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|  **Portfolio**  | Communities and Justice |
| **Department** | Department of Communities and Justice |
| **Division/Branch/Unit** | Office of the Legal Services Commissioner |
| **Location** | Sydney |
| **Classification/Grade/Band** | Clerk Grade 5/6 |
| **Role Number** | 50007523, 50007524, 50007534, 50007536, 50007542, 50007552, 50016113, 50036870, 51003029, 51003030 |
| **ANZSCO Code** | 599999 |
| **PCAT Code** | 1119192 |
| **Date of Approval** | 23 May 2024 | **Ref: OLSC 0021** |
| **Agency Website** | www.dcj.nsw.gov.au |

***Please see job notes and/or advertisement for more information on specific role qualification requirements and relevant experience.***

# Agency overview

The Department of Communities and Justice (DCJ) is the lead agency in the Communities and Justice Portfolio. Communities and Justice aims to achieve a safe, just, and inclusive New South Wales (NSW) by operating an effective legal system; increasing access to social and affordable housing; protecting children and families; addressing domestic and family violence; promoting public safety; reducing reoffending; and supporting community harmony and social cohesion.

DCJ works to enable everyone's right to access justice and help for families through early intervention and inclusion, with benefits for the whole community by providing services that are effective and responsive to community needs.

# Office of the NSW Legal Services Commissioner overview

The Office of the NSW Legal Services Commissioner (OLSC) is a statutory office exercising functions under the Legal Profession Uniform Law (NSW) in relation to the resolution of disputes between clients and lawyers and discipline of the legal profession.

# 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, and through written communication with the parties. A strong level of written communication skill is required.

# Key accountabilities

* Resolve consumer disputes through telephone negotiation and in writing, 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 RIOs 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 / RIOs | 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 RIO liaises daily with the Assistant Commissioner (Legal), Deputy Commissioner (Resolutions) and with other RIOs 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 RIO deals with the public by telephone, in written communication and by attending the office’s front counter. |

# Role dimensions

## Decision making

The RIO 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, Deputy Commissioner (Resolutions), Assistant Commissioner (Legal) or others when required.

## Reporting line

The role reports to the Deputy Commissioner (Resolutions).

## Direct reports

Nil

## Budget/Expenditure

Nil

# Key knowledge and experience

Experience in preparing submissions and correspondence on complex issues

# Essential requirements

* Ability to resolve conflict, negotiate and mediate
* Ability to manage a large case load, meet deadlines and remain calm under pressure
* Strong written communication skills

Appointments are subject to reference checks. Some roles may also require the following checks/ clearances:

* National Criminal History Record Check in accordance with the Disability Inclusion Act 2014
* Working with Children Check clearance in accordance with the Child Protection (Working with Children) Act 2012

# 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** |
| Personal Attributes logo | **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 |
| Personal Attributes logo | **Manage Self**Show drive and motivation, an ability to self-reflect and a commitment to learning | * Keep up to date with relevant contemporary knowledge and practices
* 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 and maintain a high level of personal motivation
 | Adept |
| Relationships logo  | **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 |
| Results logo | **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 |
| Business Enablers logo | **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 is not relevant for recruitment purposes however may be relevant for future career development.

| COMPLEMENTARY CAPABILITIES |
| --- |
| **Capability Group/Sets** | **Capability Name** | **Description** | **Level**  |
| Personal Attributes logo |  |  |  |
| Display Resilience and Courage | Be open and honest, prepared to express your views, and willing to accept and commit to change | Intermediate |
| Value Diversity and Inclusion | Demonstrate inclusive behaviour and show respect for diverse backgrounds, experiences and perspectives | Intermediate |
| Relationships logo  |  |  |  |
| Commit to Customer Service | Provide customer-focused services in line with public sector and organisational objectives | Intermediate |
| Work Collaboratively | Collaborate with others and value their contribution | Intermediate |
| Influence and Negotiate | Gain consensus and commitment from others, and resolve issues and conflicts | Intermediate |
| Results logo |  |  |  |
| Deliver Results | Achieve results through the efficient use of resources and a commitment to quality outcomes | Intermediate |
| Plan and Prioritise | Plan to achieve priority outcomes and respond flexibly to changing circumstances | Intermediate |
| Demonstrate Accountability | Be proactive and responsible for own actions, and adhere to legislation, policy and guidelines | Intermediate |
| Business Enablers logo |  |  |  |
| 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 |