

Role Description

Legal Officer Grade 2/3

Cluster	Education
Agency	NSW Department of Education
Division/Branch/Unit	People Group / Legal Services / Practice Groups
Location	105 Phillip St, Parramatta
Classification/Grade/Band	Legal Officer Grade 2/3
Kind of employment	Ongoing/Temporary
Child Related Role	Yes
Role number	Various
ANZSCO Code	271299
PCAT Code	1128192
Date of Approval	31 March 2022
Agency Website	education.nsw.gov.au

Agency overview

The NSW Department of Education serves the community by providing world-class education for students of all ages.

We ensure young children get the best start in life by supporting and regulating the early childhood education sector. We are the largest provider of public education in Australia with responsibility for delivering high-quality public education to two-thirds of the NSW student population. We are committed to fostering vibrant, sustainable and high-performing vocational and higher education sectors.

We are responsible for enacting NSW Government policy, driving improvement in education, and overseeing policy, funding and compliance issues relating to non-government schools. We respect and value Aboriginal and Torres Strait Islander people as First Peoples of Australia.

Legal Services Directorate

Legal Services supports schools, regional and state offices to navigate the law to put students at the centre of decision-making. We are a trusted and credible partner, delivering excellent service and promoting community confidence in public education. Our legal advice and expertise build organisational capabilities so that every student, every teacher, every leader and every school can improve, every year.

Legal practice areas may include commercial and property law, contracts, liability, discrimination, privacy, employment, attendance, civil, criminal and administrative law and general litigation.

Primary purpose of the role

- The Legal Officer Grade 2/3 provides efficient and effective legal services and advice to clients, management and staff in accordance with legislation, policy, guidelines and practice standards to support delivery of excellent service for the department and its students.

Key accountabilities

- Interpret and prepare complex legal documents including contracts, commercial agreements, instruments, submissions, court process, orders, civil agreements, legislation, and briefing notes to support the department's operations.
- Undertake administrative activities and research allocated within established standards, procedures, policies and delegations.
- Conduct or contribute to allocated legal cases and interpret and comply with legislation, policies and practice standards.
- Represent the department before courts and tribunals to ensure optimum outcomes in the resolution of legal matters for clients and the department.
- Assist with the preparation and delivery of legal education and training programs to internal and external stakeholders and clients to build capacity and understanding across the department.
- Assist with the collection of relevant legal data for reporting that informs and improves the department's operations.

Key challenges

- Delivering high quality legal services in a high-volume work environment, in accordance with instructions and timeframes.
- Keeping up to date on legal developments and procedures and identifying relevant training and development to maintain professional standards and retain a practising certificate.
- Clearly communicating legal concepts to a wide range of internal and external stakeholders and clients and understanding their requirements.

Key relationships

Who	Why
Internal	
Line manager	<ul style="list-style-type: none">• Provide timely and accurate advice regarding legal issues• Actively seek, reflect and act on performance feedback• Develop and maintain effective working relationships
Team members	<ul style="list-style-type: none">• Provide information, advice, support and performance feedback• Provide an effective and valuable two-way liaison
Other Education divisions	<ul style="list-style-type: none">• Provide timely and accurate legal advice within negotiated timeframes• Develop and maintain effective working relationships
External	
External legal panel firms	<ul style="list-style-type: none">• Allocate work as negotiated• Build positive relationships.
Community groups	<ul style="list-style-type: none">• Provide timely and accurate legal advice within negotiated timeframes• Develop and maintain effective working relationships
Clients, counsel, witnesses, experts, other members of the legal profession and court officials	<ul style="list-style-type: none">• Receive instructions and represent clients, provide instructions, advice and information and conduct legal matters under supervision• Build positive relationships.

Role dimensions

Decision making

The role

- works with a degree of independence within legislation and departmental policies and practice standards
- exercises limited discretion in relation to the conduct of litigation and the provision of assistance under the supervision of senior legal officers
- with management guidance, develops a suitable approach in managing workload and providing input for team planning and projects
- is responsible for determining own actions undertaken, within government and legislative policies, and for ensuring quality control in the implementation of own workload.

Reporting line

Principal Legal Officer or Senior Legal Officer, depending on the practice area.

Direct reports

Nil

Key knowledge and experience

Knowledge of and commitment to implementing the Department's [Aboriginal Education Policy](#) and upholding the [Department's Partnership Agreement with the NSW AECG](#) and to ensure quality outcomes for Aboriginal people.

- Current knowledge or ability to acquire knowledge of the following areas of law: commercial, civil, employment, criminal, discrimination and general litigation.

Essential requirements

- Legal qualifications and with a current NSW legal practising certificate
- Working with Children Check clearance for paid employment or ability to apply for clearance as this is a child-related role

Capabilities for the role




The [NSW public sector 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	Act with Integrity Be ethical and professional, and uphold and promote the public sector values	<ul style="list-style-type: none"> • 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
 Relationships	Communicate Effectively Communicate clearly, actively listen to others, and respond with understanding and respect	<ul style="list-style-type: none"> • 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	Deliver Results Achieve results through the efficient use of resources and a commitment to quality outcomes	<ul style="list-style-type: none"> • Seek and apply specialist advice when required • Complete work tasks within set budgets, timeframes and standards • Take the initiative to progress and deliver own work and that of the team or unit • Contribute to allocating responsibilities and resources to ensure the team or unit achieves goals • Identify any barriers to achieving results and resolve these where possible • Proactively change or adjust plans when needed 	Intermediate
	Think and Solve Problems	<ul style="list-style-type: none"> • Identify the facts and type of data needed to understand a problem or explore an opportunity 	Intermediate

FOCUS CAPABILITIES






Capability group/sets	Capability name	Behavioural indicators	Level
	Think, analyse and consider the broader context to develop practical solutions	<ul style="list-style-type: none"> • Research and analyse information to make recommendations based on relevant evidence • Identify issues that may hinder the completion of tasks and find appropriate solutions • Be willing to seek input from others and share own ideas to achieve best outcomes • Generate ideas and identify ways to improve systems and processes to meet user needs 	
 <p>Business Enablers</p>	<p>Technology</p> <p>Understand and use available technologies to maximise efficiencies and effectiveness</p>	<ul style="list-style-type: none"> • Demonstrate a sound understanding of technology relevant to the work unit, and identify and select the most appropriate technology for assigned tasks • Use available technology to improve individual performance and effectiveness • Make effective use of records, information and knowledge management functions and systems • Support the implementation of systems improvement initiatives, and the introduction and roll-out of new technologies 	Intermediate

Occupation specific capability set –	Legal Professionals Capability Set link
Legal Capability	Behaviours
	Level
 <p>Legal</p>	<p>Legal Advice</p> <p>Provide quality independent legal advice and explanation of legal issues</p> <ul style="list-style-type: none"> • Identify the purpose, scope and form of legal advice required. • Obtain relevant information and seek clarification or further information where necessary. • Identify vulnerable clients and manage related legal issues under supervision. • Analyse and apply relevant law to the facts, incorporating policy, probity and operational considerations, and considering the options available to the client, under supervision. • Identify potential legal risks applicable to the advice being provided and non-complex risk management strategies, under supervision. • Recognise where external legal expertise may be required; instruct external legal services providers and assembles legal briefs. • Manage relationship with external legal services providers. • Ensure that legal services provided meet client expectations (quality, timeliness etc) under supervision.
	Level 1

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			
Capability group/sets	Capability name	Description	Level
 Personal Attributes	Display Resilience and Courage	Be open and honest, prepared to express your views, and willing to accept and commit to change	Intermediate
	Manage Self	Show drive and motivation, an ability to self-reflect and a commitment to learning	Intermediate
	Value Diversity and Inclusion	Demonstrate inclusive behaviour and show respect for diverse backgrounds, experiences and perspectives	Intermediate
 Relationships	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	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	Finance	Understand and apply financial processes to achieve value for money and minimise financial risk	Foundational
	Procurement and Contract Management	Understand and apply procurement processes to ensure effective purchasing and contract performance	Foundational
	Project Management	Understand and apply effective planning, coordination and control methods	Foundational
Occupation specific capability set – Legal Professionals Capability Set link			
	Legal Capability	Behaviours	Level
 Legal	Legal Research	Undertake legal research	Level 1
	Legal drafting	Prepare legal documents to achieve client outcomes	Level 1
	Litigation and Dispute Resolution	Litigate and resolve disputes effectively in relevant forums and jurisdictions	Level 1
	Advocacy	Act as an effective and ethical advocate	Level 1