

Role Description

General Counsel



erCluster	Justice
NSWPF	NSW Police Force
Division/Branch/Unit	Office of General Counsel
Location	Sydney CBD
Classification/Grade/Band	PFSE Band 2
Senior Executive Work Level Standards	Work Contribution Stream: Professional / Technical / Specialist www.psc.nsw.gov.au/wls
ANZSCO Code	271111
PCAT Code	1138192
NSWSPF Role Number	50152136
Date of Approval	05/07/2017
NSWPF Website	www.police.nsw.gov.au

NSWPF overview

The NSW Police Force (NSWPF) vision is for a *Safe and Secure New South Wales*, which is achieved by police working with the community to reduce violence, crime and fear.

It is one of the largest police forces in the western world, with more than 20,000 NSW Police Force employees, including more than 16,000 sworn officers providing a range of law and order services 24 hours a day, seven days a week to the socially, geographically and culturally diverse community of NSW.

The organisation has five function lines, based across a number of locations. Metropolitan Field Operations and Regional NSW Field Operations provide frontline services directly to the community. Investigations & Counter Terrorism provides investigative, technical and counter terrorism expertise. Specialist Support provides an operational support function along with a range of specialised services. The fifth function line, Corporate Services, provides business support services such as technology and communication, education and training and corporate human resources functions.

The NSWPF *Statement of Values* and *Code of Conduct & Ethics* outlines appropriate behaviour for all NSW Police Force staff. All employees of NSWPF are expected to ensure ethics are incorporated into all aspects of their work making ethical behaviour, practices and decision making a part of daily routine. This further extends to ensuring confidentiality and information security is maintained at all times.

Work, Health and Safety legislation requires all employees to have specific responsibilities. This role is responsible for ensuring that adequate resources (human, physical and financial) are allocated to implement the health and safety programs at their level to address the health and safety risks at the workplace.

Primary purpose of the role

The General Counsel is directly responsible for managing, directing and delivering civil legal services across a range of multidiscipline areas to ensure the NSWPF has a sound integrated legal foundation for all its operations and activities.

The General Counsel is required to deliver strategic and authoritative legal advice and assistance on matters that are highly complex and sensitive or have high financial, reputational or operational risk. The legal counsel

provided by this role to the Commissioner and Executive will support strategic initiatives, policy formulation and decision making relating to the objectives of NSWPF. The role will also proactively identify legal risk and response strategies including driving legislative and policy initiatives.

Key accountabilities

- Lead the management, coordination and communication of consistent, high quality, high impact, independent and authoritative legal services and specialist civil legal advice on all aspects of NSWPF's internal and external operations, functions and activities including in the areas of statutory inquiries, commercial transactions, litigation, employment advice and administrative law.
- Provide timely, authoritative and strategic specialist legal advice to the Commissioner and the Executive on complex, sensitive and high risk issues, and on legislative matters that may impact NSWPF, including making recommendations regarding governance frameworks.
- Provide oversight and lead the provision of legal services across a range of multidiscipline areas using established systems and processes to ensure matters are managed using corporate policies and practices that are aligned to and compliant with relevant legislation, policy, practice, the Code of Conduct and Ethics and whole of government initiatives.
- Maximise the value and quality of internally and externally provided legal services, by identifying and embedding benchmarked systems and processes that promote accountability, client focus, best practice and continuous improvement, including the maintenance of the ISO LAW 9000 quality certification.
- Develop and maintain strong stakeholder relationships to drive and influence legislative initiatives and policy development in response to emerging legal risks, trends and developments.
- Drive the strategic management of legal risk and delivery of NSWPF's objectives by proactively identifying and analysing complex trends, problems, exposures, risks and liabilities, and developing and implementing innovative solutions and options that are compliant with legislative and governance requirements using the complete suite of legal, administrative, regulatory and policy tools.
- Represent the Commissioner and NSWPF in all civil litigation and inquiries reflecting the model litigant principles.

Key challenges

- Maintaining the confidence of the Executive in the technical ability, integrity, capacity and professionalism of the civil legal team.
- Establishing and maintaining sound relationships with operational, service and support areas as well as external stakeholders and effectively advocating on behalf of NSWPF.
- Delivering expert civil legal services and making timely and effective judgements in a complex environment of divergent agency perspectives and priorities within time critical constraints.
- Building and supporting a cohesive and professional legal function that pro-actively drives initiatives, and efficiently manages internal and external resources to meet client requirements and support the achievement of the NSWPF's strategic objectives.

Key relationships

Who	Why
Internal	
Deputy Commissioner, Corporate Services	<ul style="list-style-type: none"> • Receive professional support, exchange information and provide expert advice
Commissioner and Executive Team	<ul style="list-style-type: none"> • Provide timely, clear and expert legal advice and services as required
Management team, Office of the General Counsel	<ul style="list-style-type: none"> • Lead and direct the OGC Management team

Who	Why
Members of the Office of the General Counsel	<ul style="list-style-type: none"> Inspire and motivate the team, provide direction and manage performance
Key clients	<ul style="list-style-type: none"> Build strategic relationships to align with and inform robust business operations, policy development and decision making
External	
Stakeholders including oversight bodies, including LECC, and the Information and Privacy Commissioners	<ul style="list-style-type: none"> Negotiate with and influence stakeholders in respect of NSWPF initiatives, legislative proposals, and lead discussions on legal and governance issues
External legal service providers	<ul style="list-style-type: none"> Oversight and coordination of services delivered by external providers to ensure they are aligned with the position and objectives of the NSWPF
State and Commonwealth Law Enforcement agencies	<ul style="list-style-type: none"> Build strategic and co-operative relationships to share best practice and address emerging risks
General Counsels and Chief Legal Officers of other NSW Departments	<ul style="list-style-type: none"> Build strategic relationships to deliver whole of government legal strategies and programs, benchmark service delivery, collaboratively identify emerging trends and issues, and influence strategies and initiatives

Role dimensions

Decision making

The General Counsel has the following decision making accountabilities:

- Approves internal and external civil legal advice provided to NSWPF to ensure independence, accuracy and consistency of legal advice across a broad range of legal practice areas.
- Provides expert, authoritative and professional advice on a range of high risk strategic legal issues and is fully accountable for its coordination, development, accuracy, integrity and consistency.
- Manages external legal advisers and internal stakeholder teams on high risk legal transactions and litigation.
- Executes contracts and MOUs on behalf of NSWPF with accountability for ensuring they are consistent with operational and financial requirements.
- Operates within NSWPF delegations, policies and directions and within government legislative, regulatory and policy requirements.

Reporting line

- Commissioner of Police - Office of Commissioner

Direct reports

This role has 6 direct reports:

- Director, Commercial and Administrative Law - SE Band 1
- Director, Torts and Compensation Law - SE Band 1
- Director, Employment and Safety Law - SE Band 1
- Director, Crime Disruption and Special Inquiries Law - SE Band 1
- Staff Officer - Inspector
- Executive Support Officer – Clerk 3/4

Budget/Expenditure/Delegations

General Financial Delegations	The lesser of \$500,000 or Funds available
Authority to settle legal proceedings and engage legal counsel in proceedings	The lesser of \$500,000 plus costs or Funds available.
Authority to sign contracts and MOUs subject to financial delegation	

Essential requirements



- Admitted as a Solicitor of New South Wales Supreme Court for a minimum of 10 years, with an Unrestricted Practising Certificate.
- Appropriate tertiary qualifications in law, management, or social/legal policy; and/or equivalent knowledge, skills and experience with demonstrated ongoing professional development.
- Substantial management skills and experience within public and / or private sector organisations, including demonstrated capacity to lead and manage multi-disciplinary teams in an environment of change.
- Highly developed skills and extensive experience in providing solutions focussed legal advice in response to high risk and strategic issues.
- Substantial experience advising Executive on transformational transactions, including governance.
- The successful applicant will be subject to a rigorous National Police Check (criminal history) prior to commencement and will be required to obtain and maintain the requisite security clearances for this position.

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
 Personal Attributes	Display Resilience and Courage	Highly Advanced
	Act with Integrity	Highly Advanced
	Manage Self	Advanced
	Value Diversity	Advanced
 Relationships	Communicate Effectively	Highly Advanced
	Commit to Customer Service	Advanced
	Work Collaboratively	Advanced
	Influence and Negotiate	Highly Advanced

NSW Public Sector Capability Framework

Capability Group	Capability Name	Level
	Deliver Results	Advanced
	Plan and Prioritise	Advanced
	Think and Solve Problems	Highly Advanced
	Demonstrate Accountability	Advanced
	Finance	Advanced
	Technology	Adept
	Procurement and Contract Management	Advanced
	Project Management	Highly Advanced
	Manage and Develop People	Advanced
	Inspire Direction and Purpose	Advanced
	Optimise Business Outcomes	Advanced
	Manage Reform and Change	Highly Advanced

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	Highly Advanced	<ul style="list-style-type: none"> Create a climate which encourages and supports openness, persistence and genuine debate around critical issues Provide sound exposition and argument for agreed positions while remaining open to valid suggestions for change Raise critical issues and make tough decisions Respond to significant, complex and novel challenges with a high level of resilience and persistence Consistently use a range of strategies to keep control of own emotions and act as a stabilising influence even in the most challenging situations
Personal Attributes Act with Integrity	Highly Advanced	<ul style="list-style-type: none"> Champion and act as an advocate for the highest standards of ethical and professional behaviour Drive a culture of integrity and professionalism across the organisation, and in dealings cross-government, cross-jurisdiction and outside of government Define, communicate and evaluate ethical practices, standards and systems and reinforce their use Create and promote a climate in which staff feel able to report apparent breaches of rules, policies and guidelines and act promptly and visibly in response to such reports

NSW Public Sector Capability Framework

Group and Capability	Level	Behavioural Indicators
Relationships Communicate Effectively	Highly Advanced	<ul style="list-style-type: none"> • Articulate complex concepts and put forward compelling arguments and rationales to all levels and types of audiences • Speak in a highly articulate and influential manner • State the facts and explain their implications for the organisation and key stakeholders • Promote the organisation's position with authority and credibility cross-government, cross-jurisdictionally and outside of government • Actively listen, and identify ways to ensure all have an opportunity to contribute • Anticipate and address key areas of interest for the audience and adapt style under pressure
Relationships Work Collaboratively	Advanced	<ul style="list-style-type: none"> • Build a culture of respect and understanding across the organisation • Recognise outcomes which resulted from effective collaboration between teams • Build co-operation and overcome barriers to information sharing, communication and collaboration across the organisation and cross-government • Facilitate opportunities to engage and collaborate with external stakeholders to develop joint solutions
Relationships Influence and Negotiate	Highly Advanced	<ul style="list-style-type: none"> • Engage in a range of approaches to generate solutions, seeking expert inputs and advice to inform negotiating strategy • Use sound arguments, strong evidence, and expert opinion to influence outcomes • Determine and communicate the organisation's position and bargaining strategy • Represent the organisation in critical negotiations, including those that are cross-jurisdictional, achieving effective solutions in challenging relationships, ambiguous and conflicting positions • Pre-empt and avoid conflict across organisations and with senior internal and external stakeholders • Identify contentious issues, direct discussion and debate, and steer parties towards an effective resolution
Results Think and Solve Problems	Highly Advanced	<ul style="list-style-type: none"> • Establish and promote a culture which encourages initiative and emphasises the value of continuous improvement • Engage in high-level critical analysis of a wide range of complex information and formulate effective responses to critical policy issues • Identify and evaluate organisation-wide implications when considering proposed solutions to issues • Apply lateral thinking and develop innovative solutions that have long standing, organisation-wide impact • Ensure effective governance systems are in place to guarantee quality analysis, research and reform

Version Control

Version	Summary of Changes	Date
V1.0	Position Description translated into Role Description template	05.07.2017
V1.1	Classification/grade/band changed from SES Level 5 to PFSE Band 2 and role number added	29.08.2018