



SENIOR PRESIDENT
OF TRIBUNALS

Practice Statement authorising Registrars, Tribunal Caseworkers and authorised Staff Members First-tier Tribunal (Health, Education and Social Care Chamber (SEND/CS/PHL)) to carry out functions of a judicial nature

1. This Practice Statement replaces the previous Practice Statement for Special Educational Needs, Care Standards and Primary Health Lists cases dated 22 June 2011.
2. The Senior President of Tribunals hereby approves that a member of staff appointed under section 40(1) of the Tribunals, Courts and Enforcement Act 2007 may carry out the following functions of the Health, Education and Social Care Chamber of the First-tier Tribunal under the Tribunal Procedure (First-tier Tribunal) (Health, Education and Social Care Chamber) Rules 2008 in relation to Special Educational Needs and Disability, Care Standards or Primary Health Lists cases to the extent that that member of staff has been authorised to exercise those functions by the Chamber President or Deputy Chamber President:
 - a) The issue of registration directions under rule 5. The registration directions are to be in standard form (as approved, from time to time, by the Chamber President or Deputy Chamber President) and are to be sent to the parties on registration of the appeal, claim or case.
3. The Senior President of Tribunals hereby approves that a member of staff appointed under section 40(1) of the Tribunals, Courts and Enforcement Act 2007 and designated as either a 'Registrar' or a 'Tribunal Caseworker' by the Chamber President may carry out the following functions of the Health, Education and Social Care Chamber of the First-tier Tribunal under the Tribunal Procedure (First-tier Tribunal) (Health, Education and Social Care Chamber) Rules 2008 in relation to Special Educational Needs and Disability, Care Standards or Primary Health Lists cases to the extent that that Registrar or Tribunal Caseworker has been authorised to exercise those functions by the Chamber President or Deputy Chamber President:

- a) Exercising any case management powers under rule 5 except suspending a decision under rule 5(3)(l);
 - b) Dealing with irregularities under rule 7(2);
 - c) Striking out under rule 8(2), or (4) and reinstating proceedings under rule 8(6);
 - d) Giving directions substituting or adding parties under rule 9;
 - e) Making orders prohibiting disclosure or publication of documents and information under rule 14;
 - f) Giving directions in relation to evidence and submissions under rule 15(1); and requirements under Rule 15(4);
 - g) Summoning witnesses and issuing orders to persons to answer questions and produce documents under rule 16;
 - h) Giving consent to withdraw a case and reinstating a case under rule 17;
 - i) Giving directions as to who is entitled to attend a hearing or part of it under rule 26(4) and excluding a person from a hearing under rule 26(5);
 - j) Correcting clerical mistakes or other accidental slips or omissions in decisions or records of decisions under rule 44.
4. All functions must be exercised in accordance with guidance issued by the Chamber President.
5. In accordance with rule 4(3) of the Tribunal Procedure (First-tier Tribunal) (Health, Education and Social Care Chamber) Rules 2008, within 14 days after the date that the Tribunal sends notice of a decision made by an authorised member of staff (pursuant to an approval under paragraph 2 above), or by a Registrar or Tribunal Caseworker (pursuant to an approval under paragraph 3 above) to a party, that party may apply in writing to the Tribunal for the decision to be considered afresh by a judge.

The Rt. Hon. Sir Ernest Ryder
Senior President of Tribunals
1 June 2018