



Tribunals Service

Tribunals Service
Framework Document

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Foreword by the Lord Chancellor



Since coming to this department in 2003 I have overseen a programme of radical reform within the justice system. The establishment of the Tribunals Service is a significant milestone in that process. It is the first major reform of the system of tribunals for over fifty years. For the first time we are

bringing together, in one organisation, the administration of all of the major central government tribunals.

I regard these reforms as a crucial part of my Department's aim to improve services to the public. Tribunals can seem to be a neglected area of the justice system yet they are a vital public service. They provide a means of redress to some of the most vulnerable people in our society on issues which have a huge impact on individuals' lives: issues of employment, welfare benefits, asylum, special educational needs and mental health to name but a few.

The Tribunals Service will bring coherence to an area which has hitherto been found to be disparate and overly complicated, as Sir Andrew Leggatt's review of tribunals in 2001 found. As a single body, the Tribunals Service will be able to bring greater commonality of standards and efficiency to this system, resulting in a more responsive and focussed service for users and efficiencies for tax payers.

The Tribunals Service will play a major role in delivering the goals set out in the July 2004 White Paper 'Transforming Public Services: Complaints, Redress and Tribunals' by setting up innovative pilot projects for finding alternative dispute resolution mechanisms and finding ways of improving the quality of original decisions.

This development will bring about substantial and lasting benefits to tribunal users and communities. I wish the new Tribunals Service, its staff, and the judiciary the very best in this new enterprise which I know they will take on with enthusiasm and commitment.

Lord Falconer of Thoroton
The Lord Chancellor

The Tribunals Service is an executive agency of the Department for Constitutional Affairs (DCA). The Chief Executive of the Tribunals Service (also referred to in this document as 'the agency') is responsible to the Lord Chancellor for the effective operation of the agency.

The agency provides support to the judiciary and tribunal users to ensure the impartial and efficient operation of the tribunals it administers. As set out in his statement to the House of Lords on 26 January 2004, the Lord Chancellor is committed to upholding the independence of the judiciary and ensuring that it is supported by an efficient and effective system of administration.

As a key service-delivery arm of DCA, the Tribunals Service plays an important part in implementing the Lord Chancellor's agenda for a modern justice system. It works collaboratively with other government departments and agencies to ensure that it meets the Government's priorities and objectives for the delivery of public services.

The Chief Executive sets a challenging strategy and performance framework which supports DCA's 5-year strategy objectives and Public Service Agreements (PSAs). He is supported by a Management Board consisting of executive and non-executive directors which provides strategic oversight and direction to the agency.

The Tribunals Service was formed by bringing together the tribunals already administered by DCA with five other tribunals from across Government. These five tribunals were: the Employment Tribunals Service (ETS), the Appeals Service, the Mental Health Review Tribunal (MHRT), the Special Educational Needs and Disability Tribunal (SENDIST) and the Criminal Injuries Compensation Appeals Panel (CICAP). It is the intention that further tribunals will join the Service in future years and that new tribunals will be created within the Tribunals Service. A full list of the members of the Tribunals Service in 2006 is at Annex 2.

Some of the jurisdictions of the Tribunals Service extend across the United Kingdom, some cover Great Britain, others cover England only.

2 Purpose, vision and values

Purpose

The primary tasks of the Tribunals Service are:

- to provide a responsive and efficient tribunals administration
 - to contribute to the improvement of the quality of decision-making across government
 - to reform the tribunals justice system for the benefit of its customers and the wider public, and
 - to promote and protect the independence of the judiciary.
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Vision

In delivering our primary tasks we aim to be a modern, customer-focused organisation that delivers excellent performance in improving the quality of original decision making and the resolution of tribunals disputes. We will:

- work effectively in partnership with the judiciary and others
 - drive up standards of original decision making
 - use creativity and innovation to transform service delivery
 - provide customers with choice, where possible, in the way they access services
 - engage with everyone - staff, customers and stakeholders - at each stage of the business, and
 - make efficient and effective use of resources.
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Values

In common with the rest of DCA we will value:

- customers - putting our customers first
 - achievement - valuing our people and their contributions to service delivery and making the Tribunals Service a place where people are proud to work
 - leadership and teamwork - giving people the freedom and support to succeed
 - personal responsibility - doing what we promise and making a difference, and
 - diversity - recognising that we are all different.
-

3 Serving the tribunal user

The Tribunals Service is committed to the following principles of public service:

- high standards of service delivery
- continuous improvement and development of services
- flexibility in delivering services to tribunal users
- expanding choice in the delivery of services to tribunal users.

In support of these principles, the Tribunals Service is committed to delivering high standards of service to all users. Services that are accessible to and valued by their users are crucial to a modern justice system.

The Tribunals Service values the views of all those who use its services and works with all tribunal users in an open and consultative manner.

The agency conducts regular surveys as part of its performance monitoring system. It uses the results of such discussion and surveys to set standards and to further improve and extend the service it offers to meet the needs of its users. The Tribunals Service monitors all comments and complaints it receives and aims to respond constructively in line with published complaints procedures.

Targets are set for the achievement of specified levels of performance and service in all areas of the agency's work. Key targets are published in the agency's plans and reported on in the Annual Report. The Management Board ensures that targets and levels of performance are met and that an excellent service is provided to users.

The Tribunals Service is committed to seeking Charter Mark status.

4 Relationships with other organisations

The majority of tribunals within the Tribunals Service were administered by DCA prior to the Service's launch. They have well established relationships and maintain regular contact with their respective originating decision-makers and other government departments. The frequency and nature of this contact is tailored to the individual needs of the respective jurisdictions.

Five tribunals transferred into the Tribunals Service in April 2006 from other government departments. Ministers of the Department for Constitutional Affairs, Home Office, Department of Trade and Industry, Department of Health and Department for Work and Pensions agreed the transfer of legislative and administrative responsibilities and resources in respect of these tribunals' jurisdictions and the former sponsor departments' continuing policy responsibilities.

The structures and processes by which relationships between the Tribunals Service and the former sponsor departments of the five transferred tribunals are conducted are set out in Partnership Agreements. These set out the process of interaction in respect of policy formation and change, first instance decision-making and effective review by tribunals.

Partnership Agreements ensure that a close and structured relationship is maintained between the Tribunals Service, DCA and the Government Departments with policy responsibility for decision-making and legislating in respect of decisions which carry a right of appeal in the Tribunals Service.

New policy proposals

The Cabinet Office guidance on the Regulatory Impact Assessment signposts to other government departments considering new policy proposals which

may impact on tribunals, the need to contact DCA. This is to ensure that they have considered all possible costs involved and that they have considered the most appropriate appeals mechanism.

The reorganisation within the DCA's Tribunals Group, which was undertaken alongside the creation of the Tribunals Service agency, enabled a more seamless transition from a proposed new policy or extension to a tribunal jurisdiction, to the operational implementation.

The Devolved Administrations

Responsibility for administering devolved tribunals remains with the relevant administration in Wales, Scotland or Northern Ireland. Any proposed changes to legislation or policy that governs tribunals will be a matter of close communication with the devolved administrations.

Council on Tribunals

The Tribunals Service co-operates with the Council on Tribunals and provides assistance and information necessary for the Council to:

- carry out its statutory function of keeping under review, and reporting on, the constitution and working of the tribunals listed in Schedule 1 to the Tribunals and Inquiries Act, and
- advise the agency on the working of the tribunals administered by the agency.

In furtherance of these objectives the Council will also be invited to provide members to sit on boards and committees of the Tribunals Service as agreed.

5 The relationship with the Judiciary

The Tribunals Service is committed to establishing and maintaining good relations with all members of the tribunals judiciary.

The Senior President

The Senior President of Tribunals is nominated by the Lord Chief Justice of England and Wales with the concurrence of the Lord Chancellor, the Lord President of the Court of Session and the Lord Chief Justice of Northern Ireland. At the launch of the agency the office of Senior President was a non-statutory role.

Subject to the statutory responsibilities of tribunal presidents, the role of the Senior President is to represent and provide strategic leadership to the tribunals judiciary, and to co-ordinate and direct judicial contributions to the development of the Tribunals Service.

Responsibilities of the Chief Executive

The Chief Executive will:

- (a) support the judiciary in carrying out its judicial and management functions
- (b) work closely with the judiciary in developing and implementing changes which directly affect the way in which tribunals work, and
- (c) fully consult the judiciary on all other matters in which the judiciary has a legitimate interest and only implement any changes after that consultation has taken place.

The Tribunals Service provides appropriate support to the tribunals judiciary including the Senior President. The Chief Executive and his staff work with all tribunals' judicial office holders to ensure that all parties are enabled to carry out their respective responsibilities.

The Chief Executive ensures that all of the agency's activities are conducted in

accordance with the statutory duties and powers of the Lord Chancellor and Secretary of State and any agreements in place between the Lord Chancellor, the Chief Justices, the Senior President and presidents of tribunals.

Resources

In determining priorities across the Tribunals Service, the Chief Executive allocates available resources effectively. The Chief Executive holds at least two separate bilateral discussions during the year with representatives of the tribunals judiciary, providing the opportunity for their input into future resource planning of the agency.

The Tribunals Service's annual Business Plan is discussed with the Senior President, as are plans for dealing with any major in-year change in resource allocation which may materially affect the performance of the agency.

The Chief Executive consults the appropriate senior members of the tribunals judiciary on any proposals to reorganise local or regional management structures or the distribution of hearing locations.

Judicial Training

The Senior President and jurisdictional presidents are responsible for judicial training in tribunals. The Chief Executive is responsible for ensuring that adequate resources are available to plan, manage and deliver the required training for judiciary and panel members within Tribunals Service administered tribunals.

Judicial Appointments

The tribunals judiciary will work together with Tribunals Service staff to ensure robust annual forecasts of future competition requirements for judicial appointments in the Tribunals Service are reached.

Lord Chancellor

The Lord Chancellor is accountable to Parliament for the Tribunals Service. He appoints a Chief Executive to manage the agency and delegates to the Chief Executive, through the Permanent Secretary, responsibility for the exercise of its functions.

The Lord Chancellor allocates resources to the Tribunals Service and approves the agency's purpose, vision and values, as well as its Strategic Plan and its annual Business Plan, and sets the annual performance targets that the agency is to achieve. Regular reports on performance against those plans and targets are provided to the Lord Chancellor. The Lord Chancellor will not normally intervene in the day to day management of the agency, but will expect to be consulted by the Chief Executive on the handling of operational matters which could give rise to substantial public, Parliamentary or judicial concern. There will be at least one formal meeting a year between Ministers and the Tribunals Service to discuss the agency's performance and plans. The Chief Executive will have right of access to the responsible Minister when necessary.

Permanent Secretary

The Permanent Secretary, as permanent head of DCA, is the Department for Constitutional Affairs' principal adviser to Ministers on matters affecting the department as a whole, including resource allocation and expenditure.

The Permanent Secretary is responsible for advising the Lord Chancellor on the allocation of departmental resources, on the Tribunals Service Framework

Document and on the setting, after consultation with the Chief Executive, of appropriate financial and non-financial performance targets for the Tribunals Service.

The Permanent Secretary is responsible for supporting the Tribunals Service Chief Executive so that he can ensure that the strategic direction and management of the Tribunals Service operates in the context of wider departmental or cross governmental objectives. In particular he is responsible for ensuring that the agency's purpose, vision and aims support the Department's wider strategic aims and Public Service Agreements.

The Permanent Secretary is responsible for agreeing the framework for strategic performance management for the Tribunals Service. The Permanent Secretary is supported in these responsibilities by a performance management team within DCA, who seek performance management via a balanced scorecard approach to allow the DCA to establish how the agency is performing. It also informs the performance meetings with the Chief Executive in support of the Permanent Secretary's responsibilities.

The Permanent Secretary is the Principal Accounting Officer for DCA and is responsible for ensuring a high standard of financial management in the department overall and, in particular, will have to be satisfied that the Tribunals Service has adequate financial systems and procedures in place both to promote the efficient and economical conduct of its business and to safeguard financial propriety and regularity. The Permanent Secretary also has overarching responsibility for risk management, control and governance.

The Chief Executive

The Chief Executive will be responsible and accountable to the Lord Chancellor through the Permanent Secretary for the effective, efficient and economic day-to-day management of the agency. As Agency Accounting Officer, the Chief Executive is personally responsible for safeguarding the public funds for which he shall have charge and ensuring propriety and regularity in the handling of those public funds. The Chief Executive must ensure that the requirements of Government Accounting and any general guidance issued by the Treasury, Cabinet Office, and the DCA are observed.

In particular the Chief Executive will:

- advise on the implications of strategic performance information
- advise on the funding and resources required by the Tribunals Service, to meet their agreed outcomes
- ensure the Tribunals Service effectively contributes to the delivery of DCA's objectives and PSAs; and objectives of other government departments in so far as they impact on the delivery of justice through tribunals
- ensure that the Tribunals Service has the delegations and authorities necessary for effective delivery and continuous improvement
- establish the agency's national policies and business strategy
- set and monitor a challenging performance framework
- establish the framework for the allocation of resources within the agency's overall spending framework
- ensure that strong partnerships are established with the tribunals judiciary and that their judicial independence is respected by the agency
- ensure regularity and propriety in the handling of public funds by the agency
- establish sound risk management and corporate governance practices
- ensure that audited accounts are prepared and then sign them
- ensure the quality of services provided and operate an effective complaints procedure, and
- ensure that the recommendations of the Constitutional Affairs Select Committee, the Committee of Public Accounts and other parliamentary committees accepted by Government and notified to the Chief Executive are put into effect and provide regular reports to the Permanent Secretary on progress on compliance.

Parliamentary Committees

The Chief Executive and the Permanent Secretary may be summoned to appear before the Committee for Public Accounts concerning their respective Accounting Officer responsibilities. The Constitutional Affairs Select Committee has a remit to examine the expenditure, administration and policy of the DCA, including the Tribunals Service, and may hold evidence sessions. Whilst the committee can ask for named individuals it is ultimately for the Minister to decide who should appear. Where the subject of the hearing is the day to day operation of the Tribunals Service, the Minister will normally invite the Chief Executive to attend.

Parliamentary Commissioner for Administration

The administrative work of the Tribunals Service will be subject to the jurisdiction of the Parliamentary Commissioner for Administration (PCA). The Permanent Secretary is the Principal Officer of the department for the purpose of PCA referrals but will delegate responsibility for reporting and replying on matters concerning the Tribunals Service to the Chief Executive.

Parliamentary Questions and Parliamentary Correspondence

The Lord Chancellor, or the relevant junior Minister, will normally respond personally to parliamentary questions addressed to them by a Member of Parliament (MP) or Peer. The same applies to correspondence from MPs or Peers. Members of Parliament and Peers can write to the Chief Executive rather than the Lord Chancellor on matters concerning the day to day operation of the Tribunals Service. However, the majority of MPs and Peers will write directly to DCA ministers.

Financial Delegations

The financial delegation arrangements for the Chief Executive as Agency Accounting Officer are set out in Annex I.

All aspects of planning, finance and control in the Tribunals Service take place according to the Government's spending review cycle and within any further timetable agreed with the Lord Chancellor. The agency is part of the Department for Constitutional Affairs and its plans support the aims and objectives of the Department and the Government.

The Tribunals Service is financed as part of the overall DCA Departmental Expenditure Limit (DEL). Financial delegations to the Tribunals Service may be reviewed in the context of its Strategic Plan and are agreed by the DCA Departmental Management Board and Ministerial Executive Board. The Principal Accounting Officer and the Chief Executive will jointly negotiate any new delegations or changes to existing delegations with HM Treasury.

Subject to standard government supply procedures, the Chief Executive has authority to approve all expenditure within the DEL, which is consistent with the Strategic and Business Plans. The Chief Executive also has authority to approve any Annually Managed Expenditure (AME) which is provided by HM Treasury and is consistent with the agency's plans.

The Chief Executive is accountable for expenditure on the operation of the Tribunals Service in delivering its services. The Chief Executive must be satisfied that expenditure on services provided to the Tribunals Service by the DCA (and which is not therefore within the agency) has effective management systems including financial monitoring and control systems.

The Chief Executive has responsibility for ensuring that the Tribunals Service can account for its assets.

The Chief Executive will follow the guidance on the treatment of losses and special payments set out in Government Accounting and the DCA Finance Manual. The Chief Executive is delegated a limit to authorise write off losses and make special payments which he will not exceed in any one instance. All claims of a value exceeding these limits should be referred to DCA Corporate Finance.

Delegated Authorities

The Chief Executive as the Agency Accounting Officer, has the right to approve all items of expenditure, use receipts, let contracts, write off losses and make special payments which are within the provision of this document and consistent with the agency's plans.

Internal Delegations

The Chief Executive may delegate to the Directors of the Tribunals Service and to other line managers authority to purchase goods and services including manpower, pay invoices and use receipts, as far as considered necessary, within the needs for financial control and propriety. Funding will be allocated as formal budgets to the heads of the business units concerned, who will be personally responsible for ensuring that their expenditure is consistent with the policies of the Tribunals Service and the ambit of the DCA's vote. Delegated authorities will be clearly defined in a finance manual or equivalent instructions, and will be consistent with the rules of Government Accounting and the internal accounting policies laid down by the Chief Executive.

General Accounting Rules

The Tribunals Service is subject to the rules and policies laid down by HM Treasury in Government Accounting and other accounting instructions which are issued from time to time.

Annual Report and Accounts

The Chief Executive, as Accounting Officer, is responsible for producing and signing an audited Annual Report and Accounts on the performance of the Tribunals Service during the previous financial year; which includes:

- a review of the agency's activities during the year
- performance against key targets and against the annual Business Plan
- the agency's financial position;
- the agency's Statement on Internal Control, and
- any additional information the Lord Chancellor may, from time to time, specify.

The Annual Report includes a set of annual financial accounts on an accruals basis. The accounts are produced in accordance with a direction issued by HM Treasury under Section 7 of the Government Resources and Accounts Act 2000 and are audited by the Comptroller and Auditor General. The Lord Chancellor lays the Annual Report before Parliament.

Information on performance against key performance targets is included in the notes to the accounts. This information is within the scope of the Comptroller and Auditor General's audit.

The aim will be to publish the Tribunals Service Annual Report in a time frame that allows the DCA to publish Consolidated Resource Accounts before the start of summer recess in the financial year following the year to which it relates.

Fees

The Tribunals Service is able to charge fees as set out in its governing legislation. Policy on charging and accounting for any fees collected by the Tribunals Service is a matter for agreement between the Tribunals Service and DCA and should follow current guidance on fees and charges issued by HM Treasury.

All aspects of planning, finance and control in the Tribunals Service take place according to the Government's public expenditure cycle and are developed as part of the DCA's Public Service Agreement. There is also a joined-up approach to planning with other departments and agencies whose activities have an impact on the tribunals system.

The timing and extent of any reviews of the agency will be decided in the context of the Spending Review process and DCA business planning cycle. The Tribunals Service's Strategic and Business Plans will take into account the recommendations of any DCA reviews or broader reviews within the justice system as they impact on the agency.

Performance Indicators

The agency aims to meet any targets contained within the DCA Public Service Agreements (PSAs) that are set for it. The Lord Chancellor will set other Key Performance Indicators (KPIs) and annual targets for the Tribunals Service.

Tribunals Service Plan

Each year the Tribunals Service produces a plan that sets out detailed activities for the forthcoming financial year and includes an outline strategy for the next three years. The plan is submitted to the Lord Chancellor for approval.

The plan will include:

- priorities and work programme for the year
- key assumptions on workload and the resources available
- the targets for achievement against the Tribunals Service's key performance indicators, and
- the Tribunals Service's supporting indicators and their targets.

Where another government department retains a policy interest which is impacted upon by the Tribunals Service's plans, communication in respect of that aspect of the plans will be conducted via agreed bilateral arrangements.

The Chief Executive will submit the Business Plan to the Lord Chancellor in draft for approval prior to the start of the financial year to which it applies.

The Business Plan will be published annually. The aim will be to publish the Business and Strategic Plans in advance of the financial year(s) to which they relate.

If there are major unforeseen changes to the Tribunals Service's operating assumptions, the Business Plan may need to be revised during the course of a financial year. The Chief Executive will submit proposed changes to plans to the Lord Chancellor for approval.

Reporting on Performance

The Chief Executive reports regularly to the Lord Chancellor. The Chief Executive also ensures reports are received by the DCA boards, on an agreed basis, on:

- performance against key targets and standards of service
- expenditure against provision
- levels of staffing, and
- such other matters as the Lord Chancellor may specifically require.

Risk Management

The Chief Executive must ensure that a formal assessment of risk management is embedded into the business to support his annual Statement of Internal Control. The principles of the framework follow the DCA strategy for risk management.

Internal Audit

The Chief Executive is responsible for making arrangements for the provision of internal audit services within the Tribunals Service. The DCA Internal Audit Division or other auditors may be used provided that the service is delivered according to the standards and best practice set by HM Treasury and, in particular, in adherence to the Government Internal Audit Standards. The DCA Internal Audit Division has a right of access to the Tribunals Service in support of the Permanent Secretary's responsibilities as Principal Accounting Officer. This right of access also extends to any other internal auditors that may be used, including if the service is contracted out.

Audit Committee

An independent Audit Committee is appointed to support the Chief Executive, as Agency Accounting Officer, in monitoring the agency's corporate governance, risk and control systems. The Audit Committee has a non-executive chair and membership and functions in accordance with the Cabinet Office guidance on codes of practice for board members of public bodies and the Treasury's Audit Committee guidance.

The Audit Committee advises the Agency Accounting Officer on the:

- strategic processes for risk management, control and governance
- accounting policies and the accounts of the organisation
- planned activity and results of both internal and external audit
- adequacy of management response to issues identified by audit activity
- assurances relating to the corporate governance requirements for the organisation
- (where appropriate) proposals for tendering for Internal Audit services or for purchase of non-audit services from contractors who provide audit services
- delivery of services to the agency, as well as the impact on the operation of the agency of any programmes or projects being undertaken either jointly with or external to the agency (i.e. by DCA or any other organisation), and
- outcome of investigations on any matter brought to its attention, within the scope of its duties.

The Chair of the Tribunals Service Audit Committee will maintain effective communication arrangements with the DCA Corporate Audit Committee on governance, control and risk management arrangements. This will include attending meetings between the Chairs of the Department's audit committees to discuss issues of mutual interest and making the Tribunals Service Audit Committee minutes available to the Corporate Audit Committee.

External Audit

The Comptroller and Auditor General audits the agency's expenditure and income, examines their regularity and propriety and certify and reports on the agency's Statement of Accounts. The Comptroller and Auditor General sends copies of all management letters and correspondence relating to those letters to the Department's Finance Director. For the avoidance of doubt, this requirement does not apply to drafts of management letters.

The Comptroller and Auditor General has access to the agency's books and records by virtue of the National Audit Act 1983 for the purposes of carrying out examinations into the economy, efficiency and effectiveness with which the agency has used its resources and discharged its functions.

11 Support Services

The operation of the agency is facilitated by a range of support services, such as Human Resources, Finance, IT, Procurement, Estates and Internal Audit. Procurement of professional services will be subject to DCA and central guidance.

Some support functions are located within the agency, others are provided by DCA corporate services. Where the latter is the case, the agency enters into a Memorandum of Understanding (MoU) in respect of that service with the DCA or HM Courts Service corporate service provider.

12 Judicial Services Directorate

A separate Memorandum of Understanding sets out the relationship of the Tribunals Service to the Judicial Services Directorate in DCA's Judicial Delivery Group. In summary, the respective roles and responsibilities are as follows:

Overall judicial policy including policy on salaries, fees, terms and conditions

Judicial Services Directorate (JSD) are responsible for DCA's overall policies in respect of judicial office holders, including their terms and conditions. The Tribunals Service will be responsible for the costs of the salaries and fees of judicial office holders in tribunals and of their travel and subsistence. They will therefore be consulted on and invited to contribute to the development of these policies.

JSD will lead on the annual liaison with the Senior Salaries Review Board in setting judicial salaries. However, the Tribunals Service will be consulted throughout the process and will provide input when it is appropriate.

Judicial Payroll services

JSD provide judicial payroll and pensions services to the salaried office-holders within the Tribunals Service. The Tribunals Service are responsible for notifying JSD promptly of all changes affecting judicial salaries.

The system for the payment of fees will be provided directly to the Tribunals Service by Liberata. DCA Finance Division manage DCA's corporate relationship with Liberata for this service.

Relations with the Judicial Appointments Commission

The Tribunals Service and JSD will work together to ensure that robust forecasts of future competition requirements are provided to the Judicial Appointments Commission (JAC). The Tribunals Service will provide the JAC with specific competition or vacancy requests (ensuring that JSD are kept aware and that such do not materially impact on agreed Business Plans).

Judicial Human Resources and Support Services

JSD will provide services related to appointments (renewals, retirements) consulting with the Tribunals Service as necessary.

The Judicial Office for England and Wales will also provide services to tribunals. These services are the subject of a separate agreement between the Senior President of Tribunals and the Judicial Office.

13 Human Resources

The Tribunals Service Chief Executive will have responsibility for:

- establishing the organisational structure and managing staff
- securing the funding for the Tribunals Service HR service delivery and delegating authority to DCA Human Resources Directorate (HRD)
- implementing corporate people management policies and systems, including pay and grading, development, performance management
- communicating corporate people management issues, developments, and policies to staff
- providing feedback to DCA HRD on the impact of people management policies and systems, and advising on developments that may affect them, and
- specifying the requirements for posts to be filled and providing resources at key stages of the selection process.

Delivery of HR services is through a 'shared services' model provided by DCA HRD, working in partnership with managers in the agency. This model involves:

- a DCA HR corporate centre, which develops HR strategy; sets and maintains corporate standards; supports corporate and Cabinet Office led initiatives; and provides leadership in areas of specialism and in managing corporate HR assets
- a team of business partners aligned to the business to ensure that HR needs are met

- a dedicated team in HRD who provide transactional services to the agency such as management of recruitment and selection and changes to payroll, and
- a dedicated team in HRD who provide specialist services such as welfare advisers, development trainers and employee relations casework teams.

Key to the shared services model will be HR Business Partners. HR Business Partners are DCA HR professionals that are assigned to a particular part of the business.

HRD have developed a Human Resource (HR) strategy in conjunction with the Tribunals Service to support the successful delivery of the Department's objectives through its people. The HR strategy will apply to all parts of the Department and its agencies, including the Tribunals Service. The strategy will provide an overall direction for HR activity and inform the development of supporting plans in the Tribunals Service. Delivery of the strategy will be supported by the Departmental HR systems, policies and processes.

HRD will develop the detailed arrangements for a HR policy framework (which will be reflected in a DCA employee manual and associated documents) that will apply to the Tribunals Service. HRD will also provide advice and support to the agency on departmental policies and employment legislation. HRD will update these departmental policies to reflect legislative changes.

The policies covered in the HR policy framework will include:

- conduct and discipline, and grievance procedures
- diversity
- reward management including pay, grading and benefits
- industrial relations
- learning and development, and
- welfare.

The HR Business Partners for the Tribunals Service act as advisors on people issues to the Chief Executive and the senior management team, and work to ensure that the HR business needs of all parts of the agency are met in practice. The HR Business Partners should ensure that the Tribunals Service senior management take full account of people issues when developing Strategic and Business Plans and when key decisions are made. They should ensure that the Tribunals Service has a people plan that supports the delivery of business objectives and is aligned and integrated with the overall DCA HR strategy.

The HR Business Partners devise HR people plans to support the business, which includes a Learning and Development plan; lead change planning and implementation; and the acquisition of appropriate human resources. The Business Partners collaborate with HR specialists who work with line managers in the agency where long-term local support is needed, for example in reviewing training and development needs where there is a high incidence of discipline and grievance situations.

The Lead HR Business Partner is not a member of the management board, but will be expected to produce reports for

the board on a regular basis and attend meetings if requested to do so.

HRD has in place a Memorandum of Understanding (MoU) with the Tribunal Service which sets out the broad principles of the relationship between HRD and the agency. This MoU is underpinned by specific targets in the departmental human resources business plan, which is produced annually and signed off by the DCA Board. The MoU is reviewed every three years (or before that if HR priorities change, although this needs to be agreed between the HR Director and the Chief Executive). The Director of Human Resources in DCA holds quarterly review meetings with the Chief Executive.

Pay, Grading and Benefits

DCA Human Resources Division is responsible for all policy on pay and benefits for Tribunals Service staff, including pay negotiations, which are undertaken in consultation with the Tribunals Service and trade unions. The pay remit has to be agreed by the DCA and HM Treasury. HRD consults the Tribunals Service Board about proposed remits.

Chief Executive

The Chief Executive is appointed according to relevant Cabinet Office guidelines. The appointment must be approved by the Lord Chancellor, the Prime Minister and, because of its Accounting Officer responsibilities, HM Treasury.

The Chief Executive's remuneration is agreed in accordance with the arrangements for members of the Senior Civil Service (Pay Band 2). Annual pay awards are determined in accordance with the performance management and reward arrangements for the SCS.

DCA eDelivery Group (eDG) has developed an overarching DCA Information and Communication Technology strategy and accompanying policies for Information Technology (IT). This framework will support the implementation of IT within its agencies, including the Tribunals Service during the IT transition under the Development, Innovation and Support Contracts (DISC) Programme and in the future post-transition. eDG will work with the Tribunals Service to develop a specific Information Systems (IS) Strategy that supports the agency's business strategy. This IS Strategy will set out a road map for the development of information systems that supports the objectives of the business for between 3-5 years.

The IT Strategy will support the business by ensuring that:

- IT developments comply with DCA and government standards for resilience, capacity, performance and inter-operation
- IT developments can meet demands for business growth in the next 2/3 years
- the business meets data standards in order to meet obligations to exchange data with customers and partners, and
- development standards to support the achievement of best value in procurement, support and future development, in particular converging IT to enable DISC suppliers to deliver improved value for money.

The IS Strategy will support the business by ensuring that:

- systems support business strategy developments are designed to achieve:
 - centralisation
 - back office administration
 - document management
 - eRM, and
 - customer management.
- developments provide maximum flexibility to the business through access of services irrespective of geographical location
- maximum business benefit is achieved from investments by avoiding duplication, re-using technology, and utilising commercially available solutions
- simplifications in requirements definition are sought to accelerate definition stage, reducing numbers of requests for change and improving quality of the IS and IT, and
- overall numbers of solutions in similar areas of business will be reduced whilst meeting future needs.

Delivery of IT services to the Tribunals Service is through a shared services model provided by eDG working in partnership with managers in the field. eDG will provide an IT Business Partner to act as the primary point of contact for IT between eDG and the Tribunals.

A Memorandum of Understanding (MoU) describes how IT services will be provided to the Tribunals Service by eDelivery Group and how the Tribunals Service and eDG will work together to deliver IT based change. It also describes how the Tribunals Service and eDG will work together to deliver continuous improvement in the services they provide to the public. The MoU is intended to set the context for this relationship. It describes the responsibilities of the Tribunals and eDG, including those for:

- provision of IT Services, including those provided by external suppliers
- delivery of IT programmes and projects, including their business justification, governance, conformance to policy and standards, and realisation of their objectives and benefits
- IT Policy and Direction, with corporate IT strategy and plans aligned to the overall Business Strategy and plans, and
- provision and management of IT Funding.

The MoU will be reviewed, at minimum, on an annual basis.

This Framework Document will be reviewed formally at least every three years by DCA, in consultation with the Tribunals Service. However, DCA or the Tribunals Service may propose amendments at any time, and the Minister will be responsible for consulting all those concerned with proposals for amendments, including a Treasury Minister and the Senior President of Tribunals.

Copies of this Framework Document and of any subsequent amendments will be published and placed in the libraries of both Houses of Parliament. Copies are available from the Tribunals Service website.

Any questions concerning the interpretation of this document shall be resolved by agreement between the Tribunals Service and the DCA. Any variations to the provisions of the Framework Document shall be made by written agreement between the Tribunals Service and the DCA, involving HM Treasury as appropriate.

Financial Delegations

The Tribunals Service, as an executive agency and delivery arm of DCA, participates in the regular finance, risk and performance reporting of DCA as a whole.

The Tribunals Service will seek approval, via DCA Corporate Finance, for expenditure commitments which require HMT agreement. (See table of Delegated Authorities below)

Within the Tribunals Service expenditure commitments will be entered into under a structure of budget allocations and delegated authorities set by the Chief Executive, in concurrence as need be with the Tribunals Service Management Board, and in line with DCA's corporate governance standards. These will provide effective delegation to business managers and the highest practical responsibility for them consistent with corporate assurance and control.

To support DCA's corporate financial management, the Tribunals Service will inform DCA Corporate Finance of future expenditure commitments

and expectations, and will give DCA Corporate Finance advance warning of sizeable changes in commitments, to enable DCA's Departmental Management Board to manage overall financing. Arrangements will vary from time to time.

The Tribunals Service's capital expenditure will be managed in line with an investment strategy agreed prospectively as part of DCA's full Investment Strategy, updated each year. Within this, the Tribunals Service will inform DCA Corporate Finance of expected dates and values of forthcoming commitments.

More generally the Tribunals Service will discuss with DCA Corporate Finance proposals which by value, duration or change in delivery structure, are of strategic significance to DCA.

Subject to the terms of Government Accounting and any other relevant Treasury Guidance, the Chief Executive has delegated authority to incur expenditure on individual items except where they exceed the following amounts, which reflect the total cost:

Function	Amount and Conditions
	Delegated Authority from 1 April 2006
Property and Construction Projects	Capital Expenditure of £10m
IT Projects	Capital Expenditure of £10m
PFI Projects	Capital Value of £20m
Indemnity Grants	£0.1m
Write-offs	Limit of £0.1m. DCA Finance Division to be kept informed of all novel and/or contentious cases and those likely to result in payment of more than £0.1m within the wider organisation
Losses	
Special payments	
Ex gratias	
Compensation	

These delegated authorities are subject to periodic review.

Annex 2

From April 2006 the Tribunals Service provides the administration for:

Adjudicator to HM Land Registry
Appeal Tribunals (Social Security and Child Support appeals)
Asylum and Immigration Tribunal
Criminal Injuries Compensation Appeals Panel
Employment Appeals Tribunal
Employment Tribunals for England and Wales
Employment Tribunals for Scotland
Financial Services and Markets Tribunal
Gender Recognition Panel
General Commissioners of Income Tax
Immigration Services Tribunal
Information Tribunal
Lands Tribunal for England and Wales
Mental Health Review Tribunals for England
Pathogens Access Appeal Commission
Pensions Appeal Tribunals for England and Wales
Pensions Regulator Tribunal
Proscribed Organisations Appeal Commission
Social Security and Child Support Commissioners
Special Commissioners of Income Tax
Special Educational Needs and Disability Tribunal
Special Immigration Appeals Commission
Transport Tribunal
VAT and Duties Tribunals

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