

Role Description

Special Counsel

Cluster/Agency	Justice / Crown Solicitor's Office
Division/Branch/Unit	Inquiries & Criminal - Civil Law - Public Law, Employment & Child Protection - Commercial & Property Law - Divisions
Location	Sydney
Classification/Grade/Band	Senior Executive Band 1
Senior Executive Work Level Standards	Work Contribution Stream: Professional/Technical/Specialist Roles www.psc.nsw.gov.au/wls
ANZSCO Code	271311
Role Number	51000711, 51000712, 51000713, 51000714
PCAT Code	1118192
Date of Approval	22 January 2016
Agency Website	www.cso.nsw.gov.au

Overview

The Crown Solicitor's Office (CSO) is the largest provider of legal services to the NSW Government and its agencies, and the sole provider of legal services in all matters which are regarded as being core to Government functions. The CSO provides core legal services to the NSW Government on a cost recovery basis and competes with the private sector for general legal work.

The CSO, headed by the Crown Solicitor, is a Public Service Executive agency related to the Department of Justice under the *Government Sector Employment Act 2013*. The CSO's business initiatives are linked to the Department's and Government's goals and directions in terms of the delivery of quality client services and responsiveness to the needs of the NSW Government and its agencies.

The CSO's vision is to be:

- the legal service provider of choice for NSW Government Agencies.
- the legal services employer of choice.

The CSO provides quality legal services to the NSW government and its agencies.

Legal services are provided to the clients of the Crown Solicitor through specialist Legal Practice Groups. The Crown Solicitor heads a Legal Practice Group focusing on Government Law issues. Other Legal Practice Groups are organised into four Legal Divisions, and each Division is headed by an Assistant Crown Solicitor. Each Legal Practice Group is headed by an executive lawyer at Director level.

The Corporate Services Division comprises: Finance and Support Services; Human Resources; Information Technology; Information Services and Marketing and Communications. The Division drives practice consistency and excellence in corporate service delivery. With a strong client focus, it delivers critical corporate functions to support the delivery of excellent legal services.

Primary purpose of the role

Provide legal advice, conduct litigation and/or undertake transactional legal work in highly complex or important matters for the NSW Government and its agencies in the areas of law in which the Legal Division

(or relevant Practice Group) the role is located in specialises, to ensure that the State receives high quality legal advice and representation and that its interests are protected.

Key accountabilities

- Perform highly complex or important legal advice, litigation or transactional work ensuring high quality legal advice and representation for the State.
- Provide leadership in identifying, developing and implementing practical solutions to complex legal, politically sensitive commercial/regulatory/legislative arrangements to achieve the CSO and Government's objectives.
- Lead, manage, supervise and mentor any group of staff provided to assist the role in the conduct of matters to ensure the provision of high quality and consistent legal advice and to develop the professionalism and integrity of staff.
- Collaborate with Directors of Legal Practice Groups to contribute to the development of assigned precedents and procedures to ensure the provision of consistent legal advice and representation to support the retention of corporate knowledge.
- Supervise legal files in matters where supervision by the role is considered appropriate by the Crown Solicitor, and Assistant Crown Solicitor and/or Director Legal Practice Group, and conduct reviews of such files to identify and manage risk and ensure compliance with practice management standards and procedures.
- Contribute to marketing activities by presenting at client seminars and in-house continuing legal education seminars, providing information relevant to tenders and preparing draft articles for the CSO Client Newsletter or external legal publications so as to develop and maintain a profile as an expert in the areas in which the Legal Division and/or relevant Legal Practice Group specialises and to assist in CSO business development and client relations.
- Maintain and provide reports on the progress and development of matters to ensure that clients are kept informed about the status of matters and that their expectations are met.

Key challenges

- Keeping abreast of current common law and legislative developments relevant to the Legal Division and/or relevant Legal Practice Group, and establish a profile as an expert in the areas in which the Division/Practice Group specialises.
- Maintaining awareness of the sensitivities involved in dealing with Government, the legal profession and the Judiciary.
- Personally providing legal services in highly complex or important legal work, often in circumstances of urgency and subject to media scrutiny, while, on occasions, also leading, managing and supervising a group of staff provided to assist the role in the conduct of a matter.
- Applying and adapting comprehensive and highly specialised knowledge of relevant areas of the law to different facts and circumstances.

Key relationships

Who	Why
Internal	
Assistant Crown Solicitor/Practice Group The role reports directly to an Assistant Crown Solicitor and works	

Who	Why
Leader	collaboratively with Directors, Legal Practice Group on legal matters.
Other members of the Legal Division and/or relevant Legal Practice Group	To supervise legal files, mentor and to lead, manage and supervise staff provided to assist the role in the conduct of a matter.
External	
Clients of the Crown Solicitor	To provide legal services.

Role dimensions

Decision making

The Special Counsel makes decisions within the appropriate level of delegation assigned to the role.

The role does not participate in line management and administration of the Practice Group, except where the role leads, manages and supervises a group of staff provided to assist the role in the conduct of a matter.

Reporting line

The Special Counsel reports directly to the Assistant Crown Solicitor of the Legal Division.

Indirect reporting

The Special Counsel will report to the Crown Solicitor and /or Director Legal Practice Group when assigned on matters relevant to the Practice Group

Direct reports

There are ordinarily no formal, direct reports to this role. However, the Special Counsel may lead, manage and supervise a group of staff provided to assist the role in the conduct of a matter.

Budget/Expenditure

The role exercises financial delegations in accordance with the CSO's Delegations.

Essential requirements

- Completion of a law degree from an accredited law school or completion of the Legal Practitioners Admission Board's Diploma in Law course.
- Admission or eligibility for admission as a legal practitioner in NSW.
- Highly developed legal skills and extensive experience which enable the provision of advice and representation in highly complex or important matters in which the Practice Group specialises.
- Proven record of achievement in providing complex legal advice and solutions to senior professionals and stakeholders and achieve positive outcomes.






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.

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	Advanced
	Act with Integrity	Advanced
	Manage Self	Advanced
	Value Diversity	Adept
 Relationships	Communicate Effectively	Advanced
	Commit to Customer Service	Adept
	Work Collaboratively	Advanced
	Influence and Negotiate	Adept
 Results	Deliver Results	Adept
	Plan and Prioritise	Adept
	Think and Solve Problems	Advanced
	Demonstrate Accountability	Advanced
 Business Enablers	Finance	Intermediate
	Technology	Intermediate
	Procurement and Contract Management	Intermediate
	Project Management	Intermediate
 People Management	Manage and Develop People	Adept
	Inspire Direction and Purpose	Adept
	Optimise Business Outcomes	Intermediate
	Manage Reform and Change	Intermediate

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
Personal Attributes Display Resilience and Courage	Advanced	<ul style="list-style-type: none"> Stay calm and act constructively in highly pressured and unpredictable environments Give frank, honest advice in the face of strong, contrary views Accept criticism of own ideas and respond in a thoughtful and considered way Welcome new challenges and persist in raising and working through novel and difficult issues Develop effective strategies and show decisiveness in dealing with emotionally charged situations, difficult and controversial issues
Personal Attributes	Advanced	<ul style="list-style-type: none"> Act as a professional role model for colleagues, set high personal goals and take pride in their achievement

NSW Public Sector Capability Framework

Group and Capability	Level	Behavioural Indicators
Manage Self		<ul style="list-style-type: none"> Actively seek, reflect and act on feedback on own performance Translate negative feedback into an opportunity to improve Maintain a high level of personal motivation Take the initiative and act in a decisive way
Relationships Communicate Effectively	Advanced	<ul style="list-style-type: none"> Present with credibility, engage varied audiences and test levels of understanding Translate technical and complex information concisely for diverse audiences Create opportunities for others to contribute to discussion and debate Actively listen and encourage others to contribute inputs Adjust style and approach to optimise outcomes Write fluently and persuasively in a range of styles and formats
Relationships Commit to Customer Service	Adept	<ul style="list-style-type: none"> Take responsibility for delivering high quality customer-focused services Understand customer perspectives and ensure responsiveness to their needs Identify customer service needs and implement solutions Find opportunities to co-operate with internal and external parties to improve outcomes for customers Maintain relationships with key customers in area of expertise Connect and collaborate with relevant stakeholders within the community
Results Deliver Results	Adept	<ul style="list-style-type: none"> Take responsibility for delivering on intended outcomes Make sure team/unit staff understand expected goals and acknowledge success Identify resource needs and ensure goals are achieved within budget and deadlines Identify changed priorities and ensure allocation of resources meets new business needs Ensure financial implications of changed priorities are explicit and budgeted for Use own expertise and seek others' expertise to achieve work outcomes
Results Plan and Prioritise	Adept	<ul style="list-style-type: none"> Take into account future aims and goals of the team/unit and organisation when prioritising own and others' work Initiate, prioritise, consult on and develop team/unit goals, strategies and plans Anticipate and assess the impact of changes, such as government policy/economic conditions, on team/unit objectives and initiate appropriate responses Ensure current work plans and activities support and are consistent with organisational change initiatives Evaluate achievements and adjust future plans accordingly
Results Think and Solve	Advanced	<ul style="list-style-type: none"> Undertake objective, critical analysis to draw accurate conclusions that recognise and manage contextual issues

NSW Public Sector Capability Framework

Group and Capability	Level	Behavioural Indicators
Problems		<ul style="list-style-type: none"> • Work through issues, weigh up alternatives and identify the most effective solutions • Take account of the wider business context when considering options to resolve issues • Explore a range of possibilities and creative alternatives to contribute to systems, process and business improvements • Implement systems and processes that underpin high quality research and analysis
Results Demonstrate Accountability	Advanced	<ul style="list-style-type: none"> • Design and develop systems to establish and measure accountabilities • Ensure accountabilities are exercised in line with government and business goals • Exercise due diligence to ensure work health and safety risks are addressed • Oversee quality assurance practices • Model the highest standards of financial probity, demonstrating respect for public monies and other resources • Monitor and maintain business unit knowledge of and compliance with legislative and regulatory frameworks • Incorporate sound risk management principles and strategies into business planning
Business Enablers Project Management	Intermediate	<ul style="list-style-type: none"> • Perform basic research and analysis which others will use to inform project directions • Understand project goals, steps to be undertaken and expected outcomes • Prepare accurate documentation to support cost or resource estimates • Participate and contribute to reviews of progress, outcomes and future improvements • Identify and escalate any possible variance from project plans
People Management Manage and Develop People	Adept	<ul style="list-style-type: none"> • Define and clearly communicate roles and responsibilities to achieve team/unit outcome • Negotiate clear performance standards and monitor progress • Develop team/unit plans that take into account team capability, strengths and opportunities for development • Provide regular constructive feedback to build on strengths and achieve results • Address and resolve team and individual performance issues, including unsatisfactory performance in a timely and effective way • Monitor and report on performance of team in line with established performance development frameworks