once all the above adjustments were made, the number of candidates who have been invited to participate in the next stage of the exercise will be 1,229.

## **Next steps**

The score from the scenario test stands alone (as would have also been the case with the stage 1 qualifying test) and plays no part in the assessment stages which follow.

The next stage will involve a telephone assessment and provision of a self-assessment. Both will be taken into account by the panel when deciding which candidates to invite to the final selection day stage. At the final selection day stage, the self-assessment, and the panel's summary of the telephone assessment, will be available to the panel, alongside independent assessments.

In light of the extra places made available at telephone assessment stage, and the new requirement of 150 vacancies, we have agreed with our partners in the judiciary that telephone assessments will take place over a longer period between May and June. Selection days will now take place in September.