

Role Description

Advocate, MHAS



Cluster	Stronger Communities
Agency	Legal Aid NSW
Division/Branch/Unit	Civil Law
Classification/Grade/Band	Clerk Grade 6/7
ANZSCO Code	271311
PCAT Code	1118192
Date of Approval	August 2022-Reviewed May 2024
Agency Website	www.legalaid.nsw.gov.au

Agency Overview

Legal Aid NSW is the largest legal aid agency in Australia, comprising a Central Sydney office and 28 regional offices in metropolitan and regional centres across NSW including two satellite offices located at Walgett and Bourke, and a number of specialist services and advice clinics. It was established under the *Legal Aid Commission Act 1979* as an independent authority to assist economically and socially disadvantaged people to understand and protect their rights in the legal system. People with disabilities, from people from culturally and linguistically diverse backgrounds, women and children, Indigenous people and people with mental illness are some of the groups who may experience difficulties when enforcing and defending their rights.

Working in partnership with private lawyers, Legal Aid NSW provides legal advice, information and minor assistance and legal representation to eligible people in many areas of law. Legal Aid NSW also provides alternative dispute resolution services, community legal education programs, and publications on legal issues.

Primary Purpose of the Role

Provide high quality advocacy and case support services within a legal environment, including information gathering, systemic advocacy and case co- ordination services for clients of the Mental Health Advocacy Service.

Key Accountabilities

- Provide high quality advocacy and case support services to clients experiencing issues in relation to mental illness and other disabilities to complement and enhance legal services provided by our solicitors. Working independently to identify and pursue solutions to individual and systemic problems including:
- Providing information about the process and systems impacting on clients of the MHAS
- Provide assistance to locate appropriate services for clients and advocating on their behalf for access to those services including those provided by the State and those funded by the National Disability Insurance Scheme, as well as accommodation, repatriation, care and treatment
- Keeping abreast of legal developments and community needs and working with relevant government, community and peak organizations in relevant areas to address individual and systemic barriers to service provision and access to services

- Conducting community education and policy work in relevant areas including mental illness and intellectual disability and developing resources for that purpose.
- Contributing to development and review of legal aid policies and guidelines, law and policy reform initiatives
- Develop ways to complement and enhance the services provided by legal officers and encourage legal officers to consider the benefits of broader advocacy support for clients.
- Meet clients and/or their family and supporters to determine client wishes and needs including attending institutions where clients are housed and/or detained such as correctional centres, mental health facilities, aged care facilities, group homes and community housing and proactively work with family and support network to inform and strengthen support networks in accordance with client's instructions.

Key Challenges

- Effectively balance the various competing demands for assistance to clients of the MHAS
- Work closely with legal officers and identify areas where non-legal advocacy is indicated and would be effective in providing a holistic service to clients, where appropriate.

Key Relationships

Who	Why
Internal	
Legal Officers - MHAS & CARS	<ul style="list-style-type: none"> • Assist in preparation for hearings including identifying appropriate client supports, alternative pathways and providing information and support to legal staff. Advocate to address systemic issues.
External	
MHRT, Guardianship Division of NCAT, NDIA/AAT	<ul style="list-style-type: none"> • Liaise with Tribunal staff about services for clients. Appear in hearings as witness or, if appropriate, as non-legal advocate. Advocate to address systemic issues.

Role dimensions

Decision making

The role operates with autonomy in respect of day-to-day priorities and the co-ordination of work and resources of the team to meet service levels.

Reporting line

Solicitor IV, MHAS

Direct reports

Nil

Budget/Expenditure

Nil





Capabilities for the Role

The NSW Public Sector Capability Framework applies to all NSW public sector employees. The Capability Framework is available at www.psc.nsw.gov.au/capabilityframework

Capability summary

Below is the full list of capabilities and the level required for this role. The capabilities in bold are the focus

capabilities for this role. Refer to the next section for further information about the focus capabilities.

NSW Public Sector Capability Framework		
Capability Group	Capability Name	Level
	Display Resilience and Courage	Adept
	Act with Integrity	Adept
	Manage Self	Adept
	Value Diversity	Adept
	Communicate Effectively	Adept
	Commit to Customer Service	Intermediate
	Work Collaboratively	Intermediate
	Influence and Negotiate	Intermediate
	Deliver Results	Intermediate
	Plan and Prioritise	Intermediate
	Think and Solve Problems	Intermediate
	Demonstrate Accountability	Intermediate
	Finance	Foundational
	Technology	Intermediate
	Procurement and Contract Management	Foundational
	Project Management	Intermediate

Focus capabilities

The focus capabilities for the role are the capabilities in which occupants must demonstrate immediate competence. The behavioural indicators provide examples of the types of behaviours that would be expected at that level and should be reviewed in conjunction with the role's key accountabilities.

NSW Public Sector Capability Framework		
Group and Capability	Level	Behavioural Indicators
Personal Attributes Display Resilience and Courage	Adept	<ul style="list-style-type: none"> • Be flexible, show initiative and respond quickly when situations change • Give frank and honest feedback/advice • Listen when ideas are challenged, seek to understand the nature of the criticism and respond constructively • Raise and work through challenging issues and seek alternatives • Keep control of own emotions and stay calm under pressure and in challenging situations

Personal Attributes Act with Integrity	Adept	<ul style="list-style-type: none"> • Represent the organisation in an honest, ethical and professional way and encourage others to do so • Demonstrate professionalism to support a culture of integrity within the team/unit • Set an example for others to follow and identify and explain ethical issues
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NSW Public Sector Capability Framework		
Group and Capability	Level	Behavioural Indicators
		<ul style="list-style-type: none"> • Ensure that others understand the legislation and policy framework within which they operate • Act to prevent and report misconduct, illegal and inappropriate behaviour
Relationships Communicate Effectively	Adept	<ul style="list-style-type: none"> • Tailor communication to the audience • Clearly explain complex concepts and arguments to individuals and groups • Monitor own and others' non-verbal cues and adapt where necessary • Create opportunities for others to be heard • Actively listen to others and clarify own understanding • Write fluently in a range of styles and formats
Relationships Influence and Negotiate	Intermediate	<ul style="list-style-type: none"> • Utilise facts, knowledge and experience to support recommendations • Work towards positive and mutually satisfactory outcomes • Identify and resolve issues in discussion with other staff and stakeholders • Identify others' concerns and expectations • Respond constructively to conflict and disagreements • Keep discussion focused on the key issues
Results Deliver Results	Intermediate	<ul style="list-style-type: none"> • Complete work tasks to agreed budgets, timeframes and standards • Take the initiative to progress and deliver own and team/unit work • Contribute to allocation of responsibilities and resources to ensure achievement of team/unit goals • Seek and apply specialist advice when required
Results Plan and Prioritise	Intermediate	<ul style="list-style-type: none"> • Understand the team/unit objectives and align operational activities accordingly • Initiate, and develop team goals and plans and use feedback to inform future planning • Respond proactively to changing circumstances and adjust plans and schedules when necessary • Consider the implications of immediate and longer term organisational issues and how these might impact on the achievement of team/unit goals • Accommodate and respond with initiative to changing priorities and operating environments
Results Demonstrate Accountability	Intermediate	<ul style="list-style-type: none"> • Take responsibility and be accountable for own actions • Understand delegations and act within authority levels • Identify and follow safe work practices, and be vigilant about their application by self and others • Be alert to risks that might impact the completion of an activity and escalate these when identified • Use financial and other resources responsibly

Business Enablers
Project Management

Intermediate

- Perform basic research and analysis which others will use to inform project directions
 - Understand project goals, steps to be undertaken and expected outcomes
 - Prepare accurate documentation to support cost or resource estimates
 - Participate and contribute to reviews of progress, outcomes and future improvements
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NSW Public Sector Capability Framework

Group and Capability

Level

Behavioural Indicators

- Identify and escalate any possible variance from project plans
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