



Qualifying Test Feedback Report

**134 Chair and 135 Senior Chair Health Services
Products (Pricing, Cost Control and Information)
Appeals Tribunal**

25 July 2019

Purpose

The purpose of this report is to provide general feedback on candidate performance in the **134 Chair and 135 Senior Chair Health Services Products (Pricing, Cost Control and Information) Appeals Tribunal** online qualifying test. The report describes how the Judicial Appointments Commission (JAC) developed the test and marking schedule, and how the test was structured.

Additionally, it provides information on the overall performance of candidates in the test. In this test the pass mark was 68%.

Competency framework

The test was divided into 2 parts. Part 1 included a situational judgement test and Part 2 included a critical analysis test. The situational judgement test was designed to assess the following competencies:

- Exercising Judgement
- Working and Communicating with Others
- Managing Work Efficiently

The critical analysis test was designed to assess the following competencies:

- Possessing and Building Knowledge
- Assimilating and Clarifying Information

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 Chair or Senior Chair 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 situational judgment test were devised by a Chamber President of the First-tier tribunal.

In common with all qualifying tests used by the JAC, both the tests and marking schedules were subject to extensive quality – and equality – assurance processes, including review by the JAC Advisory Group. The JAC Advisory Group – comprising senior members of the judiciary and representatives of the legal profession and chaired by a lay JAC Commissioner – offered advice and guidance during the development of the tests.

The effectiveness of the test was also assessed by means of a dry-run with a range of volunteers from relevant candidate groups. This provided an opportunity to trial the test material and make any necessary amendments.

Structure of the test

The qualifying test was a 2-part online multiple-choice test, comprising of 40 questions in total, lasting for 90 minutes:

- Part 1 (multiple choice) – Situational Judgement (45 minutes, 20 questions)
- Part 2 (multiple choice) – Critical Analysis (45 minutes, 20 questions)

In **Part 1**, all of the situations used in the questions were hypothetical and no prior knowledge of rules or procedures was required. No advance reading was required. Candidates were not being assessed on whether or not they knew the right answer based on knowledge or experience. They were assessed on their reading of a situation and their ability to judge the effectiveness of different responses. There was a best response and a least appropriate response answer to each question, attracting 1 mark each.

In **Part 2**, the questions were based on the Employment Tribunal Judgment of *Rackham v NHS Professionals Limited* [2015] UKEAT 0110/15. Candidates had to select 1 answer from 4 possible responses to each question. Each correct response attracted 1 mark.

Marking of the test

Both parts of the test were marked automatically. A total of 60 marks were available in this test. In Part 1, 40 marks were available (1 mark for the most appropriate response and 1 mark for the least appropriate response per question) and in Part 2, 20 marks were available (1 mark for each correct response per question).

Distribution of marks

A total of **93** candidates took the test. Answers were scored automatically and a merit list was developed based on candidates' scores.

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

Part	Highest score	Lowest score
1.Situational Judgement	29/40 (5 candidates)	11/40 (1 candidate)
2. Critical Analysis	20/20 (8 candidates)	12/20 (1 candidate)

The test provided a good spread of candidate scores:

- in the critical analysis test, 8 candidates scored the maximum possible marks
- in the situational judgement test, no candidate scored the maximum mark and only 5 candidates scored over 70%

For the situational judgement test, candidate scores were as follows:

- the lowest candidate score was equivalent to 27%
- the highest candidate score was equivalent to 72%
- the average candidate score was equivalent to 58%

For the critical analysis test, candidate scores were as follows:

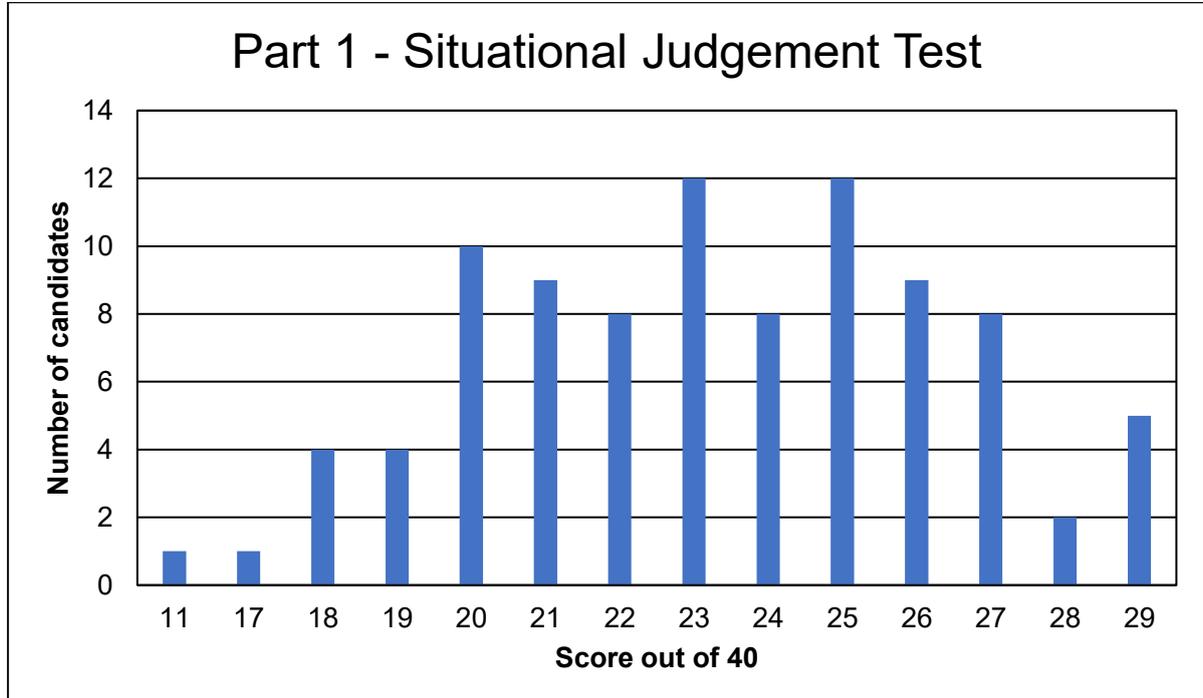
- the lowest candidate score was equivalent to 60%
- the highest candidate score was equivalent to 100%
- the average candidate score was equivalent to 86%

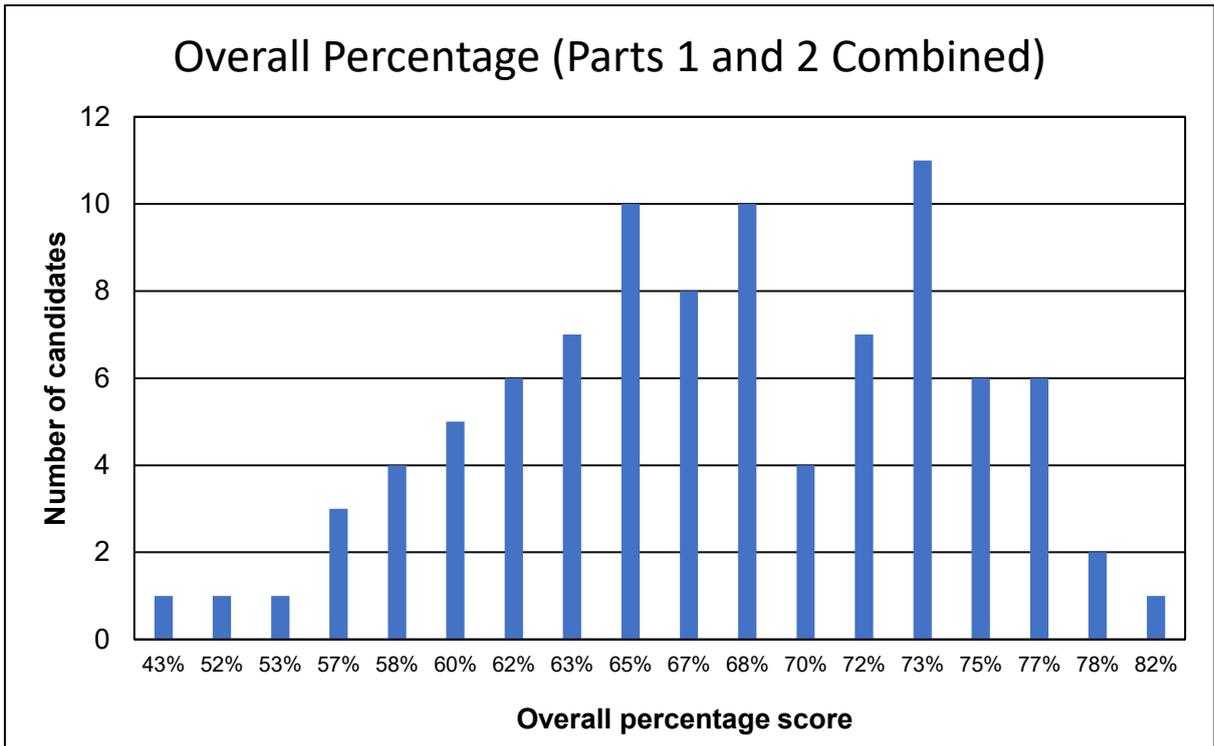
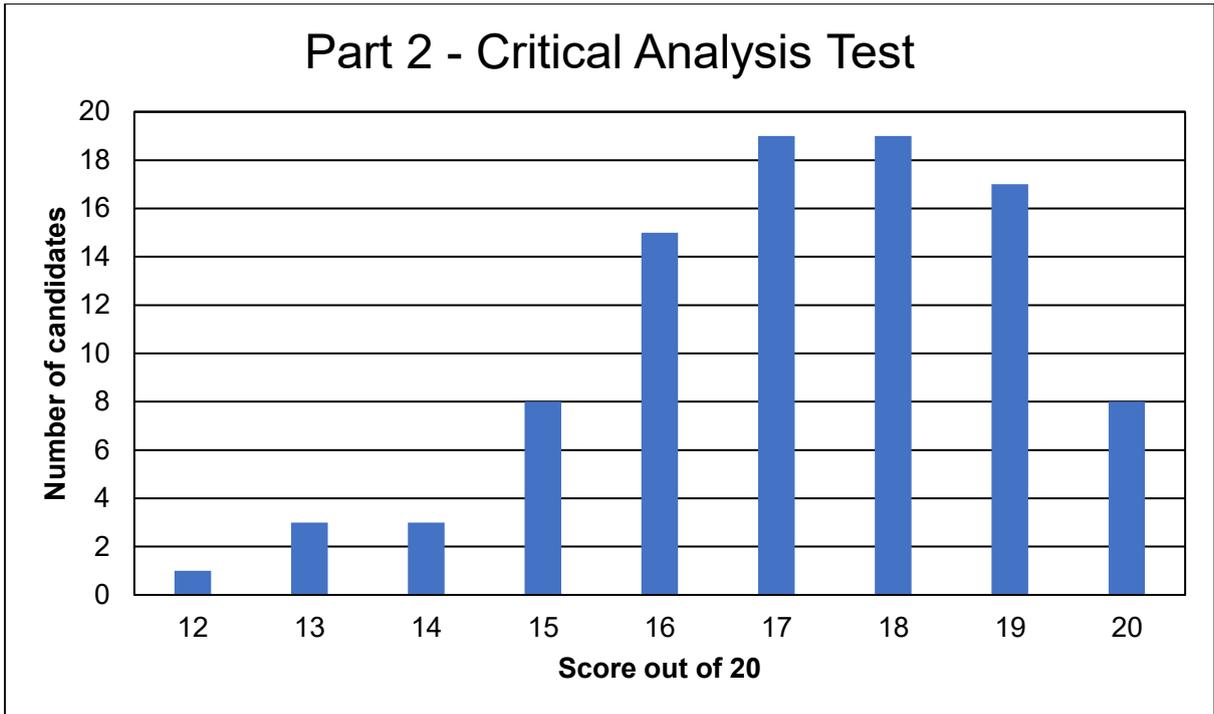
When both parts of the test were combined, overall candidate scores were as follows:

- the lowest candidate score was equivalent to 43%
- the highest candidate score was equivalent to 81%
- the average candidate score was equivalent to 67%

We calculated candidates' overall percentage scores by combining their scores from both parts of the test.

The charts below show the range of scores in Part 1 (Situational Judgement Test), Part 2 (Critical Analysis Test) and candidates' overall percentage scores across both parts of the test.





Approach to shortlisting

When the JAC receives a vacancy request from Her Majesty’s Courts & Tribunals Service 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 to 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. If 2 or more candidates

have the same score we will take all those candidates through, this is what we call bunching.

In any online test those candidates who score below 30% do not proceed. In this exercise the pass mark was 68%, and all candidates scoring that percentage or higher were taken to the next selection stage. Candidates scoring below 68% did not proceed because their score was lower than the pass mark.

The pass mark is determined by the number of candidates needed at the next selection stage, which varies between different exercises. If a candidate exceeds the time allocated for the test their answers are not scored and they do not proceed to the next stage.

Feedback from candidates

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

32 candidates responded to the survey. Based on the results of the candidate survey, when completing the test:

Asked about the difficulty of the test:

- around 55% of candidates found it easy to complete the test
- around 30% of candidates found it difficult to complete the test
- nearly 15% of candidates were not sure whether the test was easy or difficult to complete

Asked about the accessibility of the test online:

- around 67% of candidates found it easy to access the test online
- around 33% of candidates found it difficult to access the test online

In terms of understanding the instructions about the qualifying test:

- around 87% of candidates found the instructions easy to understand
- around 12% of candidates found it difficult to understand the instructions
- around 1% of candidates were unsure whether it was easy or difficult to understand

Asked if the test enabled them to demonstrate how they would tackle daily challenges working in a tribunal:

- around 64% of candidates agreed
- around 21% of candidates disagreed
- around 15% of candidates were unsure

Asked if the critical analysis test enabled them to demonstrate how they would analyse facts to form a judgement:

- around 55% of candidates agreed
- around 27% of candidates disagreed
- around 18% of candidates were unsure

In terms of accessibility, format, language used and topics covered:

- around 91% of candidates said the qualifying test was useful
- around 9% of candidates said the qualifying test was not useful