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| --- | --- |
| **Cluster** | Justice |
| **Division/Branch/Unit** | Office of the Legal Services Commissioner |
| **Location** | Sydney |
| **Classification/Grade/Band** | Clerk Grade 5/6 |
| **ANZSCO Code** | 599999 |
| **Role Number** | 50009281, 50009282, 50009288, 50009289, 50009294, 50009299 51006451 |
| **PCAT Code** | 1119192 |
| **Date of Approval** | 11 March 2016 (updated 27/6/2018) |
| **Agency Website** | www.justice.nsw.gov.au |

# Primary purpose of the role

The role is responsible for handling public concerns regarding the legal profession by gathering information, investigating complaints and resolving consumer disputes via the telephone, face to face and by formal mediation.

# Key accountabilities

* Resolve consumer disputes over the telephone and in writing, through negotiation, problem solving and mediation to improve standards of professional practice.
* Investigate complaints to ensure compliance with professional conduct rules and the legislation and to discipline practitioners where necessary.
* In conjunction with other MIOs and senior staff, provide input for policy development regarding professional practice standards and other reforms of the profession and *Legal Profession Uniform Law* to contribute to the maintenance of high ethical standards and practice excellence within the legal profession.
* Provide case studies drawn from complaints to legal, policy and education officers to provide a basis for better education and regulation of the profession.
* Present educational talks and seminars to law students and community groups to better inform the public and the profession of the operation of the disciplinary system.
* Contribute to the policy and educational goals of the OLSC and assist in the implementation of strategies emanating from these processes
* Work towards the reduction of the number of complaints made against lawyers through participation in a process of education, training and communication with the profession and the community.

# Key challenges

* Communicating effectively and sensitively, orally and in writing, with a wide range of clients, ranging from senior members of the legal profession to individuals who may have limited English skills or disabilities
* Managing large and variable workloads whilst managing the expectations and demands of complainants and legal practitioners
* Monitoring and analysing trends which arise through the complaint-handling process and providing input for policy development.

# Key relationships

| Who | Why |
| --- | --- |
| **Internal** |  |
| Manager / MIOs | Supervision, guidance, information and advice |
| Staff within Attorney General, Minister, Secretary, Division Heads | Draft responses pursuant to requests for advice from the Attorney and their delegates. |
| Managers and staff within the Office | The MIO liaises daily with the Assistant Commissioners and with other MIOs in relation to complaints, legal issues and the direction of inquiries. |
| **External** |  |
| Law Society, Bar Association and Commissioner for Uniform Legal Services, Victorian Legal Services Board and Commissioner | Liaison with co regulators about specific matters as well as general trends arising from complaints about the profession. |
| The Legal Profession | Liaison with individual members of the legal profession regarding investigation of complaints as well as general guidance. |
| The Public | The MIO deals with the public by telephone, in written communication an attending the office’s front counter. |

# Role dimensions

## Decision making

The MIO makes decisions on complaint-related matters and exercises a problem solving approach in handling consumer disputes. The approach to individual complaint files is on a case by case basis and is not prescribed. The position relies heavily on personal judgment, sometimes in high pressure situations, and there is wide discretion about the direction of inquiries.

Solutions to more complex issues may be solved by consulting with the Legal Services Commissioner, Complaints Manager, Assistant Commissioner (Legal) or others when required.

## Reporting line

The role reports to the Complaints Manager.

## Direct reports

Nil

## Budget/Expenditure

Nil

# Essential requirements

1. Ability to resolve conflict, negotiate and mediate
2. Experience in preparing submissions and correspondence on complex issues
3. Ability to manage a large case load, meet deadlines and remain calm under pressure.

# 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](file:///%5C%5Cprodmfp1%5Cpjpx-chr%5CShared%5CHR%5CWorkforce%20Planning%20and%20Strategy%5C1%20OD%5CPosition%20Descriptions%5Cz%20-%20Template%5Cwww.psc.nsw.gov.au%5Ccapabilityframework)

## 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 | Intermediate |
|  | **Act with Integrity** | **Adept** |
|  | **Manage Self** | **Adept** |
|  | Value Diversity | Intermediate |
|  | **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** | **Adept** |
|  | Demonstrate Accountability | Intermediate |
|  | 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 | Represent the organisation in an honest, ethical and professional way and encourage others to do soDemonstrate professionalism to support a culture of integrity within the team/unitSet an example for others to follow and identify and explain ethical issuesEnsure that others understand the legislation and policy framework within which they operateAct to prevent and report misconduct, illegal and inappropriate behaviour |
| **Personal Attributes**Manage Self | Adept | Look for and take advantage of opportunities to learn new skills and develop strengthsShow commitment to achieving challenging goalsExamine and reflect on own performanceSeek and respond positively to constructive feedback and guidanceDemonstrate a high level of personal motivation |
| **Relationships**CommunicateEffectively | Adept | Tailor communication to the audienceClearly explain complex concepts and arguments to individuals and groupsMonitor own and others non-verbal cues and adapt where necessaryCreate opportunities for others to be heardActively listen to others and clarify own understandingWrite fluently in a range of styles and formats |
| **Results**Think and SolveProblems | Adept | Research and analyse information, identify interrelationships and make recommendations based on relevant evidenceAnticipate, identify and address issues and potential problems and select the most effective solutions from a range of optionsParticipate in and contribute to team/unit initiatives to resolve common issues or barriers to effectivenessIdentify and share business process improvements to enhance effectiveness |
| **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 improvementsIdentify and escalate any possible variance from project plans. |