

# Role Description

## Solicitor, In-house Counsel Unit

Cluster	Stronger Communities
Agency	Legal Aid NSW
Division/Branch/Unit	Executive
Classification/Grade/Band	Legal Officer I-III (In-house Counsel Unit)
ANZSCO Code	271311
PCAT Code	1118192
Date of Approval	12 April 2019 Reviewed 12 April 2024
Agency Website	<a href="http://www.legalaid.nsw.gov.au">www.legalaid.nsw.gov.au</a>

### Agency overview

Legal Aid NSW is the largest legal aid agency in Australia, comprising a Central Sydney office and over 28 regional offices in metropolitan and regional centres across NSW including two satellite offices at Walgett and Bourke and a number of specialist services and advice clinics. It was established under the *Legal Aid Commission Act 1979* as an independent authority to assist economically and socially disadvantaged people to understand and protect their rights in the legal system. People with disabilities, from people from culturally and linguistically diverse backgrounds, women and children, Indigenous people and people with mental illness are some of the groups who may experience difficulties when enforcing and defending their rights.

Working in partnership with private lawyers, Legal Aid NSW provides legal advice, information and minor assistance and legal representation to eligible people in many areas of law. Legal Aid NSW also provides alternative dispute resolution services, community legal education programs, and publications on legal issues.

### Primary purpose of the role

Provide legal advice and/or representation and undertake legal work relating to the operation of the *Legal Aid Commission Act 1979* (NSW) (the Act), including advice to Legal Aid NSW in house solicitors on client legal privilege and professional obligations as well as administrative law, subpoenas, contracts, information and privacy laws, funding agreements and the interpretation of the Act. Assist the Senior Solicitor Costs Recovery with legal costs recovery work. Assist senior solicitors within the In-house Counsel Unit in litigation, complex inquiries and/or complaints in Courts, Tribunals and relevant Commissions.

### Key accountabilities

- Provide generalist legal advice to the Executive and staff appropriate to the In-house Counsel Unit;
- Assist the Senior Solicitor Costs Recovery with legal costs recovery work;
- Assist senior solicitors within the In-house Counsel Unit in litigation, complex inquiries and/or complaints in Courts, Tribunals and relevant Commissions;
- Provide advice on contracts, agreements and memorandum of understanding, legal issues or laws related to the operation of the agency;

- Process applications made to Legal Aid NSW under the *Government Information (Public Access) Act 2009* (GIPA) and the *Privacy and Personal Information Protection Act 1998* (PPIPA) and provide advice and support to staff in the area of access to information and privacy; and
- Contribute to the awareness and evaluation within Legal Aid NSW of obligations under privacy and GIPA legislation and other legislative obligations.

## Key challenges

- Quickly acquiring an understanding of many areas of law, as well as an overall understanding of the operation of the justice system and the place of Legal Aid NSW within it
- Conducting a high volume of legal costs recovery work
- Timely provision of legal advice, addressing issue of merit, compliance and, risk
- Dealing with complex formal GIPA applications and establishing strong working relationships within Legal Aid NSW to ensure statutory obligations and timeframes are met under access to information and privacy legislation; and

## Key relationships

Who	Why
<b>Internal</b>	
Manager, In house Counsel Unit	• Allocation of work, direction and support
Other members of the agency including executive	• Provision of legal advice, addressing issue of merit, compliance and, risk
Solicitors	• Receiving guidance and mentoring from within the Unit
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## Role dimensions

### Reporting line

Manager, In-house Counsel Unit

### Essential requirements

Practising Certificate

Legal Qualifications





### Capabilities for the role

The NSW Public Sector Capability Framework applies to all NSW public sector employees. The Capability Framework is available at [www.psc.nsw.gov.au/capabilityframework](http://www.psc.nsw.gov.au/capabilityframework)

## Capability summary

Below is the full list of capabilities and the level required for this role. The capabilities in bold are the focus capabilities for this role. Refer to the next section for further information about the focus capabilities.

### NSW Public Sector Capability Framework

Capability Group	Capability Name	Level
 Personal Attributes	Display Resilience and Courage	Intermediate
	<b>Act with Integrity</b>	<b>Intermediate</b>
	Manage Self	Intermediate
	Value Diversity	Intermediate
 Relationships	<b>Communicate Effectively</b>	<b>Adept</b>
	Commit to Customer Service	Intermediate
	Work Collaboratively	Intermediate
	Influence and Negotiate	Intermediate
 Results	Deliver Results	Intermediate
	<b>Plan and Prioritise</b>	<b>Intermediate</b>
	<b>Think and Solve Problems</b>	<b>Adept</b>
	Demonstrate Accountability	Foundational
 Business Enablers	Finance	Foundational
	Technology	Foundational
	Procurement and Contract Management	Foundational
	<b>Project Management</b>	<b>Foundational</b>

## Focus capabilities

The focus capabilities for the role are the capabilities in which occupants must demonstrate immediate competence. The behavioural indicators provide examples of the types of behaviours that would be expected at that level and should be reviewed in conjunction with the role's key accountabilities.

### NSW Public Sector Capability Framework

Group and Capability	Level	Behavioural Indicators
<b>Personal Attributes</b> Act with Integrity	Intermediate	<ul style="list-style-type: none"> <li>Represent the organisation in an honest, ethical and professional way</li> <li>Support a culture of integrity and professionalism</li> <li>Understand and follow legislation, rules, policies, guidelines and codes of conduct</li> <li>Help others to understand their obligations to comply with legislation, rules, policies, guidelines and codes of conduct</li> <li>Recognise and report misconduct, illegal or inappropriate behaviour</li> </ul>

## NSW Public Sector Capability Framework

Group and Capability	Level	Behavioural Indicators
<b>Relationships</b> Communicate Effectively	Adept	<ul style="list-style-type: none"> <li>• Report and manage apparent conflicts of interest</li> <li>• Tailor communication to the audience</li> <li>• Clearly explain complex concepts and arguments to individuals and groups</li> <li>• Monitor own and others' non-verbal cues and adapt where necessary</li> <li>• Create opportunities for others to be heard</li> <li>• Actively listen to others and clarify own understanding</li> <li>• Write fluently in a range of styles and formats</li> </ul>
<b>Results</b> Plan and Prioritise	Intermediate	<ul style="list-style-type: none"> <li>• Understand the team/unit objectives and align operational activities accordingly</li> <li>• Initiate, and develop team goals and plans and use feedback to inform future planning</li> <li>• Respond proactively to changing circumstances and adjust plans and schedules when necessary</li> <li>• Consider the implications of immediate and longer term organisational issues and how these might impact on the achievement of team/unit goals</li> <li>• Accommodate and respond with initiative to changing priorities and operating environments</li> </ul>
<b>Results</b> Think and Solve Problems	Adept	<ul style="list-style-type: none"> <li>• Research and analyse information, identify interrelationships and make recommendations based on relevant evidence</li> <li>• Anticipate, identify and address issues and potential problems and select the most effective solutions from a range of option</li> <li>• Participate in and contribute to team/unit initiatives to resolve common issues or barriers to effectiveness</li> <li>• Identify and share business process improvements to enhance effectiveness</li> </ul>
<b>Business Enablers</b> Project Management	Foundational	<ul style="list-style-type: none"> <li>• Plan and deliver tasks in line with agreed schedules</li> <li>• Check progress against schedules, and seek help to overcome barriers</li> <li>• Participate in planning and provide feedback about improvements to schedules</li> </ul>