

Member pack – Part-time Senior and General Members, Guardianship Division, NCAT

The Attorney General is seeking applications from:

1. **Legal practitioners of at least 7 years' standing with experience or interest in the types of matters dealt with in the Guardianship Division (GD) of NCAT.**
2. **Professionals with suitable qualifications (such as medical practitioners, psychologists or social workers) who have experience in assessing or treating persons to whom the *Guardianship Act 1987* applies.**
3. **Members of the community who have experience with persons to whom the *Guardianship Act 1987* applies.**

Positions

Appointment will be to the respective positions of:

1. Part-time Senior Member (Legal).
2. Part-time Senior Member (Professional).
3. Part-time General Member (Community).

Appointees are to be assigned by the President to the GD.

Remuneration

The remuneration for the positions is as follows:

1. Part-time Senior Member (Legal) is \$955 per day.
2. Part-time Senior Member (Professional) is \$955 per day when presiding and \$640 per day when not presiding.
3. Part-time General Member (Community) is \$828 per day when presiding and \$640 per day when not presiding.

Selection Criteria

1. Applicants for the position of part-time **Senior Member (Legal)** are invited to address the following selection criteria
 - Must be an Australian Lawyer of at least seven (7) years' standing.
 - Ability to hear and determine complex matters in a fair, impartial, informal, expeditious and cost effective manner.
 - Demonstrated knowledge of the law in relation to the Division or the capacity to acquire that knowledge quickly and demonstrated commitment to the principles of the *Guardianship Act 1987* and an understanding of the needs of people with disabilities.
 - Ability to utilise modern case management practices and a range of dispute resolution techniques where possible, while exercising appropriate judgement.
 - Ability to make reasoned, timely and defensible decisions according to law.
 - Ability to produce written statements of reasons for decision which set out the matters referred to in section 62(3) of the *Civil and Administrative Tribunal Act 2013* within the time limits prescribed.

- Ability to conduct proceedings in a fair, impartial and harmonious manner, as informally as practicable, whilst maintaining control of the proceedings and adhering to relevant legal requirements.
 - Be readily accessible when rostered on the Tribunal's after hours service and be available to travel to Tribunal hearings within Sydney and regional NSW.
 - Ability to perform duties, particularly conduct hearings, without support staff.
 - Excellent oral and written communication skills. Possess the ability to communicate effectively in plain English, with parties, other Members and Registry staff.
 - Ability to work with a diverse range of people, including Aboriginal or Torres Strait Islander people and/or those from culturally and linguistically diverse backgrounds.
 - Capacity to work within the Tribunal's electronic environment, including familiarity with computing facilities, ability to manage own typing and operate automated sound recording equipment.
 - Willingness to travel throughout New South Wales to conduct proceedings.
 - Preparedness to sign a member Code of Conduct and to maintain the Tribunal's independence and reputation. Maintain personal independence and integrity and promote the highest standard of behaviour.
2. Applicants for the position of part-time **Senior Member (Professional)** are invited to address the following selection criteria
- A person with a relevant professional qualification (such as a medical practitioner, psychologist or social worker) who has special knowledge, skill or expertise in assessing or treating persons to whom the *Guardianship Act 1987* relates.
 - Special knowledge, skill or expertise in relation to any one or more classes of matters in respect of which the Tribunal has jurisdiction.
 - Demonstrated current experience in assessing or treating people with disabilities such as dementia, mental illness, acquired brain injury, intellectual disability, stroke, eating disorders and other cognitive impairments.
 - Demonstrated knowledge of the law in relation to the Division or the capacity to acquire that knowledge quickly and demonstrated commitment to the principles of the *Guardianship Act 1987* and an understanding of the needs of people with disabilities.
 - Possess sufficient knowledge to make reasoned decisions as part of a panel of members.
 - Be readily accessible when rostered on the Tribunal's after hours service and be available to travel to Tribunal hearings within Sydney and regional NSW.
 - Ability to perform duties, particularly conduct hearings, without support staff.
 - Excellent oral and written communication skills. Possess the ability to communicate effectively in plain English, with parties, other Members and Registry staff.
 - Ability to work with a diverse range of people, including Aboriginal or Torres Strait Islander people and/or those from culturally and linguistically diverse backgrounds.

- Capacity to work within the Tribunal's electronic environment, including familiarity with computing facilities, ability to manage own typing and operate automated sound recording equipment.
 - Willingness to travel throughout New South Wales to conduct proceedings.
 - Preparedness to sign a member Code of Conduct and to maintain the Tribunal's independence and reputation. Maintain personal independence and integrity and promote the highest standard of behaviour.
3. Applicants for the position of **General Member (Community)** are invited to address the following selection criteria
- A person with a community based qualification such that they have experience with persons to whom the *Guardianship Act 1987* relates such as people with dementia, mental illness, acquired brain injury, intellectual disability, stroke, eating disorders and other cognitive impairments.
 - Demonstrated knowledge of the law in relation to the Division or the capacity to acquire that knowledge quickly and demonstrated commitment to the principles of the *Guardianship Act 1987* and an understanding of the needs of people with disabilities.
 - Possess sufficient knowledge to make reasoned decisions as part of a panel of members.
 - Be readily accessible when rostered on the Tribunal's after hours service and be available to travel to Tribunal hearings within Sydney and regional NSW.
 - Ability to perform duties, particularly conduct hearings, without support staff.
 - Excellent oral and written communication skills. Possess the ability to communicate effectively in plain English, with parties, other Members and Registry staff.
 - Ability to work with a diverse range of people, including Aboriginal or Torres Strait Islander people and/or those from culturally and linguistically diverse backgrounds.
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Guardianship Division

NCAT's Guardianship Division manages approximately 10,000 matters a year.

The Guardianship Division determines applications about adults who are incapable of making their own decisions and who may require a legally appointed substitute decision maker.

Applications to the Guardianship Division include applications for:

- Guardianship orders to appoint a guardian to make personal or lifestyle decisions for someone with decision making disabilities.

- Financial management orders to appoint a financial manager for someone who is not capable of managing their affairs.
- Consent for treatment by a doctor or dentist.
- Review an enduring power of attorney.
- Review an enduring guardianship appointment.
- Approval of a clinical trial so that people with a decision making disability can take part.

The *Guardianship Act 1987* sets out the limits of its responsibilities and functions and the principles to be applied when making decisions.

More information about the GD is available at

<http://www.ncat.nsw.gov.au/Pages/guardianship/guardianship.aspx>

More information about the Tribunal generally can be obtained at

<http://www.ncat.nsw.gov.au/>

The NCAT member code of conduct can be found at

http://www.ncat.nsw.gov.au/Documents/member_code_of_conduct.pdf