

# Business Plan for 2008-09

### Tribunals Service Business Plan for 2008-09

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### Foreword



Since the Tribunals Service was created in April 2006, it has been an organisation in transition; working to establish itself as an efficient, independent, unified and customer focused tribunals system. We can all be proud of what we have achieved in our first two years and I believe we have laid the foundations necessary to ensure a first class service to the public.

Last year we published our strategic plan, which set the focus for our future development. I am now pleased to present our Business Plan for 2008-09 which explains how we will move forward to deliver our strategy and our ambitious reform agenda. The tribunals deal with more than half a million cases a year, often involving the most vulnerable people in society and we are committed to ensuring that the needs of those people are at the heart of our reform agenda.

The Tribunals, Courts and Enforcement Act received Royal Assent on the 19 July 2007, marking an important stage in the development of the tribunals system. The Act provides us, working in partnership with the tribunals' judiciary, with the opportunity of creating a truly unified tribunals system. These radical reforms will enable us to now move from individual jurisdictions to a new two-tier system, bringing together the considerable expertise that exists in each tribunal jurisdiction, complemented by the pillars of employment and asylum & immigration tribunals.

To support this new tribunal system we are creating a national organisation with a strong local presence. This autumn will see the opening of our first administrative support centre. The first of a network of multi-jurisdictional hearing centres is planned for delivery in the second half of the 2008-09 financial year. In addition, we have already reshaped and streamlined our organisation with the creation of a regional structure with cross-jurisdictional responsibilities. This new structure will enable us to provide a greater focus on front line delivery whilst providing us with the capacity and capability to deliver our major reform programme.

The Tribunals Service does not exist in isolation and we will be working in partnership with colleagues in the Ministry of Justice and our wider stakeholders. The effective and positive partnership we have with tribunals' judiciary is fundamental to our success and I am looking forward to continuing this relationship as we work together to deliver our reform agenda.

I believe that the Tribunals Service has come a long way since it was created and faces a challenging and exciting future. I am confident that we will meet those challenges with enthusiasm and commitment.

Tribunals Service Chief Executive

Peter Handcock

### Introduction

#### Introduction

In May 2007, we published our Strategic and Business Plan "Delivering the future, One System, One Service", which set out our long term strategy for a radical programme of tribunal reforms, coupled with a commitment to continuous improvement in the day to day service we offer to our customers.

This is our business plan for 2008/9. It sets out a programme of work for the year ahead, a year in which we will deliver some major milestones on the way towards the implementation of that longer term strategy.

#### Delivering the Tribunals Service Vision and Strategic Objectives in 2008/9

Our vision is to deliver an efficient, independent and customer focused Tribunals Service.

Our overarching strategic objectives are:

- Delivering effective services within the tribunals
- Focusing on customers and the wider community
- Making efficient use of available resources and infrastructure
- Building our capacity to deliver by unlocking our people's potential
- Working effectively in partnership with the judiciary and others

All of the deliverables set out in this plan are focused on the achievement of the vision and these strategic objectives. In particular, we will:

- maintain and improve service delivery that is, to ensure the day to day delivery of first class, tribunals services to our customers; and
- drive forward the 'Transforming Tribunals' programme by making significant progress towards the Tribunals Service Delivery Model; and, in partnership with our judges, implementing the provisions of the Tribunals, Courts & Enforcement Act for a large proportion of our business.

We will also continue to:

- work with our many and diverse stakeholders on improving the end to end experience for customers in separate jurisdictions; and
- provide better value for money for the taxpayer by improving our efficiency and by doing so contribute to the wider Ministry of Justice 'Value for Money' programme.

Alternative dispute resolution.

We shall continue to work to avoid customers having the delay and expense of formal hearings by promoting and testing methods of working with primary decision makers and others that avoid the need for cases to come before a formal tribunal.

#### The Transforming Tribunals Programme

Our major change programme over the coming years is built around two core components.

#### These are:

- delivering an integrated Tribunals Service delivery model bringing together the administration of the main jurisdictions into administrative support centres, supporting a new national network of good quality multi-jurisdictional hearing centres; and
- implementing the Tribunals, Courts and Enforcement Act, which will introduce radical changes to the statutory framework for most tribunals; changes which will enable an expert and flexible judiciary to maintain and develop jurisdictional specialisms, while applying their expertise more widely.

Together these core components make up the 'Transforming Tribunals' Programme. Later in the business plan, we explain how 2008/9 will see the implementation of some key deliverables of that overall programme.

#### Operations: regional and area management

Underpinning the Transforming Tribunals Programme are a raft of initiatives and changes, initiated at local, directorate or corporate level, aimed at ensuring we do not stand still waiting for outcomes from the programme, but that we continue to drive forward improvements, small or large, in everything that we do. Some of the key deliverables are set out later in this plan, there are many others detailed in local or directorate plans.

Our new regional and area structure is now in place – a key outcome from 2007/8. Two regional directors and six area managers are responsible for day to day operational delivery and also will provide a key focus for initiating and implementing local change.

For the first time we have a management structure that is able to look across the jurisdictions and, in partnership with judges, locally and nationally, ensure joined-up cross jurisdictional working – bringing the Leggatt vision of 'Tribunals for Users – One System, One Service' – to life.

#### Support Directorates

2007/8 also saw our support directorates being reformed and re-established:

- Business Development work across all of our jurisdictions is now brought together into a single directorate, which includes new key account managers. They have a key role to play in 2008/9, working with partners in other departments to improve the whole endto-end service provided to users;
- A dedicated Tribunals Judicial Office was established in January 2008, to support the Senior President and other judicial leaders. As the Tribunals, Courts and Enforcement Act Implementation progresses, it will review and rationalise judicial support;
- The Finance and Resources Directorate also went through a major re-organisation to ensure that we have sound financial and resource management;
- The Customer Strategy Unit was created to develop our strategy to deliver excellent service to customers of the Tribunals Service, capturing and building upon customer feedback to improve services based on customer needs.

#### Working as part of Ministry of Justice (MoJ)

Since we wrote our strategic plan, the MoJ has been created and so 2008/9 will see us working in a new and developing departmental context. We will play an important role in the delivery of the MoJ's Departmental Strategic Objectives.

Our own objectives are a direct fit with these aims and we will work closely with the parts of the MoJ that share the same goals, most notably Her Majesty's Court Service (HMCS).

MoJ has already announced that it will create an 'Access to Justice' Group which will have the goal of ensuring effective and closer working between HMCS, Tribunals Service and other delivery arms including the Legal Services Commission. The Group will report to one Director General on a new management board. Corporate services will be provided to the Group in an increasingly joined up way while reflecting the specific business needs of the different organisations.

The Tribunals Service welcomes the opportunities this will bring for closer cooperation with HMCS, although many local and corporate initiatives for sharing resources are already in place or underway. Courts and tribunals are not the same but there are as many synergies as there are differences, particularly for the civil and family courts, and shared use of estate and IT offer real possibilities for the benefit of both organisations and their customers. The launch of the Upper Tribunal which will be established in October as part of the implementation of the Tribunals, Courts and Enforcement Act, will also see closer links established between the tribunals system and the High Court.

2008/9 will see major developments on this front and playing our part in that work is another major challenge for us in the year ahead.

#### Our Partnership with the Judiciary

The Tribunals Service was created with a partnership principle underlying our relationship with the tribunals' judiciary. Our users come to tribunals so as to obtain a decision from independent judges and members. The role of the Tribunals Service is to support that work. We maintain and support the constitutional independence of the judiciary, but we work together to provide a better service to the community.

The Tribunals, Courts and Enforcement Act 2007 established a Senior President of Tribunals, Lord Justice Carnwath, as the head of tribunals' judiciary. As tribunal reform progresses, our partnership with the judiciary is evolving and developing over time to reflect the changing needs of the judiciary and the Tribunals Service.

In January 2008, the Tribunals Judicial Office became a separate Directorate to provide the Senior President and tribunals judiciary with dedicated support and assistance to them in discharging their responsibilities under the Tribunals, Courts and Enforcement Act 2007.

Though the creation of this judicial office is a product of the constitutional separation of powers between the executive and the judiciary, it is accepted by both the Senior President and Chief Executive that the provision of an effective and efficient system of justice in tribunals can only be achieved through close collaboration between the Judicial Office and the rest of the Tribunals Service.

The purpose of Tribunals Judicial Office is to provide a dedicated and high quality support function to the tribunals' judiciary, and to the wider Tribunals Service and MoJ, in particular on:

- policy advice
- legal and research assistance
- judicial training, mentoring and appraisal
- judicial recruitment, deployment and assignment
- implementation of the judicially led aspects of the Tribunals,
   Courts and Enforcement Act.

How Tribunals Judicial Office will do this

- It will provide administrative support and guidance to the Senior President and his senior judicial colleagues working with his legal secretary.
- It will assist in the establishment of the new judicial management and delegation structure.
- It will, on behalf of the Senior President, organise a system for assignment and deployment decisions.
- It will review the systems for forecasting the need for judicial recruitment and help to clarify the Tribunals Service and judiciary roles in recruitment.
- It will assist the Tribunals Judicial Training Group in deciding the priorities for judicial training and it will review the way in which the Tribunals Service supports and administers judicial training.

### Business Plan 2008/09 Objectives

#### Our commitment to our customers

At the heart of the Tribunals Service are our customers. During 2008/9 we expect to process over 600,000 cases while at the same time delivering both improvements to service delivery and significant efficiencies. The recent Tribunals Service national survey has provided feedback from our customers informing the development of our service standards and our working practices in offices and venues. With the judiciary and our partner departments and agencies, we will ensure that our end to end processes are joined up, efficient, and deliver consistent standards of service.

Objectives	Quarter
Outcome based targets for 2009/10  The current Tribunal Service Key Performance Indicators (KPI's) typically measure the time taken to process an appeal (or claim) from receipt to the hearing. However, the decision or judgment often follows later. During 2008/09 we will define KPIs for each tribunal that will measure the time taken to process an appeal/claim from receipt to the actual judgment and put in place mechanisms to measure this performance for the introduction of the new KPIs in 2009/10.	Q3
Customer Service Standards/Indicators  This year we will introduce five new customer service standards to define both the timelines and quality of our service. We intend to test these standards by monitoring and measuring six best practice indicators that we will develop and implement over the next year. They will range from measuring our performance, responding to correspondence and telephone enquiries to dealing with special needs.	QI-Q4
Customer Satisfaction Survey, including associated action planning and targets  During 2008 we will continue to survey our customers' feedback of the services provided by the Tribunals Service. We will carry out an annual survey to understand our customers' satisfaction and use this to develop a baseline target for improvement which we will monitor though subsequent quarterly waves of activity.	QI-Q4
Customer/Stakeholder engagement (including action planning)  During 2008/09 we will develop a customer strategy that defines our commitment to put our customers' needs at the heart of everything we do and provide them with a consistent service whenever they deal with our organisation. The strategy will describe how we will give our customers' an opportunity to be heard and influence how we deliver our services.	Q2

#### **Change and Reform**

The Tribunals Service has an ambitious and challenging change and reform agenda, which will move us many steps closer to achieving our strategic transformation and modernisation goals.

This year will see us, having already established our regional organisation, continuing to work in partnership with the judiciary to develop our national multi-jurisdictional capability within the new legal framework provided for by the Tribunals, Courts and Enforcement Act 2007. This will include a number of supporting activities which address changes to structures, legislation, procedures, ways of working and culture.

Objectives	Quarter
Towards a new operating model	Q3,Q4
To deliver a Pathfinder Administrative Support Centre (ASC) in Birmingham	
To complete the procurement, fit-out and commissioning of our new Birmingham location, managing the migration of the existing Midlands workload and staffing the centre with trained staff.	
A key element of the Pathfinder project, is to deliver an IT infrastructure in the site which enables case management systems from each of the three incoming tribunals to be accessed from a single desktop. This solution enables resources to be deployed to match workload, irrespective of tribunal, and will be in place to support the opening of the ASC.	
To develop the future ASC network	QI-Q4
We will initiate ASC projects for Glasgow and Leeds and produce proposals for the delivery and timetable for the remaining ASCs with planning being completed in 2008/09 and with operational dates in 2009/10.	
Multi-Jurisdictional Hearing Centres	Q3-Q4
To open the first multi- jurisdictional hearing centre in the Midlands and develop a rollout programme, including an effective and appropriate governance and financial approval regime, for at least another five multi-jurisdictional hearing centres, to open across the country over the next three years	
'CaseFlow' Project	Q3,Q4
The 'CaseFlow 'project is a joint venture between Employment Tribunals and the Advisory, Conciliation and Arbitration Service (ACAS) aiming to utilise modern technology to increase the overall efficiency in the administration of claims to Employment Tribunals. Following a pilot of the new system in Nottingham and Leicester in Autumn 2008, we plan to complete the remaining rollout over the period to summer 2009.	

Obje	ectives	Quarter
Deliv	ver IT infrastructure across entire Tribunals Service	Q3,Q4
entir appli Tribu	ake forward proposals to deliver a common IT infrastructure across the e Tribunals Service estate by April 2009. This platform will enable common cations to be used by all staff, underpin the objectives of the Transforming unals Programme and facilitate moves of staff between different Tribunals ice buildings	
Grov	wing the Tribunals Service "family"	QI-Q4
	will continue to bring new and existing tribunal jurisdictions under the umbrella e Tribunals Service. The programme for this year includes:	
•	Estate Agents Appeals	
•	Agricultural Lands Tribunal	
	Inc. Gangmasters Appeal Tribunal and Family Health Service Appeals Authority	
	Agricultural Dwelling Houses Advisory Committee	
•	Consumer Credit Appeals Tribunal	
•	Reserve Forces Appeal Tribunal	
•	Adjudication Panel for England	
lmp	lementing Legislation	Q3
<u>Tribu</u>	unals, Courts and Enforcement (TCE) Act Implementation	
	07 the TCE Act was passed, leading to a new legislative framework for unals headed by Lord Justice Carnwath as Senior President.	
'Trar so th	108/09, following the publication of the Government's response to the insforming Tribunals' white paper, we will implement the new tribunals structure that similar work, or jurisdictions requiring similar skills, can be dealt with more ently and effectively; setting up the first two chambers, and creating the Upper unal.	
The	wider legislative agenda	QI-Q4
The Tribunals Service will continue to work with other government delivery partners to develop and implement legislation, with some key areas of activity being:		
•	Employment Bill and implementation of the Dispute Resolution Review	
•	UK Borders Act 2007	
•	Regulatory Enforcement and Sanctions Bill	
•	Child Maintenance and Other Payments Bill	
•	Health & Social Care Bill	

Objectives	Quarter
Supporting the Tribunals Service agenda	Q2
Judicial Terms and Conditions Review	
This year we will aim to harmonise judicial terms and conditions and will implement them in conjunction with the work to create new judicial chambers. The initial review will be completed by September 2008 with a detailed implementation date to follow.	
Risk and Control	Q4
We will continue our work to develop implement and embed a robust corporate governance framework, which has the flexibility to adapt to organisational change	
Sustainable Development	Q4
Achieve full International Standards Organisation (ISO) and Environmental Management System (EMS) accreditation for ten nominated Tribunals Service sites and roll out to all other Tribunal Service sites during the year 2009/10	
Immigration Fees	Q4
Develop and agree with HM Treasury, Border and Immigration Agency (BIA) and stakeholders, appropriate fee charging regimes for the points-based and family visit appeal channels	
Regulatory Fees	Q3
Undertake a review to assess potential for introducing fee charging schemes within the smaller regulatory and commercial tribunals	
Investing in our people	Q2
The Development of our Organisation and its Culture	
We will continue to develop our organisational culture in line with our vision and values. Our aim is to create an environment in which our people are fully supported, developed, engaged and empowered at all levels to deliver a high quality customer service. In particular, we will:	
<ul> <li>foster a continuous improvement culture; empowering our people to identify and take improvements forward for themselves in support of our overall direction;</li> </ul>	
<ul> <li>further develop the leadership and management capability of our leaders so that they role model the inspiring, open, inclusive and empowering culture we are aspiring towards;</li> </ul>	
• continue to implement our communications strategy so that we fully engage with our staff, judiciary and key stakeholders;	

Objectives		Quarter
Invest	ing in our people continued:	QI-Q4
•	consult and involve our staff in developing our plans for migrating to our new operating model, particularly where those plans are likely to affect them;	
•	create opportunities and introduce mechanisms for sharing and learning from good practice across the organisation and with other parts of the MoJ;	
•	provide learning and development opportunities to ensure our people are best placed to meet our business needs and the demands of our reform agenda;	
•	work towards an average sick absence of 7.5 days or less per annum.	
and test our success against outcomes from the departmental staff opinions survey.		Q3

#### Improving end to end processes

Central to our mission as a Tribunals Service is the improvement of administrative and tribunals justice in the round. The Tribunals Service aims to achieve this through championing improvement in initial decision-making, in dispute resolution and by developing alternatives to a formal tribunal hearing.

Object	ives	Quarter
Alterna	tive Dispute Resolution	
Building on our experience from pilots of judicial mediation in employment tribunals, and early neutral evaluation in Social Security, we will:		
•	evaluate and agree implementation of measures as appropriate in the light of pilot experiences;	Q2
•	pursue further pilots to test the scope for external mediation and further neutral evaluation mechanisms	Q3
Тах Ар	peals Modernisation	Q4
To deliver the reform of tax tribunals, in line with the Tribunals, Courts and Enforcement Act, implementation and the revision of HMRC dispute resolution processes, from April 2009 in order to create a single professional tax appeals system in the context of our developing business model.		

Objectives	Quarter
Process Analysis and Improvement	QI-Q4
In 2007/08 we piloted and developed action plans from new techniques to appraise critically and improve end to end processes and performance with decision-makers (asylum and criminal injuries). In 2008/09 we will build on this and, working closely with our delivery partners, will undertake similar reviews for among others:	
further immigration jurisdictions in support of wider immigration simplification and our relationship with the developing UK Borders Agency	
<ul> <li>Special Education Needs and Disability appeals, building on joint</li> <li>Department for Children School and Families and the MoJ research into user confidence</li> </ul>	
- HM Land Registry and Adjudicator processes	

### Annex A: Public Service Agreement

#### Public Service Agreement (PSA)

The MoJ participates in a joint Public Service Agreement (PSA) on Migration, shared with the Home Office, which is the lead delivery partner.

The Government's vision is to provide an immigration system that is firm but fair and that delivers secure borders whilst maximising the benefits of migration to the UK economy.

The PSA focuses on four key delivery priorities:

- I. strengthening UK borders by using tougher checks abroad so that only those with permission can travel to the UK; and ensuring that the government knows who leaves so that action can be taken against those who break the rules;
- II. fast-tracking asylum decisions, removing those whose claims fail and integrating those who need protection;
- III. ensuring and enforcing compliance with UK immigration laws, removing the most harmful people first and denying the privileges of the UK to those here illegally; and
- IV. boosting Britain's economy by bringing the right skills here from around the world, and ensuring that this country is easy to visit legally.

The Tribunals Service contribution to the PSA is in relation to the second of these four priorities. By working jointly with the Border and Immigration Agency (BIA), the Tribunals Service will support delivery of this priority by continuing to focus on the speedy conclusion of asylum appeals, in line with our primary performance indicators (see below).

### Key Performance Indicators (KPI's)

**Top-level Key Performance Indicators** 

We have established three top-level indicators aimed at measuring the key performance aspects of our business:

- Speed of our service
- Customer satisfaction
- Our annual running costs

KPI I	75% of tribunal applications are dealt with within target time	Consolidated performance figure across the Tribunals Service (derived from individual performance Indicators for each jurisdiction)
KPI 2	72% <sup>1</sup> of our customers are satisfied with the service they receive	Survey measuring customer satisfaction across all tribunals
KPI 3	To reduce annually the operating costs of the Tribunals Service in real terms <sup>2</sup>	Measure to demonstrate annual reductions in operating costs, excluding re-structuring and adjusted for workload and inflation

<sup>&</sup>lt;sup>1</sup> We surveyed customer satisfaction in March 2008, indicating a level of 68% (+or -2%)

 $<sup>^2</sup>$ We are committed to achieving efficiency savings of £9M, or 3%, in 2008-09. The real reduction in our cost base will be even greater, due to increases in forecast workload which the Tribunals Service will aim to absorb as a non-cashable productivity gain.

# Annex B: Supporting Performance Indicators

#### **Primary Performance Indicators**

The indicators for individual tribunals all (except MHRT) aim to meet a 75% waiting time target. However, the legislation, rules and processes that determine waiting times are different for each tribunal and consequently the waiting times across the different tribunals can vary quite considerably.

Tribunal	Performance	Target
Asylum and Immigration Tribunal	Receipt in AIT to promulgation by Immigration Judge :	
	Asylum, percentage within 6 weeks	75%
	Managed Migration, percentage within 8 weeks	75%
	Family visitor, percentage within 10 weeks from receipt of respondent's bundle	75%
	Entry clearance, percentage within 10 weeks from receipt of respondents bundle	75%
Employment Appeal Tribunal	The percentage of appeals listed for a first hearing within 26 weeks of receipt	75%
Employment Tribunals	The percentage of single accepted cases where hearing begins within 26 weeks of receipt	75%
Social Security and Child Support Appeals	The percentage of appeals where the first hearing takes place within 14 weeks of the receipt at SSCSA	75%
Adjudicator to HM Land Registry	The percentage of cases disposed of within 70 weeks of receipt	75%
Asylum Support Tribunal	The percentage of cases to be determined within 12 working days of receipt	75%
Care Standard Tribunal	The percentage of cases to be determined within 40 weeks of receipt	75%
Criminal Injuries Compensation Appeals Panel	The percentage of cases disposed of within 6 months of being ready to list	75%
Claims Management Tribunal	The percentage of cases to be disposed of within 50 weeks of receipt	75%
Consumer Credit Appeals Tribunal	The percentage of cases to be disposed of within 25 weeks of receipt	75%

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Tribunal	Performance	Target
Financial Services and Markets Tribunal	The percentage of cases disposed of within 50 weeks of receipt	<b>7</b> 5%
Gambling Appeals Tribunal	The percentage of cases disposed of within 30 weeks of receipt	75%
Gender Recognition Panel	The percentage of cases disposed of within 20 weeks of receipt	75%
Immigration Services Tribunal	The percentage of applications disposed of within 30 weeks of receipt	75%
Information Tribunal	The percentage of cases disposed of within 30 weeks of receipt	75%
Lands Tribunal	The percentage of cases disposed of within 50 weeks of registration	75%
Mental Health Review Tribunal	The average number of days for Section 2 (Mental Health Act 1983) cases that are listed for hearing from receipt (statutory target)	7 Days
Pension Appeal Tribunal	The percentage of cases disposed of within 20 weeks of receipt	75%
Pension Regulator Tribunal	The percentage of cases disposed of within 50 weeks of receipt	75%
Special Commissioners of Income Tax	The percentage of cases disposed of within 50 weeks of receipt	<b>7</b> 5%
Special Educational Needs and Disability Tribunal	The percentage of applications where notification of the written decision is received by the applicant within 22 weeks	75%
The Commissioner's Office	The percentage of all work disposed of within 30 weeks of receipt	75%
Transport Tribunal	The percentage of applications disposed of within 16 weeks	75%
VAT and Duties Tribunal	The percentage of Category I and 3 cases disposed of within 90 weeks of receipt	75%
	Category 2 cases disposed of within 35 weeks of receipt	<b>75</b> %

#### <u>Customer Service Indicators</u>

Area	Indicator	Target
Replying to correspondence	Reply to all correspondence within 10 working days of receipt	95%
Complaints and claims for compensation	Reply to administrative complaints, including claims for compensation within 10 working days of receipt	90%
Ministerial and Treat Official	Reply to Ministerial Correspondence within the timetable set by the Ministerial correspondence Unit	95%
Correspondence	Reply to Treat Official Correspondence within 15 days of receipt	80%
Written requests under the Freedom Of Information Act 2000 and written subject access requests under the Data Protection Act 1998	Deal with Freedom Of Information within 20 working days  Deal with Data Protection Act within 40 working days	100%
Answering the telephone	Answer telephone calls within 6 rings	95%

# Annex C: 2008/09 Projections and Budget

# 2008/09 Projections and Budget

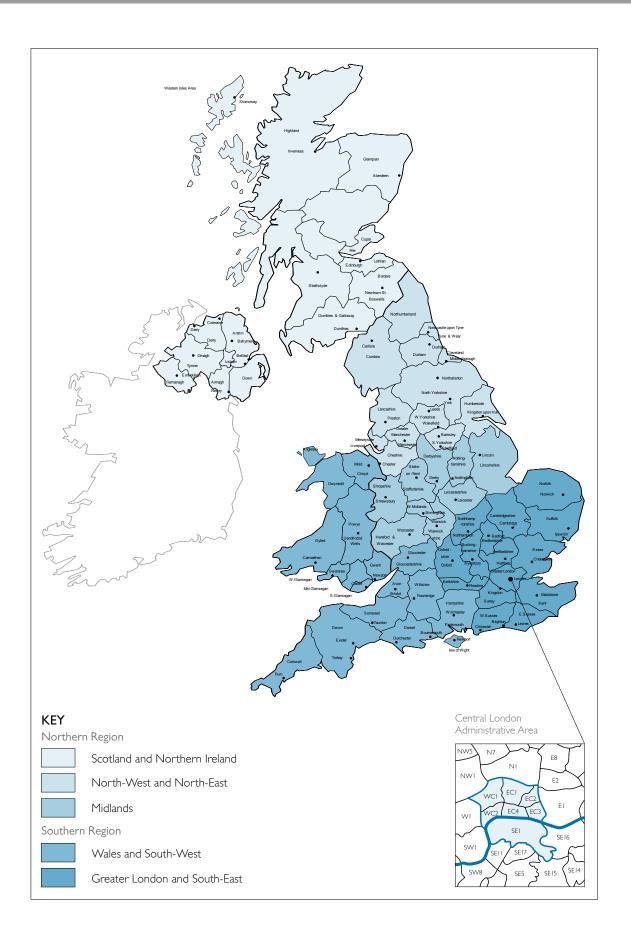
### 2008/09 Workload Projections

Tribunal	Workload
Asylum and Immigration	166,000
Employment Tribunal	167,000
Social Security and Child Support Appeals	226,592
Others	48,000
TOTAL	607,592

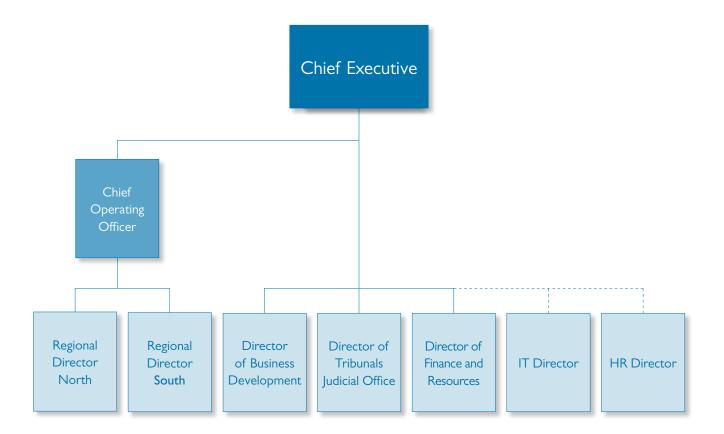
### 2008/09 Budget

	£m
Business as Usual	305.7
Change Programme	15.7
Non-cash costs	5.7
less: Income	29.6
Net Resource Expenditure	297.5
Capital Expenditure	3.0
TOTAL	300.5

# Annex D:Tribunals Service Regions



# Annex E: Organisational Chart



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