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| **Cluster** | Regional NSW |
| **Agency** | Department of Regional NSW |
| **Division/Branch/Unit** | Legal, Governance & Procurement |
| **Location** | Sydney or Orange |
| **Classification/Grade/Band** | Legal Officer Grade 4 |
| **Role Number** | TBC |
| **ANZSCO Code** | 271299 |
| **PCAT Code** | 1338192 |
| **Date of Approval** | March 2021 |
| **Agency Website** | www.nsw.gov.au/regionalnsw |

Agency Overview

The Department of Regional NSW was formed in 2020 as a central agency for regional issues. The Department has responsible for building resilient regional economies and communities, strengthening primary industries, managing the use of regional land, overseeing the state’s mineral and mining resources and ensuring government investment in regional NSW is fair and delivers positive outcomes for local communities and businesses.

Primary Purpose of the Role

Provide legislative and advisory services focussing on Primary Industries Law (including biosecurity, animal welfare, food, fisheries, game and feral animals, forestry, agriculture and emerging industries) to service key client areas in the Department.

**Key Accountabilities**

* Draft legal advice at a senior level in the area of administrative law, with a focus on primary industries law
* Draft, review and finalise documents, including instruments, agreements, briefing notes, delegations and orders at a senior level, predominantly in the area of primary industries law
* Facilitate the legislative process for primary industry law by providing advice on reform options; reviewing and assisting with the preparation of Cabinet Submissions, briefings and second reading speeches; preparing drafting instructions and liaising with Parliamentary Counsel in relation to the drafting of legislation so that legislative reform is delivered in accordance with Government objectives and timeframes
* Provide legal assistance and advice to the Department to enable legal resources to be focussed on areas of high demand and priority and broaden the skills and experience of lawyers
* Share and transfer specialist knowledge, expertise and skills to colleagues and clients by conducting information, training and briefing sessions, and developing client training materials, to contribute to the work of the Department

**Key Challenges**

* Provide advisory and legislative services to a range of internal clients to manage legal risks and achieve outcomes in relation to complex and sensitive projects
* Manage a substantial case load in an environment where there are tight time constraints and conflicting client priorities

Key relationships

| Who | Why |
| --- | --- |
| **Internal** |  |
| General Counsel | * May assign work, and provide guidance and feedback, to the Senior Legal Officer. |
| Director | * Assign work; provide input; advice; seek guidance; discuss and resolve issues, share information. |
| Team members | * Work collaboratively with team members in the Primary Industry Law team and staff across the Legal Branch to contribute to achieving business outcomes. |
| Legal Branch | * Collaborate on matters, exchange information, provide mutual support, and participate as part of a team in wider related matters. |
| Key clients | * Provide legal advice and primary industry law services and develop ongoing relationships with clients. |
| **External** |  |
| Stakeholders | * Assist in clients’ engagement with external stakeholders as part of legislative consultation processes. |

# Role dimensions

## Decision making

This role:

* forms legal views and drafts legal advice for finalisation by the Director or General Counsel;
* engages actively in the legislative development process to ensure legislation is fit for purpose;
* exercises discretion and judgement at a senior level in drafting legal advice.

**Reporting line**

The role reports to the Director Primary Industries Law

**Direct reports**

N/A

**Budget/Expenditure**

N/A

Key knowledge and experience

* Superior current experience of administrative law and statutory interpretation.

Essential requirements

* Eligible to hold a current practising certificate in NSW.

# Capabilities for the role

The [NSW public sector capability framework](https://www.psc.nsw.gov.au/workforce-management/capability-framework/the-capability-framework) describes the capabilities (knowledge, skills and abilities) needed to perform a role. There are four main groups of capabilities: personal attributes, relationships, results and business enablers, with a fifth people management group of capabilities for roles with managerial responsibilities. These groups, combined with capabilities drawn from occupation-specific capability sets where relevant, work together to provide an understanding of the capabilities needed for the role.

The capabilities are separated into **focus capabilities** and **complementary capabilities**.

# Focus capabilities

*Focus capabilities* are the capabilities considered the most important for effective performance of the role. These capabilities will be assessed at recruitment.

The focus capabilities for this role are shown below with a brief explanation of what each capability covers and the indicators describing the types of behaviours expected at each level.

| FOCUS CAPABILITIES | | | | |
| --- | --- | --- | --- | --- |
| **Capability group/sets** | **Capability name** |  | **Behavioural indicators** | **Level** |
|  | **Display Resilience and Courage**  Be open and honest, prepared to express your views, and willing to accept and commit to change | | Be flexible and adaptable and respond quickly when situations change  Offer own opinion and raise challenging issues  Listen when ideas are challenged and respond appropriately  Work through challenges  Remain calm and focused in challenging situations | Intermediate |
| **Act with Integrity**  Be ethical and professional, and uphold and promote the public sector values | | Represent the organisation in an honest, ethical and professional way and encourage others to do so  Act professionally and support a culture of integrity  Identify and explain ethical issues and set an example for others to follow  Ensure that others are aware of and understand the legislation and policy framework within which they operate  Act to prevent and report misconduct and illegal and inappropriate behaviour | Adept |
|  | **Communicate Effectively**  Communicate clearly, actively listen to others, and respond with understanding and respect | | Tailor communication to diverse audiences  Clearly explain complex concepts and arguments to individuals and groups  Create opportunities for others to be heard, listen attentively and encourage them to express their views  Share information across teams and units to enable informed decision making  Write fluently in plain English and in a range of styles and formats  Use contemporary communication channels to share information, engage and interact with diverse audiences | Adept |
| **Commit to Customer Service**  Provide customer-focused services in line with public sector and organisational objectives | | Take responsibility for delivering high-quality customer-focused services  Design processes and policies based on the customer’s point of view and needs  Understand and measure what is important to customers  Use data and information to monitor and improve customer service delivery  Find opportunities to cooperate with internal and external stakeholders to improve outcomes for customers  Maintain relationships with key customers in area of expertise  Connect and collaborate with relevant customers within the community | Adept |
| **Work Collaboratively**  Collaborate with others and value their contribution | | Encourage a culture that recognises the value of collaboration  Build cooperation and overcome barriers to information sharing and communication across teams and units  Share lessons learned across teams and units  Identify opportunities to leverage the strengths of others to solve issues and develop better processes and approaches to work  Actively use collaboration tools, including digital technologies, to engage diverse audiences in solving problems and improving services | Adept |
|  | **Deliver Results**  Achieve results through the efficient use of resources and a commitment to quality outcomes | | Use own and others’ expertise to achieve outcomes, and take responsibility for delivering intended outcomes  Make sure staff understand expected goals and acknowledge staff success in achieving these  Identify resource needs and ensure goals are achieved within set budgets and deadlines  Use business data to evaluate outcomes and inform continuous improvement  Identify priorities that need to change and ensure the allocation of resources meets new business needs  Ensure that the financial implications of changed priorities are explicit and budgeted for | Adept |
| **Think and Solve Problems**  Think, analyse and consider the broader context to develop practical solutions | | Research and apply critical-thinking techniques in analysing information, identify interrelationships and make recommendations based on relevant evidence  Anticipate, identify and address issues and potential problems that may have an impact on organisational objectives and the user experience  Apply creative-thinking techniques to generate new ideas and options to address issues and improve the user experience  Seek contributions and ideas from people with diverse backgrounds and experience  Participate in and contribute to team or unit initiatives to resolve common issues or barriers to effectiveness  Identify and share business process improvements to enhance effectiveness | Adept |
| **Demonstrate Accountability**  Be proactive and responsible for own actions, and adhere to legislation, policy and guidelines | | Be proactive in taking responsibility and being accountable for own actions  Understand delegations and act within authority levels  Identify and follow safe work practices, and be vigilant about own and others’ application of these practices  Be aware of risks and act on or escalate risks, as appropriate  Use financial and other resources responsibly | Intermediate |
|  | **Project Management**  Understand and apply effective planning, coordination and control methods | | Perform basic research and analysis to inform and support the achievement of project deliverables  Contribute to developing project documentation and resource estimates  Contribute to reviews of progress, outcomes and future improvements  Identify and escalate possible variances from project plans | Intermediate |

# Complementary capabilities

*Complementary capabilities* are also identified from the Capability Framework and relevant occupation-specific capability sets. They are important to identifying performance required for the role and development opportunities.

Note: capabilities listed as ‘not essential’ for this role are not relevant for recruitment purposes however may be relevant for future career development.

| COMPLEMENTARY CAPABILITIES | | | | |
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| **Capability group/sets** | **Capability name** |  | **Description** | **Level** |
|  | Manage Self | | Show drive and motivation, an ability to self-reflect and a commitment to learning | Adept |
| Value Diversity and Inclusion | | Demonstrate inclusive behaviour and show respect for diverse backgrounds, experiences and perspectives | Intermediate |
|  | Influence and Negotiate | | Gain consensus and commitment from others, and resolve issues and conflicts | Intermediate |
|  | Plan and Prioritise | | Plan to achieve priority outcomes and respond flexibly to changing circumstances | Intermediate |
|  | Finance | | Understand and apply financial processes to achieve value for money and minimise financial risk | Intermediate |
| Technology | | Understand and use available technologies to maximise efficiencies and effectiveness | Intermediate |
| Procurement and Contract Management | | Understand and apply procurement processes to ensure effective purchasing and contract performance | Intermediate |

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| G:\Role Design Team\Templates & Resources\Scales-of-justice-free-stock-photo-public-domain-pictures-clip-art (1).jpg | Statutory Interpretation | | | Level 2 | |
| **Legal Advice** | | | **Level 2** | |
| Legal Research | | | Level 2 | |
| **Legislative Development and Drafting** | | | **Level 2** | |
| **Legal Advice** | | | Level 2 | * Identify the client, purpose, scope and form of legal advice required, and factors such as urgency or sensitivity. * Obtain relevant information in complex matters and seek clarification or further information where necessary. * Manage legal issues relating to vulnerable clients, including where capacity may be in issue or where ethical or cross-cultural issues arise, with minimal guidance. * Analyse and apply relevant law to the facts, and advises on available options, while identifying the relevant policy, probity and operational considerations, with minimal supervision. * Identify legal risks attached to particular courses of action and appropriate policies, processes and controls to manage legal risks, with minimal supervision. * Review and approve the use of external legal services providers based on task and expertise required; supervises briefs. * Manage relationship between external legal services providers and legal staff, with minimal supervision. * Ensure legal work is completed to a high standard, and in a timely and cost-effective manner. | |
| **Legislative Development and Drafting** | | | Level 2 | * Advise on procedural options for developing legislation or legal policy and its potential impact. * Identify, analyse and resolve issues of law, logic, policy or implementation, relating to legislative proposals and drafting of legislation. * Identify and develops legislative options to meet required policy outcomes * Draft complex legislation that gives effect to Cabinet decisions and instructions and is well structured and organised. * Use advanced knowledge of the legislative process and drafting skills to facilitate the passage of legislation. | |