



VTE/PS/C3: 25 November 2013¹
[Effective from 25.11.13]
Previous versions: 31 January 2011
1 February 2013

PRACTICE STATEMENT: PUBLICATION OF DECISIONS

1. (i) The following decisions of the Tribunal are placed in full on the website:
 - Non-Domestic Rating (other than Penalty Notice) appeals
 - Council Tax Valuation (banding) appeals

(ii) The following are placed on the website but with appellants' names and other identifying information removed in the interests of privacy and family life unless the President (having consulted the appellant) in a specific case directs otherwise:

 - Council Tax Liability decisions

(iii) The following are not placed on the website unless the President directs otherwise on the ground that the decision in question involves a point of principle or law:

 - Non-Domestic Rating Penalty Notice appeals
 - Council Tax Penalty Notice appeals
 - Council Tax Reduction appeals

2. Notwithstanding the above, any person may inspect any decision: Procedure Regulations, reg. 41(1), (4) and (5): see Annex.
3. A party may apply to the Tribunal for a decision to be redacted or anonymised, i.e. for material to be omitted from the published decision or names and other identifying information to be omitted.
4. The Tribunal will grant an application only where the arguments and evidence advanced by the applicant are such that they are assessed as displacing the fundamental principle that decisions are normally published in full.
5. It is for the applicant to satisfy the Tribunal that the application should be granted.

¹ These revisions to the previous version of 1 February 2013 substantially amend para. 1 and add para. 2.

6. An application may be granted on the grounds that it is in the interests of one or more of the following:
 - national security
 - public safety or public order
 - personal safety
 - privacy and family life
 - protection of children
 - protection of commercially sensitive information.
7. The above grounds are not exhaustive, and an application may be made and granted on other grounds.
8. An application under paragraph 3 may be made in writing before the hearing or orally at the hearing or exceptionally in writing after the hearing, in all cases supported by full reasons. An application made orally at the hearing should be reinforced at the time or immediately afterwards by a written submission.
9. An application must indicate whether the party believes it is possible so to draft the decision that the sensitive material can be omitted or whether the material is crucial to the reasoning and must therefore be included in the decision issued to the parties but redacted in the published version.
10. It is not enough for an applicant merely to claim that the material falls within a particular category. It must be shown convincingly that its publication would be damaging.
11. The application will be referred to the President, together with any observations of the panel and the clerk, and if granted a draft of the decision may be shown to the applicant or other party before it is formally issued.
12. An application made after the decision has been issued may be considered, although the decision may in the meantime have already been placed on the website. The applicant must then explain why the application was not made earlier.
13. An application may be referred for comment to other parties to the appeal at the discretion of the President.
14. The President's decision on an application will be issued in writing to the parties, with or without full reasons as the President shall determine.
15. The President will decide whether to grant or refuse the application. If it is granted, the President will decide whether the decision should be so drafted as to exclude the sensitive material or whether the decision should be redacted, ie included in the decision issued to the parties but shown with deletions in the published version.

16. A decision already issued to the parties cannot be rewritten on an application under paragraph 3 but can only be redacted.

A handwritten signature in black ink, consisting of stylized, cursive letters that appear to be 'Q. Z. 1'.

25 November 2013

President

The Valuation Tribunal for England (Council Tax and Rating Appeals) (Procedure) Regulations 2009 (SI 2009 No. 2269)

Records of decisions, etc

41.—(1) The VTE must make arrangements for each decision, each order under regulation 35 or 38, the effect of each correction under regulation 39, and each revocation under regulation 40(8) to be recorded.

(2) . . .

(3) . . .

(4) Any person may, at a reasonable time stated by or on behalf of the VTE and without making payment, inspect records which are required to be made by paragraph (1).

(5) If without reasonable excuse a person having custody of records (“the custodian”) intentionally obstructs a person in exercising the right conferred by paragraph (4), the custodian shall be liable on summary conviction to a fine not exceeding level 1 on the standard scale.

(6) . . .