

Role Description

Principal Disciplinary Officer



Customer
Service

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|---------------------------|---|
| Cluster | Customer Service |
| Agency | Department of Customer Service |
| Division/Branch/Unit | Better Regulation Division / NSW Fair Trading |
| Classification/Grade/Band | Clerk Grade 9/10 |
| ANZSCO Code | 224112 |
| PCAT Code | 3119192 |
| Date of Approval | December 2019 |

Primary purpose of the role

Coordinates and undertakes processes to initiate and conclude disciplinary proceeding under relevant acts against current and former license holders and against accredited certifiers. The role undertakes assessment and prepares high quality documentation in line with legislative requirements to initiate proceedings, assess submissions and recommend outcomes.

Key accountabilities

- Review and assess briefs of evidence and recommendations for disciplinary action to consider whether there is sufficient evidence to proceed to disciplinary action
- Draft and finalise Notices to Show Cause and Notices of Suspension in line with legislative requirements to ensure consistency and adherence to whole-of-government and department policy and procedures
- Prepare, review, assess and finalise oral and written submissions made by parties subject to Notices to Show Cause, policies and processes and their legal representatives to ensure the successful delivery of disciplinary proceedings
- Prepare and finalise Reasons and Notices of Decision recommending disciplinary action to ensure consistency and adherence to whole-of-government and Organisational policy and procedures
- Prepare notices, template correspondence, policies and procedures to meet to the needs of the Business Unit
- Communicate with consumers, traders and their legal representatives, senior management, government agencies and other relevant parties to develop and maintain effective working relationships and open channels of communication, and the resolution of complaints made to the Minister or other regulatory authorities.
- Ensure that the disciplinary process and practices comply with legislative requirements including procedural fairness and delegated authorities to ensure consistency and adherence to whole-of-government and department policy and procedures
- Maintain statistical data, records and outcomes and provide timely and accurate reporting of disciplinary action undertaken to meet service standards.

Key challenges

- Assessing recommendations for disciplinary action, related information and documentation, prepare Notices to Show Cause and Notices of Decision in a timely fashion given the high volume legislative and politically sensitive environment
- Using specialist legal knowledge, sound judgement and discretionary skills to recommend supportable, ethical decisions regarding appropriate disciplinary actions while managing the effective allocation of resources to meet work priorities and meet agreed service standards
- Provide timely, reliable and consistent disciplinary advice and outcomes while working collaboratively with a wide range of internal and external stakeholders with varying expectations, viewpoints, and interests

Key relationships

| Who | Why |
|----------------------------|--|
| Internal | |
| Executive | <ul style="list-style-type: none"> • Provide recommendations relating to disciplinary action. • Provide expert advice and regular reports. |
| Manager | <ul style="list-style-type: none"> • Escalate issues, keep informed, advise, receive guidance and instructions. • Receive briefs of evidence and recommendations for disciplinary action. • Provide expert advice, guidance and feedback |
| Work Team | <ul style="list-style-type: none"> • Review documentation, support team members and work collaboratively to contribute to achieving the teams business outcomes. • Participate in meetings to share information and provide input on issues. |
| Internal Investigators | <ul style="list-style-type: none"> • Review briefs of evidence and recommendations for disciplinary action |
| Client/Customer | <ul style="list-style-type: none"> • Manage the flow of information, seek clarification and provide customer-focused advice and responses to ensure prompt resolution of issues. • Address/respond to queries and provide customer-focused solutions where possible, or redirect query to relevant area. |
| External | |
| Customers/ Stakeholders | <ul style="list-style-type: none"> • Develop and maintain effective working relationships and open channels of communication. • Address/respond to queries where possible, or redirect relevant party for review and resolution. • Contribute to a customer-focused approach to service delivery. • Manage the flow of information, seek clarification, and provide customer-focused advice and responses to ensure prompt resolution of issues. |

| Who | Why |
|---|---|
| Licence Holders and Accredited Certifiers | <ul style="list-style-type: none"> Consult, liaise and communicate on various matters in regard to disciplinary proceedings. |
| External Legal Representatives | <ul style="list-style-type: none"> Consult, liaise and communicate on various matters in regard to disciplinary proceedings. Prepare and draft oral and/or written submissions. |
| Legal Services | <ul style="list-style-type: none"> Provide instructions in relation to disciplinary processes. Represent the Branch in appeals before the relevant Courts and Tribunals |

Role dimensions

Decision making

This role has autonomy and makes decisions that are under their direct control as directed by their Manager. It refers to a Managers' decisions that require significant change to program outcomes or timeframes or are likely to escalate or require submission to a higher level of management. This role is fully accountable for the delivery of work assignments on time and to expectations in terms of quality, deliverables and outcomes. This role submits reports, business cases and other forms of written advice with minimal input from the manager.

Reporting line

Manager, Disciplinary Action Unit

Direct reports

This role has up to 5 direct reports

Budget/Expenditure

As per the Customer Service Delegations

Essential requirements

Relevant qualification and/or experience





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 | Intermediate |
| | Act with Integrity | Adept |
| | Manage Self | Adept |
| | Value Diversity | Intermediate |
|  Relationships | Communicate Effectively | Advanced |
| | Commit to Customer Service | Intermediate |
| | Work Collaboratively | Adept |
| | Influence and Negotiate | Adept |
|  Results | Deliver Results | Adept |
| | Plan and Prioritise | Adept |
| | Think and Solve Problems | Advanced |
| | Demonstrate Accountability | Adept |
|  Business Enablers | Finance | Intermediate |
| | Technology | Intermediate |
| | Procurement and Contract Management | Intermediate |
| | 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 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 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 | Advanced | <ul style="list-style-type: none"> Present with credibility, engage varied audiences and test levels of understanding |

NSW Public Sector Capability Framework

| Group and Capability | Level | Behavioural Indicators |
|--|--------------|--|
| | | <ul style="list-style-type: none"> • Translate technical and complex information concisely for diverse audiences • 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 Commit to Customer Service | Intermediate | <ul style="list-style-type: none"> • Support a culture of quality customer service in the organisation • Demonstrate a thorough knowledge of the services provided and relay to customers • Identify and respond quickly to customer needs • Consider customer service requirements and develop solutions to meet needs • Resolve complex customer issues and needs • Co-operate across work areas to improve outcomes for customers |
| Relationships Work Collaboratively | Adept | <ul style="list-style-type: none"> • Encourage a culture of recognising the value of collaboration • Build co-operation and overcome barriers to information sharing and communication across teams/units • Share lessons learned across teams/units • Identify opportunities to work collaboratively with other teams/units to solve issues and develop better processes and approaches to work |
| Results Deliver Results | Adept | <ul style="list-style-type: none"> • Take responsibility for delivering on intended outcomes • Make sure team/unit staff understand expected goals and acknowledge success • Identify resource needs and ensure goals are achieved within budget and deadlines • Identify changed priorities and ensure allocation of resources meets new business needs • Ensure financial implications of changed priorities are explicit and budgeted for • Use own expertise and seek others' expertise to achieve work outcomes |
| Results Think and Solve Problems | Advanced | <ul style="list-style-type: none"> • 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 • Take account of the wider business context when considering options to resolve issues • Explore a range of possibilities and creative alternatives to contribute to systems, process and business improvements • Implement systems and processes that underpin high quality research and analysis |

NSW Public Sector Capability Framework

| Group and Capability | Level | Behavioural Indicators |
|--|--------------|---|
| Business Enablers Technology | Intermediate | <ul style="list-style-type: none">• Apply computer applications that enable performance of more complex tasks• Apply practical skills in the use of relevant technology• Make effective use of records, information and knowledge management functions and systems• Understand and comply with information and communications security and acceptable use policies• Support the implementation of systems improvement initiatives and the introduction and roll-out of new technologies |