



Role Description

Lawyer – Commercial and Administrative Law Unit

Cluster	Justice
Agency	NSW Police Force
Command/Business Unit*	Office of the General Counsel Commercial and Administrative Law Unit
Location*	Woolloomooloo
Classification/Grade/Band*	Legal Officer Grade 3-4
ANZSCO Code	271299
PCAT Code	1128192
NSWPF Role Number	
Date of Approval	31 / 07 / 2018
Agency Website	www.police.nsw.gov.au

Agency 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 following all NSWPF health and safety policies, and taking all reasonable care that their actions or omissions do not impact on the health and safety of others

Primary purpose of the role

The Lawyer is responsible for the provision of high quality, timely, ethical and professional legal services in relation to commercial and administrative law matters involving the NSWPF.

Key accountabilities

- Provide accurate, timely and strategic legal advice on commercial and administrative law matters involving the NSWPF.
- Draft, negotiate and advise on complex contractual documentation entered into by the NSWPF, including contracts for the procurement of goods and services (including IT), intellectual property licences, confidentiality deeds, sponsorship deeds and research agreements.
- Draft, negotiate and advise on memoranda of understanding and other non-binding arrangements between the NSWPF and other Government agencies.
- Draft complex instruments which exercise statutory powers, including instruments of delegation and authorisation.
- Handle merits review matters in the NSW Civil and Administrative Tribunal, including information access matters under the *Government Information (Public Access) Act 2009*, privacy matters under the *Privacy and Personal Information Protection Act 1998* and licensing matters under legislation including the *Firearms Act 1996* and the *Security Industry Act 1997*.
- Support Senior Lawyers by handling or assisting with property law and media law matters.

Key challenges

- Manage a high workload with competing priorities and ensure that work is completed within agreed timeframes without compromising quality.
- Handle a mix of advisory and litigation matters, some of which are outsourced to panel law firms or counsel and others handled in house.
- Develop and maintain sound working relationships with internal and external stakeholders to support service delivery.

Key relationships

Who	Why
Internal	
Manager	<ul style="list-style-type: none"> • Receive guidance and proactively provide regular updates on key projects, issues, priorities and business objectives • Provide advice and contribute to decision making • Identify emerging issues/risks and their implications and propose solutions • Escalate sensitive or complex issues
Work Team	<ul style="list-style-type: none"> • Guide, support, coach and mentor team members • Work collaboratively to contribute to the delivery of business objectives • Proactively share information and lessons learnt to improve quality and service delivery
Other Members of the NSWPF	<ul style="list-style-type: none"> • Develop and maintain effective working relationships • Obtain instructions and consult with relevant areas • Provide advice, guidance and timely updates on matter progress • Resolve issues where possible and escalate where necessary • Proactively share information and lessons learnt to improve quality
External	
Legal Service Providers	<ul style="list-style-type: none"> • Establish and maintain effective working relationships to ensure that legal

Who	Why
	services meet NSWPF requirements and are provided in a timely and cost efficient manner

Role dimensions

Decision making

The Lawyer has autonomy to make decisions regarding the prioritisation of their day to day work functions and provides legal services in liaison with the Director.

Reporting line

Director – Commercial and Administrative Law Unit – Senior Executive Band 1

Direct reports

Nil

Budget/Expenditure

Nil

Essential requirements

- Obtain and maintain the requisite security clearances for this position.
- Hold a current NSW solicitor's practising certificate

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

This role also utilises an occupation specific capability set.



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	Advanced
	Act with Integrity	Intermediate
	Manage Self	Adept
	Value Diversity	Intermediate
 Relationships	Communicate Effectively	Advanced
	Commit to Customer Service	Intermediate
	Work Collaboratively	Intermediate
	Influence and Negotiate	Adept

NSW Public Sector Capability Framework*

Capability Group	Capability Name	Level
	Deliver Results	Intermediate
	Plan and Prioritise	Adept
	Think and Solve Problems	Adept
	Demonstrate Accountability	Intermediate
	Finance	Intermediate
	Technology	Adept
	Procurement and Contract Management	Intermediate
	Project Management	Intermediate

Occupation / profession specific capabilities – Legal Professionals

Capability Set	Category	Level
	Legal Advice	Level 3
	Legal Drafting	Level 2
	Litigation and Dispute Resolution	Level 2

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	Advanced	<ul style="list-style-type: none"> Stay calm and act constructively in highly pressured and unpredictable environments Give frank, honest advice in the face of 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, difficult and controversial issues
Personal Attributes Manage Self	Adept	<ul style="list-style-type: none"> Look for and take advantage of opportunities to learn new skills and develop strengths Show commitment to achieving challenging goals Examine and reflect on own performance Seek and respond positively to constructive feedback and guidance Demonstrate a high level of personal motivation
Relationships Communicate	Advanced	<ul style="list-style-type: none"> Present with credibility, engage varied audiences and test levels of understanding Translate technical and complex information concisely for diverse

NSW Public Sector Capability Framework

Group and Capability	Level	Behavioural Indicators
Effectively		audiences <ul style="list-style-type: none"> • Create opportunities for others to contribute to discussion and debate • Actively listen and encourage others to contribute inputs • Adjust style and approach to optimise outcomes • Write fluently and persuasively in a range of styles and formats
Relationships Influence and Negotiate	Adept	<ul style="list-style-type: none"> • Negotiate from an informed and credible position • Lead and facilitate productive discussions with staff and stakeholders • Encourage others to talk, share and debate ideas to achieve a consensus • Recognise and explain the need for compromise • Influence others with a fair and considered approach and sound arguments • Show sensitivity and understanding in resolving conflicts and differences • Manage challenging relations with internal and external stakeholders • Pre-empt and minimise conflict
Results Plan and Prioritise	Adept	<ul style="list-style-type: none"> • Take into account future aims and goals of the team/unit and organisation when prioritising own and others' work • Initiate, prioritise, consult on and develop team/unit goals, strategies and plans • Anticipate and assess the impact of changes, such as government policy/economic conditions, on team/unit objectives and initiate appropriate responses • Ensure current work plans and activities support and are consistent with organisational change initiatives • Evaluate achievements and adjust future plans accordingly
Business Enablers Technology	Adept	<ul style="list-style-type: none"> • Demonstrate a sound understanding of technology relevant to the work unit, and identify and select the most appropriate technology for assigned tasks • Identify opportunities to use a broad range of communications technologies to deliver effective messages • Understand, act on and monitor compliance with information and communications security and use policies • Identify ways to leverage the value of technology to achieve team/unit outcomes, using the existing technology of the business • Support compliance with the records, information and knowledge management requirements of the organisation

Occupation / profession specific capabilities

Category	Level	Level Description
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Occupation / profession specific capabilities

Category	Level	Level Description
Legal Advice	Level 3	<ul style="list-style-type: none"> Independently identify the client, scope, purpose and form of legal advice required in complex, urgent or sensitive matters. Clarify and refine instructions where appropriate and assist others to do so. Deal independently with vulnerable clients, including where capacity may be in issue or where ethical or cross-cultural issues arise. Independently analyse and apply relevant law to complex facts, incorporating policy, probity and operational considerations, and creatively formulating options. Independently identify and advise upon emerging legal risks and their strategic, commercial and policy implications. Provide guidance to others on selection of external legal services providers and approves briefing of external legal services providers. Conduct quality assurance of external legal advice provided and provide feedback to external legal providers. Provide professional supervision to other legal roles in preparing legal advice to assure the quality of the advice provided.
Legal Drafting	Level 2	<ul style="list-style-type: none"> Adapt precedents and templates to draft legally and procedurally correct court and tribunal documents with minimal guidance. Apply knowledge of relevant procedural, evidentiary and ethical rules to draft effective court or tribunal documents. Use relevant precedents to draft logically organised transactional documents which meet the requirements of the transaction or project. Assist clients by using legal knowledge to draft, review or amend legal documents which achieve the client's intended purpose, comply with policy and minimise legal and commercial risk. Apply knowledge of the law and stylistic and mechanical requirements to drafting transactional documents to ensure that documents drafted are legally effective.

Occupation / profession specific capabilities

Category	Level	Level Description
Litigation and Dispute Resolution	Level 2	<ul style="list-style-type: none"> • Conduct litigation in accordance with model litigant requirements; deal fairly with self-represented litigants, and treat opponents and other members of the legal profession with respect. • Conduct litigation efficiently and effectively in accordance with court and/or tribunal rules and practice notes, directions and timetables. • Apply relevant legal knowledge and experience to analysis of facts, pleadings and evidence, identify legal issues and develop a case plan. • Gather and organise relevant evidence, including conferring with lay and expert witnesses to identify and prepare relevant evidence. • Identify matters suitable for early resolution and undertake dispute resolution processes including negotiation, while protecting the client from risks and unnecessary costs. • Review and approve the use of external legal services providers based on task and expertise required; supervises briefs. • Brief and manage external legal services providers and ensure legal work is performed to the required standards, with minimal supervision.

Version Control

Version	Summary of Changes	Date
V1.0	Position Description translated into Role Description template	31.07.2018