# StateSuper_logo (002) (A202557)Role Description

# Senior Lawyer

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| **Role Description Fields** | **Details** |
| **Cluster** | **Treasury** |
| **Department/Agency** | **State Super** |
| **Division/Branch/Unit** | **Legal** |
| **Classification/Grade/Band** | **Senior Manager** |
| **Date of Approval** | **19 April 2023** |
| **Agency Website** | **www.statesuper.nsw.gov.au** |

## Agency overview

SAS Trustee Corporation (STC), otherwise known as State Super, operates to invest, support and administer defined benefit superannuation schemes on behalf of the NSW Government and associated employers.

The STC was established under the Superannuation Administration Act in 1996, and is the Trustee of the following defined benefit schemes:

• State Authorities Superannuation Scheme (SASS)  
• State Superannuation Scheme (SSS)  
• Police Superannuation Scheme (PSS)  
• State Authorities Non-contributory Superannuation Scheme (SANCS)

The assets of all schemes have been combined into the STC Pooled Fund. State Super is one of Australia's largest superannuation schemes with over 90,000 members and $38 billion in assets (as at 30 June 2022).

## Primary purpose of the role

The Senior Lawyer provides commercially focussed, expert legal advice to the General Counsel and Company Secretary and STC’s leadership. The role manages and co-ordinates legal advice, input and support in relation to superannuation and financial services law, STC’s investment activities, public sector regulatory requirements and STC’s litigation activities.

## Key accountabilities

* Provide specialist legal advice and support in relation to regulatory compliance including international regulatory changes and undertake corporate advisory activities
* Provide high level legal advice and support on investment related matters including, but not limited to Investment Management Agreements, Product Disclosure Statements, Trust Deeds, Subscription Agreements, Valuation Agreements, Shareholder’s Agreements, side-letters, etc
* Act as subject matter expert in the provision of advice on superannuation, financial services, NSW public sector requirements (including GIPA, protected interest disclosures, modern slavery and other NSW Government requirements)
* Lead the development and update of relevant STC policies, processes and procedures
* Manage litigation relating to superannuation schemes administered by STC and defend dispute activities including investigation, review and analysis
* Manage and co-ordinate submissions to the STC Board and committees in relation to member disputes and other relevant legal matters.
* Keep abreast of all legislative / regulatory developments and assimilate relevant information with the business.

## Key challenges

* Maintaining high level of knowledge across multiple scheme rules
* Understanding and managing government requirements

## Key relationships

**Internal**

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| Who | Why |
| Board and Committees | * Drafting legal input into Board and Committee papers |
| General Counsel, Company Secretary | * Direct Manager * Undertake legal or governance activities * Address any day to day matters that rise |
| STC Executive Team | * Collaborate and work with to deliver the legal activities |
| Member Services | * Provide specialist advice as required |
| Investment team | * Investment team |

**External**

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| Who | Why |
| External legal advisors | * Manage the obtaining of opinions * Provide input on service provider due diligence * Monitor the external legal budget as appropriate |

## Role dimensions

### Decision making

The role operates with independence in:

• negotiating contracts using standard templates and corporate legal positions;  
• developing corporate templates, legal processes and procedures for the legal area;  
• provide expert legal advice to the business units within STC; and  
• exercising judgement as to when to escalate issues to the GC.

The role liaises with the GC in relation to issues which in the person’s judgement are commercial in nature or requiring greater analysis or consideration or outside the person’s subject matter expertise or experience.

### Reporting line

The role reports to the General Counsel and Company Secretary.

### Direct reports

n/a

### Budget/Expenditure

n/a

## **Key knowledge and experience**

* Current experience in a professional legal environment
* Working knowledge of at least two and preferably more: the Superannuation Administration Act 1996, Government Information (Public Access) Act 2009, Corporations Act 2001, the Superannuation Industry Supervision Act 1993
* Experience in applying NSW public sector regulations and guidelines
* Expertise in application of regulatory frameworks and APRA requirements
* Applicants seeking employment with STC must be permanent residents or Australian citizens and will be required to undergo a criminal records check.

## Essential requirements

* Law qualifications and a current practising certificate
* 6 years of post-admission experience

## Capabilities for the role

The [NSW public sector capability framework](https://www.psc.nsw.gov.au/workforce-management/capability-framework/the-capability-framework) describes the capabilities (knowledge, skills and abilities) needed to perform a role. There are four main groups of capabilities: personal attributes, relationships, results and business enablers, with a fifth people management group of capabilities for roles with managerial responsibilities. These groups, combined with capabilities drawn from occupation-specific capability sets where relevant, work together to provide an understanding of the capabilities needed for the role.

The capabilities are separated into focus capabilities and complementary capabilities

## Focus capabilities

*Focus capabilities* are the capabilities considered the most important for effective performance of the role. These capabilities will be assessed at recruitment.

The focus capabilities for this role are shown below with a brief explanation of what each capability covers and the indicators describing the types of behaviours expected at each level.

## Focus capabilities

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| **Capability group/sets** | **Capability name** | **Behavioural indicators** | **Level** |
| personal-attributes | **Display Resilience and Courage**  Be open and honest, prepared to express your views, and willing to accept and commit to change | Remain composed and calm and act constructively in highly pressured and unpredictable environments  Give frank, honest advice in response to strong contrary views  Accept criticism of own ideas and respond in a thoughtful and considered way  Welcome new challenges and persist in raising and working through novel and difficult issues  Develop effective strategies and show decisiveness in dealing with emotionally charged situations and difficult or controversial issues | Advanced |
| personal-attributes | **Act with Integrity**  Be ethical and professional, and uphold and promote the public sector values | Model the highest standards of ethical and professional behaviour and reinforce their use  Represent the organisation in an honest, ethical and professional way and set an example for others to follow  Promote a culture of integrity and professionalism within the organisation and in dealings external to government  Monitor ethical practices, standards and systems and reinforce their use  Act promptly on reported breaches of legislation, policies and guidelines | Advanced |
| relationships | **Communicate Effectively**  Communicate clearly, actively listen to others, and respond with understanding and respect | Present with credibility, engage diverse audiences and test levels of understanding  Translate technical and complex information clearly and concisely for diverse audiences  Create opportunities for others to contribute to discussion and debate  Contribute to and promote information sharing across the organisation  Manage complex communications that involve understanding and responding to multiple and divergent viewpoints  Explore creative ways to engage diverse audiences and communicate information  Adjust style and approach to optimise outcomes  Write fluently and persuasively in plain English and in a range of styles and formats | Advanced |
| relationships | **Influence and Negotiate**  Gain consensus and commitment from others, and resolve issues and conflicts | Influence others with a fair and considered approach and present persuasive counter-arguments  Work towards mutually beneficial ‘win-win’ outcomes  Show sensitivity and understanding in resolving acute and complex conflicts and differences  Identify key stakeholders and gain their support in advance  Establish a clear negotiation position based on research, a firm grasp of key issues, likely arguments, points of difference and areas for compromise  Anticipate and minimise conflict within the organisation and with external stakeholders | Advanced |
| results | **Deliver Results**  Achieve results through the efficient use of resources and a commitment to quality outcomes | Seek and apply the expertise of key individuals to achieve organisational outcomes  Drive a culture of achievement and acknowledge input from others  Determine how outcomes will be measured and guide others on evaluation methods  Investigate and create opportunities to enhance the achievement of organisational objectives  Make sure others understand that on-time and on-budget results are required and how overall success is defined  Control business unit output to ensure government outcomes are achieved within budgets  Progress organisational priorities and ensure that resources are acquired and used effectively | Advanced |
| results | **Think and Solve Problems**  Think, analyse and consider the broader context to develop practical solutions | Undertake objective, critical analysis to draw accurate conclusions that recognise and manage contextual issues  Work through issues, weigh up alternatives and identify the most effective solutions in collaboration with others  Take account of the wider business context when considering options to resolve issues  Explore a range of possibilities and creative alternatives to contribute to system, process and business improvements  Implement systems and processes that are underpinned by high-quality research and analysis  Look for opportunities to design innovative solutions to meet user needs and service demands  Evaluate the performance and effectiveness of services, policies and programs against clear criteria | Advanced |
| business-enablers | **Finance**  Understand and apply financial processes to achieve value for money and minimise financial risk | Understand core financial terminology, policies and processes, and display knowledge of relevant recurrent and capital financial measures  Understand the impacts of funding allocations on business planning and budgets  Identify discrepancies or variances in financial and budget reports, and take corrective action  Know when to seek specialist advice and support and establish the relevant relationships  Make decisions and prepare business cases, paying due regard to financial considerations | Adept |
| business-enablers | **Procurement and Contract Management**  Understand and apply procurement processes to ensure effective purchasing and contract performance | Apply legal, policy and organisational guidelines and procedures relating to procurement and contract management  Develop well-written, well-structured procurement documentation that clearly sets out the business requirements  Monitor procurement and contract management processes to ensure they are open, transparent and competitive  Be aware of procurement and contract management risks, and actions to manage or mitigate risk in monitoring contract performance  Evaluate tenders and select providers in an objective and rigorous way, in line with established guidelines and principles  Escalate procurement and contract management issues, where required | Adept |

## Complementary capabilities

*Complementary capabilities* are also identified from the Capability Framework and relevant occupation-specific capability sets. They are important to identifying performance required for the role and development opportunities.

Note: capabilities listed as ‘not essential’ for this role are not relevant for recruitment purposes however may be relevant for future career development.

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| **Capability group/sets** | **Capability name** | **Description** | **Level** |
| personal-attributes | Manage Self | Show drive and motivation, an ability to self-reflect and a commitment to learning | Adept |
| personal-attributes | Value Diversity and Inclusion | Demonstrate inclusive behaviour and show respect for diverse backgrounds, experiences and perspectives | Adept |
| relationships | Commit to Customer Service | Provide customer-focused services in line with public sector and organisational objectives | Adept |
| relationships | Work Collaboratively | Collaborate with others and value their contribution | Adept |
| results | Plan and Prioritise | Plan to achieve priority outcomes and respond flexibly to changing circumstances | Adept |
| results | Demonstrate Accountability | Be proactive and responsible for own actions, and adhere to legislation, policy and guidelines | Adept |
| business-enablers | Technology | Understand and use available technologies to maximise efficiencies and effectiveness | Intermediate |
| business-enablers | Project Management | Understand and apply effective planning, coordination and control methods | Intermediate |

## Occupational Specific Complimentary Capabilities

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| **Capability group/sets** | **Capability name** | **Description** | **Level** |
| legal-professionals-capabilities | Statutory Interpretation | Interpret legislation, subordinate legislation and instruments in accordance with legislation and accepted legal principles | Level 3 |
| legal-professionals-capabilities | Legal Research | Undertake legal research | Level 3 |
| legal-professionals-capabilities | Legal Advice | Provide quality independent legal advice and explanation of legal issues | Level 2 |
| legal-professionals-capabilities | Litigation and Dispute Resolution | Litigate and resolve disputes effectively in relevant forums and jurisdictions | Level 3 |