

**TRANSFER OF WORK FROM ADJUDICATION PANEL FOR ENGLAND
INTO UNIFIED TRIBUNAL STRUCTURE
(Report by the Head of Law, Property and Governance
and Monitoring Officer)**

1. INTRODUCTION

- 1.1 The Monitoring Officer has been advised that the work of the Adjudication Panel (Standards for England) is to transfer into the new General Regulatory Chamber (GRC) with effect from January 2010 and will from that date be known as First Tier Tribunal (Local Government Standards, England). This transfer is subject to Parliamentary approval. The GRC is a new Chamber that will bring together individual tribunals that hear appeals on regulatory issues.

2. LEGISLATIVE PROCESS AND GENERAL IMPACT OF CHANGE

- 2.1 A "Transfer of Tribunal Functions Order", transferring the functions of the Adjudication Panel into the GRC has been laid in Parliament. The Order requires parliamentary approval and debates on the order will take place before Christmas. The Order contains various amendments to the Local Government Act 2000 to the Standards Committee Regulations and to the Case Tribunal Regulations. Once Parliamentary approval has been obtained, an amended version of each of those provisions will be available on that part of the Tribunal Service website which deals with cases involving Local Government Standards in England.
- 2.2 The effect of the Order is to abolish the Adjudication Panel for England, whose functions will thereafter be undertaken by the First Tier Tribunal. The jurisdiction will be known as the First Tier Tribunal (Local Government Standards, England). The President and Members of the Adjudication Panel will be transferring as either Judges or Members of the First Tier Tribunal assigned to work in the General Regulatory Chamber of that Tribunal. The President will also be a Deputy Judge in the Upper Tribunal.
- 2.3 Common Procedure Rules will apply to all proceedings in the General Regulatory Chamber. These rules may need to be amended to take account of the work to be undertaken once the transfer order comes into effect.
- 2.4 References and appeals made to the President of the Adjudication Panel are determined by Case Tribunals and Appeals Tribunals. The people who sit on those Tribunals will be the same people who determine these kinds of matters in the name of the First Tier Tribunal (Local Government Standards, England). The associated

administrative work will also be undertaken by the same people as currently do this. Such work will continue to be based at the Tribunal Services offices in Leeds.

- 2.5 Since it was established, the Adjudication Panel has operated without any formal Rules. That situation will change as a result of the transfer of work into the First Tier Tribunal. The Procedure Rules give more explicit powers of direction to the First Tier Tribunal than were available to the Adjudication Panel, including power to summon witnesses.

3. CONCLUSION

- 3.1 These changes are part of a programme of tribunal reform that began with the establishment of the First Tier and Upper Tribunals in November last year. This change will put in place new flexible structures where services can be created that are increasingly responsive to the needs of users.
- 3.2 The Committee is requested to note the proposed changes to the Adjudication Panel for England.

BACKGROUND PAPERS

Bulletin No. 45 Standards for England and Letter received from Tribunal Service - November 2009.

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