



dca

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Justice, rights and democracy

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12th October 2006

Now that the Framework Document, based on the model provided by the Treasury, has been agreed, I am writing about the points you raised during the latter stages of the process.

I am happy to provide assurances about the Department's role and responsibilities in relation to these points, some of which are only applicable in the first year of operation or relate to processes that will be reviewed later this year.

I thought it would be helpful to provide the assurances under the headings set out in your Annex.

Joint Engagement

The Department will provide constructive support for the JAC in its inaugural year, especially as there was no shadow running of the organisation. This will include giving due consideration to the timescale for proper business planning and performance reporting.

The Department and JAC will share responsibilities for issues arising from DCA-completed competitions pre-launch and those covered under transitional arrangements. This will involve considering each case on its merit and circumstances and who is best placed to deal. This would include dealing with complaints, any employment tribunal cases and associated costs, and reporting on appointment statistics.

Resources

The Department will advise the Lord Chancellor on an appropriate budget for the JAC in light of the overall public expenditure priorities of the Department, with a view to ensuring that sufficient funding is allocated to the JAC for the efficient and effective delivery of its agreed objectives.

As part of this the Department will use its best endeavours to provide an indicative allocation for the year ahead in January. Where the financial position of the Department makes this impossible, it will provide its best estimate, to allow for timely production of the Corporate and Business plans for the period ahead.

The Department's sponsorship team will lead discussions between the JAC, the HMCS and the Tribunal Service, to resolve any problems arising from unforeseen demands (e.g. variations or new in-year competitions). This will include reviewing the financial position of the JAC and considering possible options including the provision of additional funds.

Policy

The Department will advise the JAC of overall policy requirements in respect of judicial services and subsequent policy changes.

The Department will consult with the JAC about any proposed changes which may have an impact on the JAC's Business Plan at the appropriate time in order that the JAC may appropriately inform the decision-making process and subsequent outcome.

The Department will advise the JAC on changes in government guidelines that are disseminated via the Department, in a timely manner.

The Department will take the lead in seeking or making changes to policy issues identified by the JAC, where it is appropriate to do so.

Selection Exercise Programme

The Department will work with the JAC to ensure timely judicial appointments. It will seek to meet the agreed requirements and procedures, which may be subject to amendment from time to time in the light of experience and developing policies. Such amendments to be agreed by all parties.

At the time of the launch of the JAC, these included:

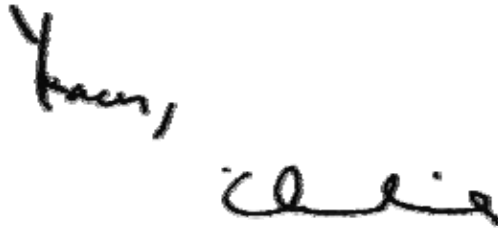
- The commissioning of bids/forecasts in order to provide information to the JAC by September each year.
- Where variations or additional requests for competitions are made which affect the agreed Business Plan, the Department's sponsorship team will lead a discussion with the business area and the JAC to determine solutions. This will include an examination of the Selection Exercise Programme to see whether it can be adjusted, and/or whether additional resources would be required.
- The usual requirement will be for Vacancy Requests, job descriptions, eligibility provisions and terms and conditions to be provided at least 8 weeks (where this is practicable) before a competition is advertised. They must be provided in sufficient time to allow the JAC to prepare fully for each competition. If a competition arises at short notice and has not been included in the competition programme, the period between providing the Vacancy Request, job description, eligibility provisions and terms and conditions of appointment and the advertising of the competition may, of necessity, be very short.
- Working with the JAC to ensure that candidates' applications are handled as expeditiously as possible. This will include ensuring that:

- a) The JAC's reports on competitions are considered in a timely way,
- b) Issues around medical checks are handled expeditiously and sensitively and the JAC is kept informed of progress.

Shared Services

Finally, I am happy to confirm that the DCA will ensure that shared service requirements are delivered to the JAC to a high standard, in a timely manner and in accordance with all Memorandums of Understanding, and that day-to-day responsibility for this rest with the parties to those memorandums.

I hope that this letter addresses your concerns and that we can move quickly to the successful delivery of the JAC's business objectives.

A handwritten signature in black ink, appearing to read 'Falconer', written in a cursive style.

LORD FALCONER OF THOROTON