
A FRAMEWORK FOR TRIBUNAL EXCELLENCE



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**Tribunal
Performance
and Quality**

**Eight Areas
for Tribunal
Excellence**

**Core
Tribunal
Values**

CONTENTS

A. Introduction	1
B. The Core Tribunal Values	2
C. A Framework for Tribunal Excellence	4
D. Assessing Tribunal Excellence	25
E. Identifying Areas for Improvement	28
F. References	30
G. Tribunal Excellence Questionnaire	31

A. Introduction

Tribunals play a fundamental role in the day to day lives of citizens, businesses and government. The structure, jurisdiction, workload and funding mechanisms of tribunals vary widely.

Tribunals are an important part of the justice system in many countries. They provide a quick, cheap and relatively informal means of dispute resolution.

Tribunals adjudicate a range of different types of disputes, including:

- **civil disputes:** eg. between consumers and traders, tenants and landlords;
- **human rights:** eg. discrimination, mental health and guardianship
- **administrative law (the citizen and the State):** eg. licensing and regulatory disputes, professional discipline, planning and the environment and freedom of information.

Excellent tribunals resolve disputes and decide cases in a fair, accessible and efficient manner within a reasonable timeframe. They interpret the law consistently, impartially and independently to protect the rights of the community the tribunal serves.

This *Framework for Tribunal Excellence* (the *Framework*) is intended to assist tribunals to deliver the quality services essential to fulfil their critical role in society.

The *Framework* is a resource for assessing a tribunal's performance against eight areas of tribunal excellence and will assist tribunals intent on improving their performance. It provides a model methodology for continuous evaluation and improvement.

The *Framework* draws on the work of the International Consortium which developed the "International Framework for Court Excellence" (www.courtexcellence.com) but has been substantially modified to reflect the particular needs of tribunals.

Comment

The *Framework* is a draft document. It will be piloted with a number of tribunals in 2011 and a final version published early in 2012.

Your feedback is valued and will be taken into account in the development of the final version of the *Framework*. If you have any comments on the *Framework* plan go to www.vcat.vic.gov.au and follow the prompts.

B. The Core Tribunal Values

“It should never be forgotten that tribunals exist for users, and not the other way round. No matter how good tribunals may be, they do not fulfil their function unless they are accessible by the people who want to use them, and unless the users receive the help they need to prepare and present their cases.” Sir Andrew Leggatt, 2001

Tribunals are independent of government and, within the scope of the relevant legal framework, the members of tribunals exercise individual judgment in arriving at their decisions.

There is broad agreement regarding the core values that tribunals apply in carrying out their roles. The most important values to the successful functioning of tribunals are:

- Equality before the law;
- Fairness;
- Impartiality;
- Independence;

- Respect for the Law;
- Accessibility;
- Competence;
- Integrity;
- Accountability; and
- Efficiency.

These core values guarantee due process and equal protection of the law to all those who have proceedings before tribunals. They provide a frame of reference for the assessment of tribunal excellence.

Values such as fairness and impartiality set the standards for the conduct of tribunal cases.

The values of independence, respect for the law and competence are primarily related to the ability of the tribunal members to make decisions based solely on the application of the relevant law to the facts of the case. Integrity includes the transparency and propriety of the process, the decision and the decision maker. Justice must not only be done but seen to be done.

Accessibility incorporates the ease of gaining entry to the legal process (including, for example, reasonable filing fees and access to an interpreter), and obtaining accurate, complete information about the tribunal process.

Efficiency incorporates timeliness and proportionate transaction costs. Proportionality is about ensuring that legal costs and other costs incurred in connection with a proceeding are reasonable and proportionate to the complexity and importance of the issues in dispute and the sum at stake. Timeliness reflects a balance between

the time required to properly obtain, present and weigh the evidence, law and arguments, and unreasonable delay due to inefficient processes and insufficient resources.

A shared understanding of organisational values provides a tribunal with a shared direction. Shared values, such as fairness, impartiality, independence, transparency, efficiency and competence, endorsed by tribunal members and staff become the dominant organisational culture of a tribunal.

These shared values are embedded in the eight individual areas of measurement specified in the *Framework*. One of the most important tasks for the leader of a tribunal is the promotion of shared values. It is the responsibility of the presiding member of the tribunal to encourage understanding of and adherence to common values, such as independence, fairness, integrity and efficiency.

The promotion of shared values can be facilitated by different forms of internal and external communication and the way in which the tribunal is managed. Common tribunal values can also be promoted through the adoption of a mission statement reflecting the tribunal's shared values. The realisation of a tribunal's statement of shared values can be supported by a member competency framework, member appraisal and a structured professional development program to enhance the competence and capacity of the tribunal's members and staff.



Equality before the law
Fairness
Impartiality
Independence
Respect for the Law
Accessibility
Competence
Integrity
Accountability
Efficiency

C. A Framework for Tribunal Excellence

Delivering justice is not simply about predictable, just decisions. The parties who appear before tribunals, and the community generally, have a legitimate interest in procedural justice.

About tribunal excellence

Tribunal excellence has two broad dimensions:

- predictable, just decisions; and
- procedural justice.

Predictability is about certainty. Different tribunal members faced with the same facts should, broadly speaking, reach the same outcome. Of course tribunal decisions often involve the exercise of a discretion and on the same facts different tribunal members may legitimately reach different conclusions. But such discretions must be exercised judicially and within acceptable parameters.

A 'just decision' is one based solely on the application of the relevant law to the facts of the case.

Procedural justice includes, but is not limited to, the legal concept of procedural fairness. It also embraces a judgment about whether a tribunal process is fair in a more abstract sense. In a review of the literature about the factors driving public and participant satisfaction with courts and tribunals Moorhead, Sefton and Scanlan (2008) concluded:

"... the weight of the evidence suggests that it is participant judgments about the fairness of the process not the outcomes that participants receive which are most important in influencing the levels of their satisfaction ... the suggestion that satisfaction is simply dependent upon outcome, driven solely by the self interest of each participant, and somehow an anathema to justice, is challenged by the evidence. Even losing parties may gain some satisfaction from a process which is palpably just."

In this context ‘participants’ includes witnesses, parties and their representatives. In this document ‘participants’ and ‘users’ are used interchangeably.

To a significant extent tribunals, like other justice institutions, are dependent upon community support for their legitimacy.

Satisfaction with the process of justice has been found to have a measurable effect on society as a whole. Such satisfaction contributes to the perceived legitimacy of the justice system and there is some evidence that it affects the behaviour of citizens, increasing their respect for the law (Moorhead, Sefton and Scanlan, 2008; Tyler, 2006; Tyler and Huo, 2002; Cascardi, Poythress and Hall, 2000).

Measures of public and participant satisfaction are a close proxy for the value of procedural justice.

Participant and public perceptions about the fairness of process (ie. about procedural justice) depend on a complex mix of factors. Moorhead, Sefton and Scanlan (2008) found that five process oriented factors contributed to the perception of fairness, and hence satisfaction:

1. The expectations of, and information provided to, participants.
2. The quality of participation granted to participants (ie. the extent to which, and the process through which, participants are able to get their story out in a way they view as accurate and fair).
3. The quality of treatment and, in particular, the respect shown to the participant during their time at the tribunal.
4. Issues of convenience and comfort – including timeliness and efficiency.
5. Judgments about tribunal members and staff – whether they were perceived as helpful and empathetic.

Delivering justice is not simply about predictable, just decisions. The parties who appear before tribunals and the community generally have a legitimate interest in procedural justice.

“... the suggestion that satisfaction is simply dependent upon outcome, driven solely by the self interest of each participant, and somehow an anathema to justice, is challenged by the evidence. Even losing parties may gain some satisfaction from a process which is palpably just.”

Moorhead, Sefton and Scanlan

The *Framework* is a resource for assessing a tribunal’s performance against eight areas of tribunal performance and provides guidance for tribunals intent on improving their performance.

The *Framework* provides a methodology for continuous evaluation and improvement that is specifically designed for use by tribunals.

The *Framework* is predicated on Core Tribunal Values set out in Part B of this document. These shared values are embedded into the eight individual areas of measurement specified in the *Framework*.

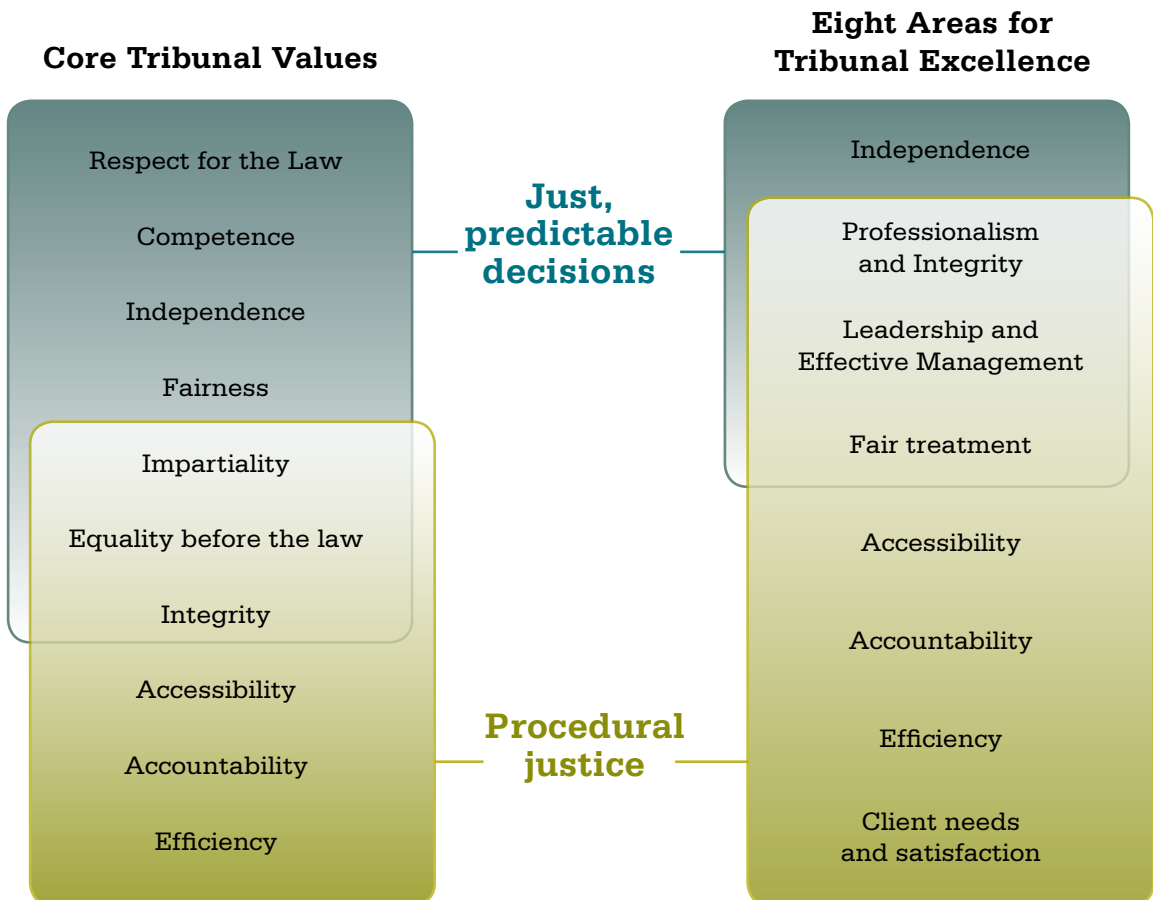
The *Framework* takes a whole of tribunal approach to achieving tribunal excellence rather than simply relying on a limited range of performance measures which only capture aspects of tribunal activity.



DRIVER	1. Independence 2. Leadership and Effective Management
DELIVERY	3. Fair treatment 4. Accessibility 5. Professionalism and Integrity 6. Accountability
RESULTS	7. Efficiency 8. Client needs and satisfaction

The two broad dimensions of Tribunal Excellence are closely related to the Core Tribunal Values and the Eight Areas of Tribunal Excellence – as shown in the diagram

below. Many of the core values and areas of excellence relate to **both** predictable, just decisions **and** the notion of procedural justice.



Measuring excellence

A series of indicia are identified within each of the Eight Areas of Tribunal Excellence. These indicia are put in the form of questions. Assessors are asked to answer the question based on a **0-5 point scale** depending on the extent to which the measure has been implemented. For example one of the questions put in relation to Accessibility is:

Accessibility measures	Rating					Score	
Does the tribunal publish user guides in its main areas of jurisdiction?	0	1	2	3	4	5	3
	No			Partially		Yes	

Some of the indicia are put in the form of **yes/no** propositions. For example one of the questions put in relation to Independence is:

Independence measures	Rating		Score
Is the tribunal established by statute?	0	5	5
	No	Yes	

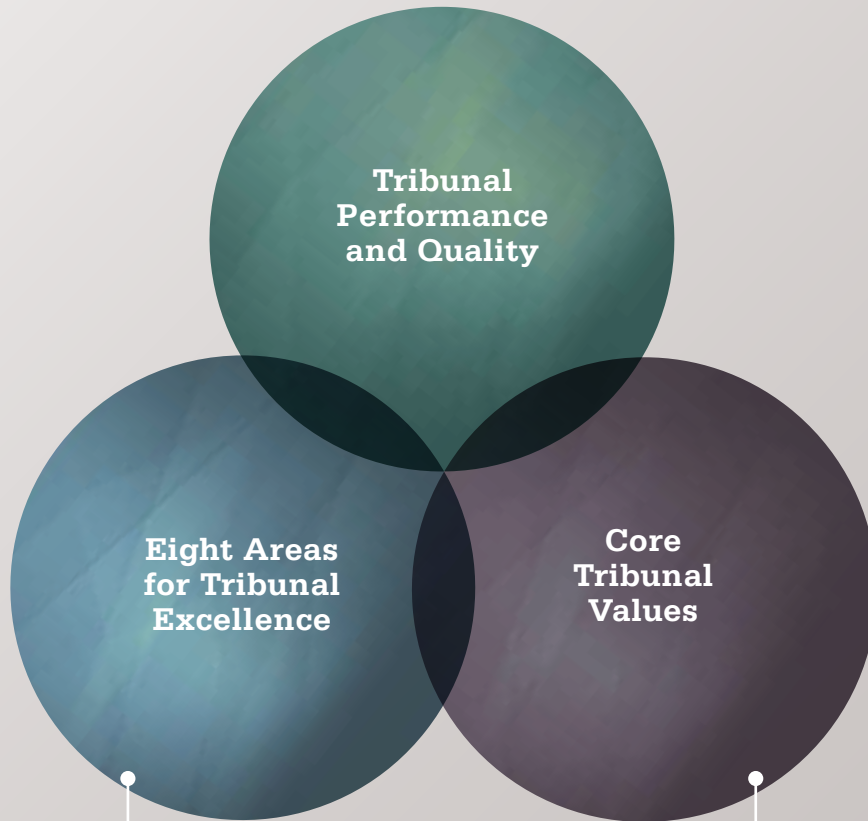
In addition to the individual measures, the **overall perception** in respect of each of the Eight Areas of Tribunal Excellence is measured on a scale from 0 to 10. An example:

Professionalism and integrity measures	Rating											Score
How do you rate the tribunal's overall professionalism and integrity?	0	1	2	3	4	5	6	7	8	9	10	7
	Very poor → Excellent											

Where a tribunal fits on the 0 to 10 scale depends on a consideration of all of the indicia within that area of excellence. The following table provides a guide for scoring overall perception:

0	None:	There is no activity in this area or the results show no improvement trends and have not met targets
2	Limited:	Poor results; or poor performance and/or little improvement trends in indicators, results not reported for most key indicators
4	Fair:	Good performance and/or improvement trends in some key indicators or early stages or obtaining comparative information or results reported for some key indicators
6	Good:	Good performance levels and/or improvement trends in most key indicators or there are favourable comparisons and/or benchmarks in some areas or results are reported for most key indicators
8	Very good:	Current performance levels are good to excellent in most key indicators and/or improvement trends are sustained in most areas or there are favourable comparisons or benchmarks in most areas or results are reported for all key indicators
10	Excellent:	Performance levels are excellent in most key indicators and/or there are exceptional improvement trends in most areas or there are exceptional comparisons and benchmarks in most areas; results are reported for all indicators

A Framework for Tribunal Excellence



DRIVER	<ol style="list-style-type: none"> 1. Independence 2. Leadership and Effective Management
DELIVERY	<ol style="list-style-type: none"> 3. Fair treatment 4. Accessibility 5. Professionalism and Integrity 6. Accountability
RESULTS	<ol style="list-style-type: none"> 7. Efficiency 8. Client needs and satisfaction

Equality before the law
Fairness
Impartiality
Independence
Respect for the Law
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Competence
Integrity
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Efficiency

Eight Areas for Tribunal Excellence

1. Independence

Independence is about the degree of separation from the Executive. A tribunal’s degree of independence will influence public perception about the extent of the tribunal’s impartiality. This is particularly important in tribunals

which deal with disputes involving the citizen and the State.

Impartiality is essential for the delivery of predictable, just decisions and the acceptance of those decisions by the public.

Independence measures

Rating

1. Is the tribunal established by statute?	0	5				
	No	Yes				
2. To what extent is the tribunal structurally (or institutionally) separate from the executive and legislative branches of the government?	0	1	2	3	4	5
	No separation		Partial separation			Full separation
3. To what extent is the process for the appointment/reappointment of members fair and transparent?	0	1	2	3	4	5
	Arbitrary and opaque					Completely fair and transparent
4. To what extent is the Tribunal functionally separate from the executive and legislative branches of the government?	0	1	2	3	4	5
	No separation		Partial separation			Full separation
5. To what extent does the tribunal control its own budget?	0	1	2	3	4	5
	No control at all		Some control			Total control
6. To what extent does the tribunal enjoy adjudicatory or decisional independence? For example, can decisions of the tribunal be overruled by the executive?	0	1	2	3	4	5
	No independence		Some independence			Full independence
7. To what extent do members of the tribunal have security of tenure during the term of their appointment in terms of legislative protection against arbitrary suspension, transfer or removal from office?	0	1	2	3	4	5
	No security		Some security			Tenure

Independence measures (cont'd)

Rating

<p>8. Do tribunal members enjoy personal immunity from suit?</p>	<p>0 No</p>	<p>5 Yes</p>		
<p>9. To what extent do individual members of the Tribunal enjoy adjudicatory or decisional independence? (This question addresses the requirement that all members of a tribunal must be independent from one another and must be, and seen to be, free from any actual or apparent form of influence, pressure or duress from, or interference by, a fellow tribunal member, including the head of the tribunal. It reflects another aspect of adjudicatory independence – namely internally independent decision making.)</p>	<p>0 No independence</p>	<p>1</p> <p>2 Some independence</p>	<p>3</p> <p>4 Full independence</p> <p>5</p>	
<p>10. To what extent does the tribunal have administrative independence in terms of the following: a. control over the buildings in which it presides and all necessary resources and facilities; and b. being provided with the means and resources, financial or otherwise, necessary for the proper fulfilment of functions and duties such as to allow for the due administration of justice</p>	<p>0 No independence</p>	<p>1</p> <p>2 Some independence</p>	<p>3</p> <p>4 Full independence</p> <p>5</p>	
<p>11. Do tribunal members have legislative protection against loss of office due to the abolition or reconstitution of the tribunal?</p>	<p>0 No</p>	<p>5 Yes</p>		
<p>12. Tenure (period of appointment)</p>	<p>0 <3 yr App.</p>	<p>1 5 yr App.</p>	<p>3 7 yr App.</p>	<p>5 > 7 yr App.</p>
<p>13. Overall perception of tribunal independence</p>	<p>0 1 2 3 4 5 6 7 8 9 10 None —————> Fully independent</p>			

2. Tribunal Leadership and Effective Management

Strong leadership requires the creation of a highly professional management group, the anticipation of changes in society (which can lead to changes in demand within a tribunal), as well as a focus on innovation and continuous improvement.

In most countries the head of tribunals are judges or experienced tribunal members with a high level of decision making expertise. This does not automatically guarantee that they are also the best managers for tribunals. Excellent tribunals may also engage non-member tribunal administrators who are professionally trained in financial and organisational management and may encourage them, as well as the tribunal members in leadership roles, to take part in courses to improve their management skills.

Innovation and flexibility of the tribunal organisations are important because of constant societal change: for example, an ageing population may lead to an increase in guardianship applications and the economic cycle may affect demand in tenancy and consumer claims jurisdictions. Excellent tribunal leaders recognise change early on. They actively involve staff and members in identifying challenges and solutions. They try to modify work processes and organisational structures as well as to implement innovative solutions that lead to improved performance results.

Other measures of strong leadership include the 'openness' of the organisation and accountability. This means that tribunals regularly publish their performance results and provide information on the quality of their service delivery to the public.

Strong tribunal leadership and management implies the promotion of the external orientation of tribunals, a proactive and professional management culture, accountability and openness, an eye for innovation and a proactive response to changes in society.

Excellent tribunals use a system of policies and plans to realise the objectives that have been formulated in terms of tribunal performance and quality.

Based on empirical data, excellent tribunals actively use tribunal policies to improve services. Policies may focus on strengthening specific values or the realisation of well-defined goals. A policy, for example, can aim at strengthening the unity of law by introducing guidelines for certain types of cases. In civil proceedings, a policy can encourage tribunal members to take an active role in utilising and enforcing standards for submitting documents or new evidence.

The best tribunals formulate, implement and assess clear policies and strategies for achieving performance objectives which they have set at an earlier stage.

Tribunal policies by themselves do not guarantee excellence in tribunal performance. What is important is how effective those policies are in meeting the tribunal's core values and the needs of tribunal users and the community.

Factors used to evaluate the tribunal's results include the:

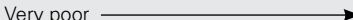
- current performance levels, relative to targets set
- performance levels relative to appropriate comparisons and/or benchmarks
- rate, breadth and importance of performance improvements
- linkages of results to key performance requirements identified in the tribunal's strategic plan

These factors should be taken into account in assessing the overall perception of the tribunal's leadership and management.

“A once-thriving institution may find itself in decline if it shows itself to be inflexible or otherwise unresponsive to changes in broader social needs and opportunities.”

Leadership measures

Rating

14. Has a vision for the tribunal been developed and translated into concrete, measurable objectives and priorities?	0	1	2	3	4	5					
	No		Partially			Yes					
15. Does the tribunal regularly assess how it needs to adapt to meet future demands?	0	1	2	3	4	5					
	No		Partially			Yes					
16. Is wide publicity given to the vision among stakeholders and the community?	0	1	2	3	4	5					
	No		Partially			Yes					
17. Is there a defined leadership group within the tribunal which meets on a regular basis?	0	1	2	3	4	5					
	No		Partially			Yes					
18. Does the leadership group promote a culture that stimulates and inspires innovation and continuous improvement?	0	1	2	3	4	5					
	No		Partially			Yes					
19. Does the tribunal regularly publish its performance results and provide information on its service delivery to the public?	0	1	2	3	4	5					
	No		Partially			Yes					
20. Overall perception of tribunal leadership and management	0	1	2	3	4	5	6	7	8	9	10
	Very poor  Excellent										

The provision of a fair hearing is at the very heart of a tribunal's obligations to the parties who appear before it.

An important element of the obligation to provide a fair hearing is the duty to provide assistance to parties and, in particular, self-represented parties.

3. Fair Treatment

The provision of a fair hearing is at the very heart of a tribunal's obligations to the parties who appear before it.

A fair hearing involves the opportunity to put your case – the right to be heard – and have the case determined impartially and according to law. It involves identifying the difficulties experienced by any party, whether due to lack of representation, unfamiliarity with the law, language, culture, disability or any other cause, and finding ways to help them through the tribunal process.

An important element of the obligation to provide a fair hearing is the duty to provide assistance to parties and in particular self-represented parties (sometimes called litigants in person). Members should identify the difficulties experienced by any party whether due to the law, language, culture, disability or any other cause, and find ways to help them through the tribunal process.

A report prepared by the Australian Institute of Judicial Administration to assist courts and tribunals in managing litigants in person makes the following observation about the disadvantage encountered by litigants in person that comes from a lack of objectivity:

“The problem of self representation is not just a lack of legal skills – it is also a problem of a lack of objectivity and emotional distance from their case. Litigants in person are not in a good position to assess the merits of their claim ...”

A tribunal has an obligation to assist a litigant in person to overcome these disadvantages, to the extent necessary to ensure a fair hearing.¹

1. Australian Institute of Judicial Administration, *Litigants in Person Management Plans: Issues for Courts and Tribunals* (Australian Institute of Judicial Administration, 2001) 13.

Fair treatment measures

Rating

21. Does the tribunal promote the obligation to provide a fair hearing?	0	1	2	3	4	5					
	No		Partially			Yes					
22. Does the tribunal provide a free interpreter service in all community languages?	0	1	2	3	4	5					
	No		Partially			Yes					
23. Does the tribunal promote cultural competency to tribunal members and staff?	0	1	2	3	4	5					
	No		Partially			Yes					
24. Are tribunal proceedings (in principle) open to the public?	0	1	2	3	4	5					
	No		Partially			Yes					
25. Are all hearings recorded?	0	1	2	3	4	5					
	No		Partially			Yes					
26. Are parties (and the public) able to obtain copies of recorded hearings at a reasonable cost?	0	1	2	3	4	5					
	No		Partially			Yes					
27. Are tribunal decisions subject to a fair and efficient appeal mechanism?	0	1	2	3	4	5					
	No		Partially			Yes					
28. How do you rate the tribunal's overall capacity to deliver fair treatment?	0	1	2	3	4	5	6	7	8	9	10
	Very poor \longrightarrow Excellent										

While a degree of structure and formality is required in all hearings we should repeatedly ask ourselves whether the needs of the tribunal are taking priority over the needs of the people who appear before it.

4. Accessibility

Access to justice is a fundamental human right. Tribunals have an obligation to provide the community they serve with access to a fair hearing.

While a degree of structure and formality is required in all hearings we should repeatedly ask ourselves whether the needs of the tribunal are taking priority over the needs of the people who appear before it.

Tribunal fees, forms and processes have an important impact on access to justice as does the extent of information and assistance provided to parties.

The place and time at which a tribunal sits to hear disputes also directly impacts on access to justice. Those living in regional and remote locations should have the same level of access to the tribunal as those who live in metropolitan areas.

The Australian Institute of Judicial Administration report *Courts and the Public* recommended:

“All [courts] should have a litigants in person plan that deals with every stage in the process, from filing through to enforcement, or the equivalent in criminal matters. This is recommended so that systematic attention is given to the issues. As part of the litigants in person plan guidelines should be prepared by judicial officers so that best practice is identified and shared between them as to how to conduct a hearing where one or more of the parties are unrepresented.”²

This observation applies with equal force to tribunals.

2. Stephen Parker, *Courts and the Public* (Australian Institute of Judicial Administration 1998).


Accessibility measures**Rating**

29. Does the tribunal have a litigant in person management plan?	0	1	2	3	4	5
	No		Partially			Yes
30. Are the tribunal's fees affordable and proportionate to the nature of the proceeding?	0	1	2	3	4	5
	No		Partially			Yes
31. Does the tribunal offer fee relief/waiver based on financial circumstances?	0	1	2	3	4	5
	No		Partially			Yes
32. Is there an on-line lodgement facility for tribunal applications?	0	1	2	3	4	5
	No		Partially			Yes
33. Does the tribunal provide access to telephone and videoconferencing facilities to save parties travel time and costs?	0	1	2	3	4	5
	No		Partially			Yes
34. Does the tribunal publish user guides in its main areas of jurisdiction?	0	1	2	3	4	5
	No		Partially			Yes
35. Does the tribunal have a functional and easy to access website?	0	1	2	3	4	5
	No		Partially			Yes
36. Is there access to pro-bono legal services?	0	1	2	3	4	5
	No		Partially			Yes
37. Are tribunal staff trained to explain tribunal processes and other practical information to tribunal visitors and users?	0	1	2	3	4	5
	No		Partially			Yes
38. Does the tribunal have an information desk or reception staff to assist visitors?	0	1	2	3	4	5
	No		Partially			Yes
39. Is there a provision to hold hearings in other locations away from the main location of the tribunal to reduce party travel time and transaction costs?	0	1	2	3	4	5
	No		Partially			Yes

Accessibility measures (cont'd)

Rating

40. Does the tribunal hold hearings at times which may be more convenient to the parties (eg. in the evenings and/or on weekends)?	0	1	2	3	4	5
	No		Partially			Yes
41. Do people with disabilities or elderly people have easy access to the tribunal?	0	1	2	3	4	5
	No		Partially			Yes
42. Are the waiting and hearing rooms properly equipped and of a reasonable standard?	0	1	2	3	4	5
	No		Partially			Yes
43. Are there rooms available where lawyers and other representatives can meet with their clients?	0	1	2	3	4	5
	No		Partially			Yes
44. Do tribunal members and other staff have sufficient time and training to provide parties with an appropriate level of assistance?	0	1	2	3	4	5
	No		Partially			Yes
45. Is appropriate advice provided by members to the participants in the proceedings, while still maintaining the impartiality and fairness of the tribunal?	0	1	2	3	4	5
	No		Partially			Yes
46. Are the participants in proceedings, and the public, treated with courtesy and respect?	0	1	2	3	4	5
	No		Partially			Yes

47. How do you rate the tribunal's overall accessibility to users and the public?	0	1	2	3	4	5	6	7	8	9	10
	Very poor  Excellent										

Tribunal members and staff are central to achieving tribunal excellence. The expectations of all members and staff must be clearly communicated and understood.

5. Professionalism and Integrity

Competency standards and associated performance benchmarks are one means of ensuring that members are aware of what is expected of them.

Key competencies together with performance indicators should be developed for all members. Such competencies include:

- knowledge and technical skills
- communication (including cultural competency and working with interpreters)
- decision making
- professionalism and integrity
- efficiency
- leadership and management

A competency framework provides fair and transparent criteria to facilitate the appraisal of tribunal members. It can also facilitate a competency based approach to training to ensure that an individual's ongoing professional development needs are met. These initiatives can be supported by a Code of Conduct for Members.

Similar initiatives should be developed and implemented for tribunal staff.

An appropriately resourced and strategically focused professional development program is a prerequisite for the delivery of the following key outcomes:

- **improved access to justice:** to better meet the needs of all parties
- **improved effectiveness:** by more efficient and consistent decision making
- **enhanced flexibility and efficiency:** by ensuring that members have the skills to sit in a range of different jurisdictions within the tribunal.



Member appraisal provides important feedback to members about their performance and in particular about the manner in which they conduct hearings. Appraisal can also provide an opportunity to reinforce the Code of Conduct and the need to treat all parties fairly and respectfully.

Appraisal can also provide a means of informing a member about any underperformance in meeting key competencies so that any issues can be addressed through further professional development.

Professionalism and integrity measures

Rating

48. Is there a competency framework for tribunal members?	0	1	2	3	4	5
	No		Partially			Yes
49. Does the tribunal have a strategic approach to professional development, aligned to key competencies?	0	1	2	3	4	5
	No		Partially			Yes
50. Is there a Code of Conduct for tribunal members?	0	1	2	3	4	5
	No		Partially			Yes
51. Is there a formal appraisal system for members?	0	1	2	3	4	5
	No		Partially			Yes
52. Are the number of successful challenges to tribunal decisions recorded and published?	0	1	2	3	4	5
	No		Partially			Yes
53. Is there an internal process for discussing decisions that have been overturned on appeal?	0	1	2	3	4	5
	No		Partially			Yes
54. Do tribunal members practice a form of peer review (discussion of cases between colleagues) or of supervision (discussion of cases with more qualified colleagues)?	0	1	2	3	4	5
	No		Partially			Yes
55. Are tribunal members taught ADR techniques (such as mediation)?	0	1	2	3	4	5
	No		Partially			Yes
56. Are there specific instruments used to promote legal certainty, for example an internal system for jurisprudence or the organisation of meetings to discuss relevant jurisprudence?	0	1	2	3	4	5
	No		Partially			Yes

57. How do you rate the tribunal's overall professionalism and integrity?

0 1 2 3 4 5 6 7 8 9 10
 Very poor —————> Excellent

6. Accountability

Tribunals serve the public through the provision of accessible, fair and efficient dispute resolution services. In delivering that service they are accountable to the public. An effective complaints mechanism is an important means of ensuring

that the public's expectations of members and staff are being met. Regular stakeholder/community engagement and reporting tribunal performance are also part of ensuring that the tribunal is accountable to the public.

Accountability measures

Rating

58. Does the tribunal provide an effective, transparent complaints mechanism?	0	1	2	3	4	5
	No		Partially			Yes
59. Is there regular reporting of tribunal performance to stakeholders?	0	1	2	3	4	5
	No		Partially			Yes
60. Does the tribunal undergo regular community/ stakeholder engagement?	0	1	2	3	4	5
	No		Partially			Yes
61. Are tribunal decisions publicised?	0	1	2	3	4	5
	No		Partially			Yes
62. Does the tribunal have "open days" to provide an opportunity for the community to visit the tribunal?	0	1	2	3	4	5
	No		Partially			Yes
63. Does the tribunal have a customer service charter?	0	1	2	3	4	5
	No		Partially			Yes
64. Does the tribunal regularly report on its performance?	0	1	2	3	4	5
	No		Partially			Yes
65. Does the tribunal produce a publicly available annual report which includes an audit of its financial accounts?	0	1	2	3	4	5
	No		Partially			Yes

66. How do you rate the tribunal's overall accountability?

0 1 2 3 4 5 6 7 8 9 10
 Very poor —————> Excellent

Tribunals should provide an efficient dispute resolution service in the sense that the tribunal is affordable and resolves disputes in an appropriate and timely way.

7. Efficiency

Tribunals should provide an efficient dispute resolution service in the sense that the tribunal is affordable and resolves disputes in an appropriate and timely way. The costs incurred by the parties and the tribunal resources allocated to a proceeding must be reasonable and proportionate to the complexity and importance of the issues and the amount in dispute. Efficiency is also about the fair distribution of workload across tribunal members and staff.

Timeliness reflects a balance between the time required to properly obtain, present and weigh the evidence, law

and arguments, and unreasonable delay due to inefficient processes and insufficient resources.

Access to Alternative Dispute Resolution (ADR) can provide a quicker, more flexible and cost effective alternative to traditional litigation. ADR is an umbrella term for processes, other than tribunal determination, in which an impartial person assists the parties to resolve the issues between them. ADR encompasses processes such as mediation, compulsory conferences, conciliation and facilitation. By working together parties can resolve their dispute and agree to an settlement that makes sense to them and without incurring significant transaction costs.

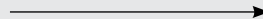
Efficiency measures

Rating

67. Have performance benchmarks been established for case disposition (by case type)?	0	1	2	3	4	5
	No		Partially			Yes
68. Have performance benchmarks been established for the delivery of reserved decisions?	0	1	2	3	4	5
	No		Partially			Yes
69. Have standard directions been implemented, where appropriate, to minimise transaction costs?	0	1	2	3	4	5
	No		Partially			Yes
70. Is there access to telephone/videoconference facilities to save parties travel time and costs?	0	1	2	3	4	5
	No		Partially			Yes
71. Does the tribunal provide timely and appropriate access to ADR?	0	1	2	3	4	5
	No		Partially			Yes

Efficiency measures (cont'd)**Rating**

72. Is there a system to monitor the effective utilisation of each member?	0	1	2	3	4	5
	No		Partially			Yes
73. Is there the flexibility to assign members to particular areas of the tribunal's jurisdiction in order to meet changes in demand?	0	1	2	3	4	5
	No		Partially			Yes
74. Is there a system for measuring whether tribunal proceedings start in time?	0	1	2	3	4	5
	No		Partially			Yes
75. Have the parties the opportunity to request priority treatment of the case if there are legitimate reasons to do so?	0	1	2	3	4	5
	No		Partially			Yes
76. Are measures taken to speed up delayed cases and to reduce the backlog?	0	1	2	3	4	5
	No		Partially			Yes
77. Does the leadership group periodically evaluate tribunal performance?	0	1	2	3	4	5
	No		Partially			Yes
78. Is it possible to determine the total number of incoming, pending and decided cases in a given period?	0	1	2	3	4	5
	No		Partially			Yes

79. How do you rate the tribunal's overall efficiency?	0	1	2	3	4	5	6	7	8	9	10
	Very poor  Excellent										

8. Client Needs and Satisfaction

Public trust and confidence in a tribunal is central to its effectiveness. In addition to measuring the results of various actions to improve tribunal performances, user satisfaction needs to be measured.

Client needs and satisfaction measures Rating

80. Has the tribunal established user groups that meet regularly and provide constructive feedback in respect of each jurisdictional area?	0 No	1	2	3 Partially	4	5 Yes
81. Does the tribunal survey parties in order to measure user satisfaction?	0 No	1	2	3 Partially	4	5 Yes
82. Does the tribunal regularly meet with key stakeholders?	0 No	1	2	3 Partially	4	5 Yes
83. How do you rate the tribunal's client satisfaction?	0 1 2 3 4 5 6 7 8 9 10 Very poor —————> Excellent					

D. Assessing Tribunal Excellence

The first step towards tribunal excellence is to assess how the tribunal is currently performing.

The *Framework* consists of a self assessment tool which allows a tribunal to undertake its own assessment of its performance measured against the Eight Areas of Tribunal Excellence.

Undertaking the Self Assessment Questionnaire allows the tribunal to identify those areas requiring attention and to set a benchmark against which the tribunal can measure its subsequent performance.

The tribunal should actively seek the views of key stakeholders (including tribunal members and staff) and the community in evaluating aspects of tribunal services and in the process of identifying areas of improvement.

No tribunal is perfect, there is always scope for continuous improvement. The *Framework* is meant to aid tribunals in finding the appropriate means for meeting its goals. A self initiated and transparent tribunal review may lend credibility to the tribunal's request for appropriate funds to update facilities or to engage additional members or to invest in new technology. In all cases, the focus of the *Framework* is on improving tribunal services. A process of self examination that is transparent and allows the tribunal to propose improvements based on objective information will lend credibility to that goal, including legitimate requests for additional resources.

The Self Assessment Questionnaire is a necessary first step to developing a strategic plan to close the gap between 'what is' and 'what can be'. It will assist in determining which issues can and must be addressed in the short term and those that necessitate intermediate or long term planning.

Under each of the Eight Areas of Tribunal Excellence the Questionnaire lists what are considered to be the key activities, which if performed at the highest level represent 'Tribunal Excellence'. A tribunal must consider each of these key activities and assess whether it has addressed the issue and if so the extent to which its approach has been successful and delivered results.

Weights

The detailed weights for the eight areas and each of the three sub-categories are as follows:

Areas	Raw score	Weighting multiplier	Weighted score
1. Independence	/ 70	multiply by 2	/ 140
2. Tribunal Leadership and Management	/ 40	multiply by 140/40	/ 140
3. Fair Treatment	/ 45	multiply by 140/45	/ 140
4. Accessibility	/ 100	multiply by 140/100	/ 140
5. Professionalism and Integrity	/ 55	multiply by 140/55	/ 140
6. Accountability	/ 50	multiply by 2	/ 100
7. Efficiency	/ 70	multiply by 100/70	/ 100
8. Client Needs and Satisfaction	/ 25	multiply by 4	/ 100
TOTAL SCORE:	/ 455	multiply by 1000/455	/ 1000

Using the same approach, the weighted scores for 'Deployment' and 'Results' are calculated.

The process is then repeated for Areas 1 to 7 to obtain the weighted scores for "Approach", "Deployment" and Results" for these respective areas.

The total weighted score provides an overall indication of the tribunal's performance based on a maximum score of 1,000 points. This can be compared with the Banding Table which provides an objective benchmark against which the court may measure its performance.

For example, if the total score of the completed questionnaire is 798, then this would place it in Band 5 which shows that it has a proven and well-defined approach that is employed to all key areas with performance levels that are good to excellent. A tribunal with such a score would be an extremely well-run tribunal.

Tribunals may also find this numerical scoring system particularly useful in measuring relative progress over time.

Banding Table

Band	Score	Description
1	0	<p>There is no approach or strategy in respect of the areas of tribunal excellence.</p> <p>There are no results, or results show no improvement trends, or have not met targets.</p>
2	1-199	<p>There is some approach and strategy in respect of the areas of tribunal excellence but it is reactive and not systematic.</p> <p>Poor results; or good performance and/or improvement trends in a few key indicators; or results are not reported for most key indicators.</p>
3	200-399	<p>The direction for strategic-based approach to the areas of tribunal excellence is set and has been implemented in some key areas of the organisation.</p> <p>Good performance and/or improvement trends in some key indicators; or early stages of obtaining comparative information; or results are reported for some key indicators.</p>
4	400-599	<p>A sound effective strategic approach is in place with evidence of implementation in most key areas of the organisation.</p> <p>Good performance levels and/or improvement trends in most key indicators; or there are favourable comparisons and/or benchmarks in some areas; or results are reported for most key indicators.</p>
5	600-799	<p>A proven and well-defined strategic approach with evidence of refinement through learning and improvement which is well integrated with organisational needs.</p> <p>The tribunal's strategic direction has been implemented in all key areas of the organisation and is practiced consistently by all levels.</p> <p>Current performance levels are good to excellent in most key indicators and/or improvement trends are sustained in most areas; or there are favourable comparisons or benchmarks in most areas; or results are reported for all key indicators.</p>
6	800-1000	<p>An exceptionally well defined, innovative and strategic approach, which is fully integrated with organisational needs and implemented consistently in all areas.</p> <p>Performance levels are excellent in most key indicators and/or there are exceptional improvement trends in most areas; or there are exceptional comparisons and benchmarks in most areas; or results are reported for all indicators.</p>

E. Identifying Areas for Improvement

Having completed the Self-Assessment Questionnaire, the tribunal will have identified the areas where improvement is required.

Some tribunals may choose to concentrate their efforts in discrete areas while others may proceed with a full tribunal review and reform. In either case, prioritising tribunal issues is highly recommended. This will allow the reform process to focus on specific performance areas over a period of time.

It is essential for the leadership of a tribunal to ensure the process for planning for improvement provides ample opportunity for the tribunal's members, staff and stakeholders to be consulted and involved.

The assessment will have identified a range of issues for the tribunal to address in developing an improvement or action plan, such as:

Does the tribunal have a vision statement and/ or a mission statement expressing the tribunal's fundamental values and purposes? If not, this is the place to start because implementation of the *Framework* depends upon the tribunal having articulated values.

What are the deficiencies in the tribunal's management, operations, and services and why do they need to be improved?

What issues can and must be addressed quickly and in the short term? What issues call for more intermediate or long-term planning?

What changes in procedures or practices does the tribunal plan to institute?

Whose support and cooperation is most relevant in making these potential changes (eg. key stakeholders, tribunal members and staff, government)?

What resources will be needed in order to successfully institute those changes (eg. funding for additional personnel or equipment; cooperation of legal practitioners who practice in the tribunal; cooperation of tribunal members effective communication with other components of the judicial system)? How will the tribunal obtain those resources? What sources of support can the tribunal draw on?

What resistance to the plan or obstacles may be encountered? How might this resistance or these obstacles best be overcome?

What is the time schedule for instituting the changes?

How will the tribunal evaluate the success of the changes? What information will the tribunal need for this evaluation? Who will collect the information and how will it be analysed? Will the assistance of an outside consultant be needed to develop measurement tools and analyse results?

How will the tribunal evaluate the success of the changes? What information will the tribunal need for this evaluation? Who will collect the information and how will it be analysed? Will the assistance of an outside consultant be needed to develop measurement tools and analyse results?

F. References

Richard Moorhead, Mark Sefton and Lesley Scanlan, *Just satisfaction? What drives public and participant satisfaction with courts and tribunals* (2008) Ministry of Justice Research Series 5/08 March 2008, Cardiff Law School, Cardiff University <www.justice.gov.uk/publications/research/htm> at 4 April 2011.

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T R Tyler and Y J Huo, *Trust in the Law: Encouraging Public Cooperation with the Police and Courts* (New York: Russell Sage Foundation, 2002).

M Cascardi, N G Poythress and A Hall, 'Procedural Justice in the context of Civil Commitment: an analogue study' (2000) 18 *Behavioral Sciences & the Law* 731-740.

Australian Institute of Judicial Administration, *Litigants in Person Management Plans: Issues for Courts and Tribunals* (Australian Institute of Judicial Administration, 2001) 13.

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G. Tribunal Excellence Questionnaire

1. Independence

Independence measures	Rating						Score
1. Is the tribunal established by statute?	0	5					
	No	Yes					
2. To what extent is the tribunal structurally (or institutionally) separate from the executive and legislative branches of the government?	0	1	2	3	4	5	
	No separation		Partial separation			Full separation	
3. To what extent is the process for the appointment/reappointment of members fair and transparent?	0	1	2	3	4	5	
	Arbitrary and opaque					Completely fair and transparent	
4. To what extent is the Tribunal functionally separate from the executive and legislative branches of the government?	0	1	2	3	4	5	
	No separation		Partial separation			Full separation	
5. To what extent does the tribunal control its own budget?	0	1	2	3	4	5	
	No control at all		Some control			Total control	
6. To what extent does the tribunal enjoy adjudicatory or decisional independence? For example, can decisions of the tribunal be overruled by the executive?	0	1	2	3	4	5	
	No independence		Some independence			Full independence	
7. To what extent do members of the tribunal have security of tenure during the term of their appointment in terms of legislative protection against arbitrary suspension, transfer or removal from office?	0	1	2	3	4	5	
	No security		Some security			Tenure	

2. Tribunal Leadership and Effective Management

Leadership measures	Rating						Score					
14. Has a vision for the tribunal been developed and translated into concrete, measurable objectives and priorities?	0	1	2	3	4	5						
	No		Partially			Yes						
15. Does the tribunal regularly assess how it needs to adapt to meet future demands?	0	1	2	3	4	5						
	No		Partially			Yes						
16. Is wide publicity given to the vision among stakeholders and the community?	0	1	2	3	4	5						
	No		Partially			Yes						
17. Is there a defined leadership group within the tribunal which meets on a regular basis?	0	1	2	3	4	5						
	No		Partially			Yes						
18. Does the leadership group promote a culture that stimulates and inspires innovation and continuous improvement?	0	1	2	3	4	5						
	No		Partially			Yes						
19. Does the tribunal regularly publish its performance results and provide information on its service delivery to the public?	0	1	2	3	4	5						
	No		Partially			Yes						
20. Overall perception of tribunal leadership and management	0	1	2	3	4	5	6	7	8	9	10	
	Very poor —————> Excellent											

TOTAL SCORE FOR LEADERSHIP:

out of 40

3. Fair Treatment

Fair treatment measures	Rating						Score
21. Does the tribunal promote the obligation to provide a fair hearing?	0 No	1	2	3 Partially	4	5 Yes	
22. Does the tribunal provide a free interpreter service in all community languages?	0 No	1	2	3 Partially	4	5 Yes	
23. Does the tribunal promote cultural competency to tribunal members and staff?	0 No	1	2	3 Partially	4	5 Yes	
24. Are tribunal proceedings (in principle) open to the public?	0 No	1	2	3 Partially	4	5 Yes	
25. Are all hearings recorded?	0 No	1	2	3 Partially	4	5 Yes	
26. Are parties (and the public) able to obtain copies of recorded hearings at a reasonable cost?	0 No	1	2	3 Partially	4	5 Yes	
27. Are tribunal decisions subject to a fair and efficient appeal mechanism?	0 No	1	2	3 Partially	4	5 Yes	
28. How do you rate the tribunal's overall capacity to deliver fair treatment?	<p>0 1 2 3 4 5 6 7 8 9 10</p> <p>Very poor —————> Excellent</p>						

TOTAL SCORE FOR FAIR TREATMENT: **out of 45**


4. Accessibility

Accessibility measures	Rating						Score
	0	1	2	3	4	5	
29. Does the tribunal have a litigant in person management plan?	No		Partially			Yes	
30. Are the tribunal's fees affordable and proportionate to the nature of the proceeding?	No		Partially			Yes	
31. Does the tribunal offer fee relief/waiver based on financial circumstances?	No		Partially			Yes	
32. Is there an on-line lodgement facility for tribunal applications?	No		Partially			Yes	
33. Does the tribunal provide access to telephone and videoconferencing facilities to save parties travel time and costs?	No		Partially			Yes	
34. Does the tribunal publish user guides in its main areas of jurisdiction?	No		Partially			Yes	
35. Does the tribunal have a functional and easy to access website?	No		Partially			Yes	
36. Is there access to pro-bono legal services?	No		Partially			Yes	
37. Are tribunal staff trained to explain the tribunal process and other practical information to tribunal visitors and users?	No		Partially			Yes	
38. Does the tribunal have an information desk or reception staff to assist visitors?	No		Partially			Yes	
39. Is there a provision to hold hearings in other locations away from the main location of the tribunal to reduce party travel time and transaction costs?	No		Partially			Yes	

Accessibility measures (cont'd)

Rating

Score

40. Does the tribunal hold hearings at times which may be more convenient to the parties (eg. in the evenings and/or on weekends)?	0 No	1	2	3 Partially	4	5 Yes						
41. Do people with disabilities or elderly people have easy access to the tribunal?	0 No	1	2	3 Partially	4	5 Yes						
42. Are the waiting and hearing rooms properly equipped and of a reasonable standard?	0 No	1	2	3 Partially	4	5 Yes						
43. Are there rooms available where lawyers and legal representatives can meet with their clients?	0 No	1	2	3 Partially	4	5 Yes						
44. Do tribunal members and other staff have sufficient time and training to provide parties with an appropriate level of assistance?	0 No	1	2	3 Partially	4	5 Yes						
45. Is appropriate advice provided by members to the participants in the proceedings, while still maintaining the impartiality and fairness of the tribunal?	0 No	1	2	3 Partially	4	5 Yes						
46. Are the participants in proceedings, and the public, treated with courtesy and respect?	0 No	1	2	3 Partially	4	5 Yes						
47. How do you rate the tribunal's overall accessibility to users and the public?	0	1	2	3	4	5	6	7	8	9	10	
	Very poor  Excellent											

TOTAL SCORE FOR ACCESSIBILITY:

out of 100

5. Professionalism and Integrity

Professionalism and integrity measures	Rating						Score					
48. Is there a competency framework for tribunal members?	0	1	2	3	4	5						
	No		Partially			Yes						
49. Does the tribunal have a strategic approach to professional development, aligned to key competencies?	0	1	2	3	4	5						
	No		Partially			Yes						
50. Is there a Code of Conduct for tribunal members?	0	1	2	3	4	5						
	No		Partially			Yes						
51. Is there a formal appraisal system for members?	0	1	2	3	4	5						
	No		Partially			Yes						
52. Are the number of successful challenges to tribunal decisions recorded and published?	0	1	2	3	4	5						
	No		Partially			Yes						
53. Is there an internal process for discussing decisions that have been overturned on appeal?	0	1	2	3	4	5						
	No		Partially			Yes						
54. Do tribunal members practice a form of peer review (discussion of cases between colleagues) or of supervision (discussion of cases with more qualified colleagues)?	0	1	2	3	4	5						
	No		Partially			Yes						
55. Are tribunal members taught ADR techniques (such as mediation)?	0	1	2	3	4	5						
	No		Partially			Yes						
56. Are there specific instruments used to promote legal certainty, for example an internal system for jurisprudence or the organisation of meetings to discuss relevant jurisprudence?	0	1	2	3	4	5						
	No		Partially			Yes						
57. How do you rate the tribunal's overall professionalism and integrity?	0	1	2	3	4	5	6	7	8	9	10	
	Very poor —————> Excellent											

TOTAL SCORE FOR PROFESSIONALISM AND INTEGRITY:

out of 55

6. Accountability

Accountability measures	Rating						Score
58. Does the tribunal provide an effective, transparent complaints mechanism?	0	1	2	3	4	5	
	No		Partially			Yes	
59. Is there regular reporting of tribunal performance to stakeholders?	0	1	2	3	4	5	
	No		Partially			Yes	
60. Does the tribunal undergo regular community/ stakeholder engagement?	0	1	2	3	4	5	
	No		Partially			Yes	
61. Are tribunal decisions publicised?	0	1	2	3	4	5	
	No		Partially			Yes	
62. Does the tribunal have "open days" to provide an opportunity for the community to visit the tribunal?	0	1	2	3	4	5	
	No		Partially			Yes	
63. Does the tribunal have a customer service charter?	0	1	2	3	4	5	
	No		Partially			Yes	
64. Does the tribunal regularly report on its performance?	0	1	2	3	4	5	
	No		Partially			Yes	
65. Does the tribunal produce a publicly available annual report which includes an audit of its financial accounts?	0	1	2	3	4	5	
	No		Partially			Yes	
66. How do you rate the tribunal's overall accountability?	0	1	2	3	4	5	
	Very poor \longrightarrow Excellent						

TOTAL SCORE FOR ACCOUNTABILITY: out of 50

7. Efficiency

Efficiency measures	Rating						Score
	0	1	2	3	4	5	
67. Have performance benchmarks been established for case disposition (by case type)?	No		Partially			Yes	
68. Have performance benchmarks been established for the delivery of reserved decisions?	No		Partially			Yes	
69. Have standard directions been implemented, where appropriate, to minimise transaction costs?	No		Partially			Yes	
70. Is there access to telephone/videoconference facilities to save parties travel time and costs?	No		Partially			Yes	
71. Does the tribunal provide timely and appropriate access to ADR?	No		Partially			Yes	
72. Is there a system to monitor the effective utilisation of each member?	No		Partially			Yes	
73. Is there the flexibility to assign members to particular areas of the tribunal’s jurisdiction in order to meet changes in demand?	No		Partially			Yes	
74. Is there a system for measuring whether tribunal proceedings start in time?	No		Partially			Yes	
75. Have the parties the opportunity to request priority treatment of the case if there are legitimate reasons to do so?	No		Partially			Yes	
76. Are measures taken to speed up delayed cases and to reduce the backlog?	No		Partially			Yes	

Efficiency measures (cont'd)

Rating

Score

77. Does the leadership group periodically evaluate tribunal performance?	0 No	1	2	3 Partially	4	5 Yes	
78. Is it possible to determine the total number of incoming, pending and decided cases in a given period?	0 No	1	2	3 Partially	4	5 Yes	
79. How do you rate the tribunal's overall efficiency?	<p>0 1 2 3 4 5 6 7 8 9 10</p> <p>Very poor —————> Excellent</p>						

TOTAL SCORE FOR EFFICIENCY: **out of 70**

8. Client Needs and Satisfaction

Client needs and satisfaction measures	Rating						Score					
80. Has the tribunal established user groups that meet regularly and provide constructive feedback in respect of each jurisdictional area?	0	1	2	3	4	5						
	No		Partially			Yes						
81. Does the tribunal survey parties in order to measure user satisfaction?	0	1	2	3	4	5						
	No		Partially			Yes						
82. Does the tribunal regularly meet with key stakeholders?	0	1	2	3	4	5						
	No		Partially			Yes						
83. How do you rate the tribunal's client satisfaction?	0	1	2	3	4	5	6	7	8	9	10	
	Very poor \longrightarrow Excellent											

TOTAL SCORE FOR CLIENT NEEDS AND SATISFACTION: **out of 25**

Weights

The detailed weights for the eight areas and each of the three sub-categories are as follows:

Areas	Raw score	Weighting multiplier	Weighted score
1. Independence	/ 70	multiply by 2	/ 140
2. Tribunal Leadership and Management	/ 40	multiply by 140/40	/ 140
3. Fair Treatment	/ 45	multiply by 140/45	/ 140
4. Accessibility	/ 100	multiply by 140/100	/ 140
5. Professionalism and Integrity	/ 55	multiply by 140/55	/ 140
6. Accountability	/ 50	multiply by 2	/ 100
7. Efficiency	/ 70	multiply by 100/70	/ 100
8. Client Needs and Satisfaction	/ 25	multiply by 4	/ 100
TOTAL SCORE:	/ 455	multiply by 1000/455	/ 1000

Banding Table

Band	Score	Description
1	0	<p>There is no approach or strategy in respect of the areas of tribunal excellence.</p> <p>There are no results, or results show no improvement trends, or have not met targets.</p>
2	1-199	<p>There is some approach and strategy in respect of the areas of tribunal excellence but it is reactive and not systematic.</p> <p>Poor results; or good performance and/or improvement trends in a few key indicators; or results are not reported for most key indicators.</p>
3	200-399	<p>The direction for strategic-based approach to the areas of tribunal excellence is set and has been implemented in some key areas of the organisation.</p> <p>Good performance and/or improvement trends in some key indicators; or early stages of obtaining comparative information; or results are reported for some key indicators.</p>
4	400-599	<p>A sound effective strategic approach is in place with evidence of implementation in most key areas of the organisation.</p> <p>Good performance levels and/or improvement trends in most key indicators; or there are favourable comparisons and/or benchmarks in some areas; or results are reported for most key indicators.</p>
5	600-799	<p>A proven and well-defined strategic approach with evidence of refinement through learning and improvement which is well integrated with organisational needs.</p> <p>The tribunal's strategic direction has been implemented in all key areas of the organisation and is practiced consistently by all levels.</p> <p>Current performance levels are good to excellent in most key indicators and/or improvement trends are sustained in most areas; or there are favourable comparisons or benchmarks in most areas; or results are reported for all key indicators.</p>
6	800-1000	<p>An exceptionally well defined, innovative and strategic approach, which is fully integrated with organisational needs and implemented consistently in all areas.</p> <p>Performance levels are excellent in most key indicators and/or there are exceptional improvement trends in most areas; or there are exceptional comparisons and benchmarks in most areas; or results are reported for all indicators.</p>

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www.qcat.qld.gov.au



www.sat.justice.wa.gov.au