

Role Description

Lawyer Employment and Safety



Cluster	Transport
Agency	Sydney Trains
Division/Branch/Unit	Finance Business & Services/General Counsel/Legal Services
Location	Sydney
Role Grade or Band	RC7
Senior Executive Work Level Standards	Not Applicable
Kind of Employment	Permanent Full Time
Role Number	51010003
ANZSCO Code	139914
PCAT Code	1228192
Job Code	83000543
Health Assessment Category - Safety	Category 4
Vision	N/A - Cat 4 Only
Hearing	N/A - Cat 4 Only
Date of Approval	May 2019
Agency Website	www.sydneytrains.nsw.gov.au

Agency overview

Sydney Trains provides train services throughout the Sydney metropolitan area and was established in July 2013. Its vision is to keep Sydney moving by putting the customer at the centre of everything it does and delivering safe, reliable and clean rail services to the people of Sydney. The organisation is focused on providing sustainable, efficient and cost effective services.

Primary purpose of the role

The primary purpose of this role, which is embedded in the Sydney Trains Legal Services team, is to provide employment and safety legal services to contribute to the safe, efficient and cost effective operation of Sydney Trains. The Employment and Safety lawyers in the team service key internal clients in the areas of employment, work health and safety, privacy, inquests, disciplinary investigations, industrial relations and GIPA Act.

The role is also required to share knowledge and experience with other members of the Transport Cluster Legal Services Branch and to undertake other work allocated by the Deputy General Counsel Sydney Trains, including rotating into other areas of the agency or cluster as necessary.

Key accountabilities

- Provide timely, clear, comprehensive and solution focused general employment law advice for officer and manager levels of the Agency in a manner that supports project and organisational outcomes while also addressing legal risk

- Proactively engage and partner with key internal clients to contribute to achieving the delivery of agency goals, including supporting negotiations and the development of legal solutions in response to problems while at all times maintaining their support and trust
- Engage with key internal clients to identify opportunities to improve the legislative framework and business processes
- Improve the value and quality of legal services delivered by optimising the mix of internal and external service delivery including by assisting Transport Cluster Legal Services to develop high quality legal precedents to ensure consistency in approach across the Agency and the cluster
- Ensure significant legal risks are identified and raised with the Deputy General Counsel Sydney Trains and proactively assist the Deputy General Counsel Sydney Trains to facilitate solutions
- Contribute to knowledge sharing, expertise and skills within Transport Cluster Legal Services generally to assist in improving decision making in employment law issues
- Facilitate consultative working relationships with the key internal clients nominated by the Deputy General Counsel Sydney Trains to improve early decision making in connection with the management of employment and related legal risks
- Live the NSW Public Sector and organisational values to achieve outstanding outcomes for the organisation and customers
- Execute safety responsibilities, authorities and accountabilities consistent with Sydney Trains safety management system requirements which are defined in SMS document number SMS-02-RG-3058.

Key challenges

- Assisting the Deputy General Counsel Sydney Trains and other members of Transport Cluster Legal Services to develop practice management systems and procedures, while at the same time managing and reconciling competing priorities and different business perspectives from within the Agency and Cluster in a time constrained environment
- Balancing a busy work environment and demands resulting from tight timeframes and competing priorities so as to ensure consistent quality and responsive legal advice and services, against the requirement to also spend time in gaining a detailed knowledge of the business of key clients
- Forging constructive working relationships with nominated key clients, other government agencies and external law firms to achieve desired policy solutions and business outcomes.

Key relationships

Who	Why
Internal	
General Counsel, Sydney Trains	<ul style="list-style-type: none"> • Lead, assign work and provide guidance and feedback
General Counsel, Group Legal Services & Governance	<ul style="list-style-type: none"> • Assign work and provide guidance and feedback
Deputy General Counsel, Sydney Trains	<ul style="list-style-type: none"> • Primary supervisor
Lawyers, Sydney Trains	<ul style="list-style-type: none"> • Proactively shares observations, practices and lessons with other Sydney Trains team members and also supports other members when they are carrying high volumes of work
Key Clients	<ul style="list-style-type: none"> • Provide legal advice and develop on-going relationships with key clients to proactively identify key legal risks at as early a stage as possible and to gain a deep understanding of the business operations and environment in which those clients operate

Who	Why
Employment lawyers in NSWTL, RMS and TfNSW	<ul style="list-style-type: none"> To proactively share information and expertise in order to achieve efficiencies across the cluster legal team
External	
External law firms	<ul style="list-style-type: none"> Negotiate and improve quality and cost of external legal services

Role dimensions

Decision Making

Has a high level of discretion and judgement in forming legal views and providing legal services in commercial law matters.

Reporting line:

The role reports to the Deputy General Counsel.

Direct Reports:

Nil

Budget/Expenditure:

This role is responsible for ensuring that time spent on providing legal assistance on capital projects is capitalised to the cost of those projects. This role is responsible for ensuring the efficient use of external legal budgets.

Essential Requirements

- Eligible to hold a practising certificate in NSW
- At least 3 years' PAE
- Demonstrated high level experience and skills in at least 2 of the following areas of law:
 - Employment Law
 - Work and Health Safety Law
 - Privacy Law
 - Administrative Law
- Proven capability to obtain high level skills in other practice areas.





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	Adept
	Act with Integrity	Adept
	Manage Self	Adept
	Value Diversity	Adept
 Relationships	Communicate Effectively	Advanced
	Commit to Customer Service	Adept
	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	Adept
	Technology	Intermediate
	Procurement and Contract Management	Intermediate
	Project Management	Intermediate

Focus capabilities

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 Translate technical and complex information concisely for diverse audiences Create opportunities for others to contribute to discussion and debate

NSW Public Sector Capability Framework

Group and Capability	Level	Behavioural Indicators
		<ul style="list-style-type: none"> 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	Adept	<ul style="list-style-type: none"> Take responsibility for delivering high quality customer-focused services Understand customer perspectives and ensure responsiveness to their needs Identify customer service needs and implement solutions Find opportunities to co-operate with internal and external parties to improve outcomes for customers Maintain relationships with key customers in area of expertise Connect and collaborate with relevant stakeholders within the community
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
Results Demonstrate Accountability	Adept	<ul style="list-style-type: none"> Assess work outcomes and identify and share learnings to inform future actions Ensure that actions of self and others are focused on achieving organisational outcomes Exercise delegations responsibly

NSW Public Sector Capability Framework

Group and Capability	Level	Behavioural Indicators
		<ul style="list-style-type: none"> • Understand and apply high standards of financial probity with public monies and other resources • Identify and implement safe work practices, taking a systematic risk management approach to ensure health and safety of self and others • Conduct and report on quality control audits • Identify risks to successful achievement of goals, and take appropriate steps to mitigate those risks
Business Enablers Finance	Adept	<ul style="list-style-type: none"> • Understand core financial terminology, policies and processes, and display a knowledge of relevant recurrent and capital financial measures • Understand impacts of funding allocations on business planning and budgets, including value for money, choice between direct provision and purchase of services, and financial implications of decisions • Understand and apply financial audit, reporting and compliance obligations • Identify discrepancies or variances in financial and budget reports, and take corrective action where appropriate • Seek specialist advice and support where required • Make decisions and prepare business cases paying due regard to financial considerations