Role Description

Principal Legal Officer

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| **Cluster** | Regional NSW |
| **Agency** | Department of Regional NSW |
| **Division/Branch/Unit** | Corporate| Legal and Governance |
| **Location** | NSW |
| **Classification/Grade/Band** | Legal Officer Grade 6 |
| **Job Family** | Adapted/Legal and Parliamentary/Deliver |
| **ANZSCO Code** | 271299 |
| **PCAT Code** | 1118192 |
| **Date of Approval** | May 2020 updated August 2021; December 2022 |
| **Agency Website** | [www.drnsw.nsw.gov.au](http://www.drnsw.nsw.gov.au/) |

# Agency Overview

The Department of Regional NSW is the central NSW agency for regional issues. We are 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

The Principal Legal Officer provides leadership, legal services and advice in one or more of the following areas:

* **legislation and advice**: administrative law, statutory interpretation, legislative development and reform
* **commercial law**
* **litigation**.

# Key accountabilities

* Provide specialist, high level, timely and client focused legal advice to Ministers, the Secretary, senior executives and staff of the Department to support critical decision making, including proactive advice about risks and potential business improvements.
* Advise and run own matters, including major projects, establish and maintain enduring working relationships and drive timely and robust outcomes in line with Government objectives and timeframes.
* Advise on and draft, review and finalise documents relating to a range of legal matters which could include: instruments, contracts and agreements, briefing notes, delegations, statutory appointments, and orders to enable the Department to effectively carry out its functions.
* Undertake research and analysis, provide options, make recommendations on complex matters and develop solutions to support decision making and achieve positive Department outcomes.
* Conduct information, training and briefing sessions, and develop training materials for clients and staff to transfer specialist knowledge, expertise and skills and contribute to the work of the Department.
* Under the guidance of the Director, assist in the management of team workload and responsibilities (including supervising more junior lawyers) to achieve outcomes and meet deadlines.

# Key challenges

* Provide expert advisory services with a high degree of autonomy and at a senior level, to effectively manage legal risks in relation to high volume complex and sensitive matters consistent with legislation, policy considerations and current good practice.
* Manage competing priorities and assist in the management of team workload, in an environment with challenging workloads, tight timeframes and competing demands.
* Maintain up to date knowledge of multiple types of legal matters impacting on the work of the Department to quickly understand matters and provide timely responses, services and advice consistent with applicable legislation, policies and procedures.

# Key relationships

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| **Who** | | | **Why** |
| **Internal** | | |  |
| General Counsel | | | * Responsible for providing advice and guidance to ensure delivery of high quality legal services that meets client priorities and needs. |
| Director | | | * Provides expert legal advice and guidance to the team to ensure consistent, high quality legal advice * Manages the team and discusses and resolves issues to ensure high levels of performance and development in the team * Responsible for knowledge and information sharing to the team and from the team back out to other parts of the Department * Is the lead contact for clients in terms of priorities and service delivery |
| Team members | | | * Share specialist knowledge, expertise and information * Mentor and provide support to achieve team outcomes * Conduct training and briefing sessions * Collaborate to implement ideas and innovative approaches * Guide and coach Senior Legal Officers, Legal Officers and Paralegals assigned for specific matters/projects |
| Legal and Governance branch | | | * Share knowledge, expertise and information * Collaborate on matters and implement ideas and innovative approaches to improve service delivery * Provide mutual support and participate as part of Legal & Governance Branch projects and initiatives. |
| Stakeholders and clients | | | * Provide legal advice and develop and maintain effective working relationships to align the team’s resources to corporate priorities, offer innovative legal solutions and identify key legal risks and business improvements. * Liaise to ensure broad understanding of legal aspects and issues impacting current initiatives. * Inform of status of, and to resolve identified legal matters. * Share expertise and information, and provide professional legal and procedural advice. * Liaise to obtain responses to questions and requests for advice. * Assist with training and briefing sessions and training support material. |
| **External** |  | |
| Other NSW Government agencies, Commonwealth and local government agencies, members of the community and key stakeholder groups | * Develop effective working relationships * Assist internal clients with engagement activities, legislative process consultations or negotiations. * Provide advice regarding practice and legal procedure. * Keep up to date with developments in key areas and provide input to developments where appropriate. | |

**Role dimensions**

## Decision making

The Principal Legal Officer operates with a high level of autonomy and exercises professional judgement on diverse legal issues, and is accountable for the accuracy, integrity and quality of the content of advice provided. The Principal Legal Officer will:

* independently plan and set priorities for work to be completed, taking into account organisational requirements and external deadlines
* finalise legal advice for issuing to clients at the discretion of the Director
* support the Director with supervision and mentoring of other staff
* make decisions and form legal views to ensure legal solutions are fit for purpose
* complete all legal projects and provide advice within the required timeframes, legislative framework, and in accordance with applicable Departmental policies and legal professional standards.

## Reporting line

The Principal Legal Officer reports to the relevant Director.

## Direct reports

Team dependent (some Principal Legal Officers may be allocated direct reports).

Note: Senior Legal Officers, Legal Officers and Paralegals may report to the Principal Legal Officer on specific projects (regardless of formal reporting lines).

## Budget/Expenditure

Nil

## Key knowledge and experience

* Demonstrated experience in one or more of the following areas:
  + administrative law, statutory interpretation, legislative development and reform;
  + commercial law;
  + litigation.
* Excellent oral and written communication skills, analytical and problem-solving skills.
* Proven ability to work at a senior level and manage challenging workloads and competing deadlines.
* Minimum of 6 years post-admission legal experience.

# 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

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| **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 | Model the highest standards of ethical and professional behaviour and reinforce their use  Represent the organisation in an honest, ethical and professional way and set an example for others to follow  Promote a culture of integrity and professionalism within the organisation and in dealings external to government  Monitor ethical practices, standards and systems and reinforce their use  Act promptly on reported breaches of legislation, policies and guidelines | Advanced |
| relationships | **Communicate Effectively**  Communicate clearly, actively listen to others, and respond with understanding and respect | Present with credibility, engage diverse audiences and test levels of understanding  Translate technical and complex information clearly and concisely for diverse audiences  Create opportunities for others to contribute to discussion and debate  Contribute to and promote information sharing across the organisation  Manage complex communications that involve understanding and responding to multiple and divergent viewpoints  Explore creative ways to engage diverse audiences and communicate information  Adjust style and approach to optimise outcomes  Write fluently and persuasively in plain English and in a range of styles and formats | Advanced |
| relationships | **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 |
| relationships | **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 |
| relationships | **Influence and Negotiate**  Gain consensus and commitment from others, and resolve issues and conflicts | Negotiate from an informed and credible position  Lead and facilitate productive discussions with staff and stakeholders  Encourage others to talk, share and debate ideas to achieve a consensus  Recognise diverse perspectives and the need for compromise in negotiating mutually agreed outcomes  Influence others with a fair and considered approach and sound arguments  Show sensitivity and understanding in resolving conflicts and differences  Manage challenging relationships with internal and external stakeholders  Anticipate and minimise conflict | Adept |
| results | **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 |
| results | **Think and Solve Problems**  Think, analyse and consider the broader context to develop practical solutions | Undertake objective, critical analysis to draw accurate conclusions that recognise and manage contextual issues  Work through issues, weigh up alternatives and identify the most effective solutions in collaboration with others  Take account of the wider business context when considering options to resolve issues  Explore a range of possibilities and creative alternatives to contribute to system, process and business improvements  Implement systems and processes that are underpinned by high-quality research and analysis  Look for opportunities to design innovative solutions to meet user needs and service demands  Evaluate the performance and effectiveness of services, policies and programs against clear criteria | Advanced |
| results | **Demonstrate Accountability**  Be proactive and responsible for own actions, and adhere to legislation, policy and guidelines | Assess work outcomes and identify and share learnings to inform future actions  Ensure that own actions and those of others are focused on achieving organisational outcomes  Exercise delegations responsibly  Understand and apply high standards of financial probity with public monies and other resources  Identify and implement safe work practices, taking a systematic risk management approach to ensure own and others’ health and safety  Conduct and report on quality control audits  Identify risks to successfully achieving goals, and take appropriate steps to mitigate those risks | Adept |
| business-enablers | **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 |

## Occupational Specific Focus Capabilities

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| **Capability group/sets** | **Capability name** | **Behavioural indicators** | **Level** |
| legal-professionals-capabilities | **Legal Advice**  Provide quality independent legal advice and explanation of legal issues | Independently identify the client, scope, purpose and form of legal advice required in complex, urgent or sensitive matters.  Clarify and refine instructions where appropriate and assist others to do so.  Deal independently with vulnerable clients, including where capacity may be in issue or where ethical or cross-cultural issues arise.  Independently analyse and apply relevant law to complex facts, incorporating policy, probity and operational considerations, and creatively formulating options.  Independently identify and advise upon emerging legal risks and their strategic, commercial and policy implications.  Provide guidance to others on selection of external legal services providers and approves briefing of external legal services providers.  Conduct quality assurance of external legal advice provided and provide feedback to external legal providers.  Provide professional supervision to other legal roles in preparing legal advice to assure the quality of the advice provided. | Level 3 |

## 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.

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| **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 | Adept |
| personal-attributes | Manage Self | Show drive and motivation, an ability to self-reflect and a commitment to learning | Adept |
| personal-attributes | Value Diversity and Inclusion | Demonstrate inclusive behaviour and show respect for diverse backgrounds, experiences and perspectives | Intermediate |
| results | Plan and Prioritise | Plan to achieve priority outcomes and respond flexibly to changing circumstances | Intermediate |
| business-enablers | Finance | Understand and apply financial processes to achieve value for money and minimise financial risk | Intermediate |
| business-enablers | Technology | Understand and use available technologies to maximise efficiencies and effectiveness | Intermediate |
| business-enablers | Procurement and Contract Management | Understand and apply procurement processes to ensure effective purchasing and contract performance | Intermediate |

## Occupational Specific Complimentary Capabilities

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| **Capability group/sets** | **Capability name** | **Description** | **Level** |
| legal-professionals-capabilities | Legal Research | Undertake legal research | Level 3 |
| legal-professionals-capabilities | Legal drafting | Prepare legal documents to achieve client outcomes | Level 3 |
| legal-professionals-capabilities | Statutory Interpretation | Interpret legislation, subordinate legislation and instruments in accordance with legislation and accepted legal principles | Level 3 |