

ROLE DESCRIPTION

Principal Solicitor (Legal Officer Grade VI)

Cluster	Stronger Communities	
Department	Department of Communities and Justice	
Division/Branch/Unit	Law Reform & Legal Services / Legal	
Location	TBC	
Classification/Grade/Band	Legal Officer Grade VI	
Role Number	TBA	
ANZSCO Code	271311	
PCAT Code	1318192	
Date of Approval	2 December 2021	Ref: OGC 0050
Agency Website	www.dcj.nsw.gov.au	

Please see job notes and/or advertisement for more information on specific role qualification requirements and relevant experience.

Agency overview

The Department of Communities and Justice (DCJ) is the lead agency under the Stronger Communities Cluster. DCJ works to enable everyone's right to access justice and help for families through early intervention and inclusion, with benefits for the whole community. Stronger Communities is focussed on achieving safe, just, inclusive and resilient communities by providing services that are effective and responsive to community needs.

Primary purpose of the role

Conduct highly complex and routine legal matters (advice, transaction and or litigation) and supervise the conduct by solicitors Grades 1-111, IV and V and paralegal staff within the functional group to ensure the provision of high quality, cost effective and client focussed legal services which contribute to the achievement of the goals of Legal and the Department's stakeholders/business units.

Closely assist management in the professional supervision and mentoring of staff and provision of legal services, including where assigned, coordinating the allocation of resources and workloads, monitoring business and staff performance, providing instruction and direction to enhance and motivate staff to create a cohesive and skilled team.

Key accountabilities

- Provide the highest level of legal services, advocacy and advice to clients, senior management and staff in accordance with legislative requirements, policies, procedures, guidelines, precedents and practice standards.
- Provide representation as solicitor advocate before Courts, Tribunals, and Commissions of Inquiry or where required, including matters against opposing counsel.

- Supervise legal matters in accordance with relevant policies, procedures, guidelines in order to ensure high client service standards and satisfaction while developing staff and providing professional direction to ensure the delivery of quality legal services by staff within the functional group.
- Develop and review the most complex and sensitive legal documents including legal records, correspondence, reports, submissions, briefing notes, contracts and other matters allocated.
- Contribute to the development, review and implementation of complex legislation and policies and practice standards and provide ongoing monitoring and advice.
- Contribute to the development of precedents, materials for seminars and client feedback, training/general information material and maintenance of accurate and contemporaneous data relating to the work of officers within the functional group.
- Manage the most complex, contentious, or sensitive cases, reviews, research and other legal and administrative activities and provide advice on new and emerging issues in the relevant area of law and their longer-term implications for the Division and Department.
- Provide high level responsive advice and recommendations and manage large projects involving legal reviews, law reform initiatives, legal standards and practices, strategies, reviewing systems, procedures and processes, including long-term planning to improve and enhance legal services and client outcomes.
- Coordinate legal staff internal and as required staff external to the Department and stakeholders to consult on appropriate matters.

Key challenges

- Responding to competing and urgent demands of legal matters of significance to the State whilst balancing the supervision of staff and keeping abreast of current developments in the areas of law for which the functional group operates (Legal generally) and an understanding of clients with special needs and requirements.
- Managing the provision of high quality legal services, files and other allocated work across a team in a high volume work environment, in accordance with instructions, timeframes, good governance and professional obligations whilst maintaining partnerships and strong stakeholders relationships.
- Collaborate towards achieving Departmental strategic goals and assisting management in the data collection and meeting key performance indicators.

Key relationships

Who	Why
Internal	
Senior Management	For direction and guidance and providing advice, information and reporting
Staff	Supervise and provide support, advice and information on complex legal matters
External	
Other Government Agencies (State and Commonwealth)	Networking and information sharing and in relation to the conduct of legal matters
External Panels	In relation to allocation and conduct of legal matters
Courts, Tribunals and Inquiries	Representation of the Department and/or community

Who	Why
Crown Solicitor's Office	Maintain and develop professional relationships to ensure high level of effective and economic legal advice and service and facilitate provision of advice in urgent and sensitive matters as needed
Clients, counsel, witnesses, experts, other members of the legal profession and court officials	Receiving instructions, representing clients and providing advice and information, conducting legal matters and building positive relationships.

Role dimensions

Decision making

The role works with a level of autonomy and accountability in delivering legal services and advice and in determining priorities having regard to competing and urgent matters. The role makes recommendations and provides advice on solutions, emerging issues and issues that may impact the Division or Department and maintains excellent client and stakeholder relationships.

The role provides professional leadership and guidance and supervision of legal work supervised by the role and assists the management of Legal in the achievement of Legal's goals and those of it's client.

Reporting line

This role reports to the relevant Director within Legal.

Direct reports

The role is responsible for supervising staff.

Budget/Expenditure

n/a

Key knowledge and experience

- Extensive knowledge and experience in the relevant area/s of law impacting on the Department of Communities and Justice.
- Experience as a solicitor / advocate.

Essential requirements

- Legal Qualifications and eligibility to hold a practising certificate as a Government legal practitioner issued by the NSW Law Society, with condition 2 removed.
- Current and valid Working with Children Check Clearance in accordance with the Child Protection (Working with Children) Act 2012.
- Where required hold a National Security Clearance at the appropriate level in accordance with the Australian Government Protective Security Policy Framework (PSPF)

Some roles may require the ability to undertake travel for regional court and other commitments subject to the application of any discrimination legislation (including in respect of carer's responsibilities).

Appointments are subject to reference checks. Some roles may also require the following checks/clearances:

- National Criminal History Record Check in accordance with the *Disability Inclusion Act 2014*
- Working with Children Check clearance in accordance with the *Child Protection (Working with Children) Act 2012*

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**.

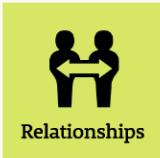
Focus capabilities

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	Display Resilience and Courage Be open and honest, prepared to express your views, and willing to accept and commit to change	• Remain composed and calm and act constructively in highly pressured and unpredictable environments • Give frank, honest advice in response to 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 and difficult or controversial issues	Advanced
	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	Advanced

FOCUS CAPABILITIES

Capability group/sets	Capability name	Behavioural indicators	Level
	Communicate Effectively Communicate clearly, actively listen to others, and respond with understanding and respect	legislation, policies and guidelines • 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
		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
	Think and Solve Problems Think, analyse and consider the broader context to develop practical solutions	• Research and apply critical- thinking techniques in analysing information, identify interrelationships and make recommendations based on relevant evidence • Anticipate, identify and address issues and potential problems that may have an impact on organisational objectives and the user experience • Apply creative-thinking techniques to generate new ideas and options to address issues and improve the user	Adept

FOCUS CAPABILITIES

Capability group/sets	Capability name	Behavioural indicators	Level
		- experience - Seek contributions and ideas from people with diverse backgrounds and experience - Participate in and contribute to team or unit initiatives to resolve common issues or barriers to effectiveness - Identify and share business process improvements to enhance effectiveness	
 Business Enablers	Project Management Understand and apply effective planning, coordination and control methods	- Understand all components of the project management process, including the need to consider change management to realise business benefits - Prepare clear project proposals and accurate estimates of required costs and resources - Establish performance outcomes and measures for key project goals, and define monitoring, reporting and communication requirements - Identify and evaluate risks associated with the project and develop mitigation strategies - Identify and consult stakeholders to inform the project strategy - Communicate the project's objectives and its expected benefits - Monitor the completion of project milestones against goals and take necessary action - Evaluate progress and identify improvements to inform future projects	Adept
 People Management	Manage and Develop People Engage and motivate staff, and develop capability and potential in others	- Refine roles and responsibilities over time to achieve better business outcomes - Recognise talent, develop team capability and undertake succession planning - Coach and mentor staff and encourage professional development and continuous learning - Prioritise addressing and resolving team and individual performance issues and ensure that this approach is cascaded throughout the organisation - Implement performance development frameworks to align workforce capability with the organisation's	Advanced

FOCUS CAPABILITIES

Capability group/sets	Capability name	Behavioural indicators	Level
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current and future priorities and objectives

This role also utilises the Legal Professionals Capability Set. The capability set is available at www.psc.nsw.gov.au/workforce-management/capability-framework/occupation-specific-capability-sets/legal-capability-set

Focus Occupation Specific Capabilities

	Capability name	Capability Set	Level
 Legal	Capability description		
	Legal drafting Prepare legal documents to achieve client outcomes	- Draft complex court and tribunal documents with guidance in contentious or significant matters. - Draft complex court and tribunal documents to implement litigation strategies while complying with procedural, evidentiary and ethical requirements. - Draft legally complex transactional documents, adapting precedents or drafting bespoke documents as required, to meet the requirements of the transaction or project and appropriately manage legal risk. - Use advanced legal knowledge and experience to draft, review or amend complex legal documents which comply with policy, achieve the client's purpose, and minimise legal and commercial risk. - Apply advanced legal knowledge and understanding of stylistic and mechanical requirements to drafting transactional documents, interpreting and negotiating provisions as required. - Provide supervision to other legal professionals in preparing legal documents to assure the quality of documentation	Level 3
	Legal Advice Provide quality independent legal advice and explanation of legal issues	- Provide guidance on complex issues concerning client identity, multiple clients, scope of instructions, purpose, sensitivity or urgency. - Provide guidance and leadership on legal issues relating to vulnerable clients, including where capacity may be in issue or where ethical or cross-cultural issues arise. - Apply a high level understanding and expert analysis of policy, probity and operational issues to provide solutions and options to resolve complex and sensitive legal questions. - Review legal risk management across the	Level 4

	organisation and advise on the strategic, commercial and policy considerations of decisions. • Review internal legal capacity and expertise and develop options for the provision of legal services, including managing cost and tender processes. • Monitor and review relationships with external legal services providers and evaluate cost effectiveness, timeliness and quality of services provided. • Provide professional supervision to other legal roles in preparing legal advice, to assist in their professional development and assure the quality and consistency of the advice provided.	
Legal Research Undertake Legal Research	• Achieve reliable and accurate legal research results through an understanding of the applicable legal system and application of case law and precedent. • Undertake legal research tasks in an efficient and targeted manner, identifying the most valuable sources and progressively adjusting research plans based on results. • Evaluate the results of legal research and where necessary, direct the further research to be undertaken. • Demonstrate a sound understanding of technology relevant to legal research and assist others in using the technology available.	Level 3
Litigation and Dispute Resolution Litigate and resolve disputes effectively in relevant forums and jurisdictions	• Model behaviour expected of government lawyers, provide guidance on model litigant and ethical issues. • Apply extensive knowledge of court and/or tribunal rules, practice notes and procedures to conduct litigation efficiently and effectively in accordance with best practice. • Review and supervise conduct and planning of litigation, settle pleadings, formulate and recommend appropriate strategy. • Conduct high level forensic and strategic analysis and preparation of evidence with regard to the case plan, and confer with expert and other key witnesses. • Apply high level strategy and negotiation skills to resolve disputes; represent clients in dispute resolution processes including mediation and arbitration, and protect the client from associated risks and unnecessary costs. • Provide guidance to others on selection of external legal services providers and approve the briefing of external legal services providers within financial delegations. • Conduct quality assurance of external legal services provided and provide feedback.	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 is not relevant for recruitment purposes however may be relevant for future career development.

COMPLEMENTARY CAPABILITIES			
Capability Group/Sets	Capability Name	Description	Level
 Personal Attributes	Manage Self	Show drive and motivation, an ability to self-reflect and a commitment to learning	Advanced
	Value Diversity and Inclusion	Demonstrate inclusive behaviour and show respect for diverse backgrounds, experiences and perspectives	Adept
 Relationships	Commit to Customer Service	Provide customer-focused services in line with public sector and organisational objectives	Advanced
	Work Collaboratively	Collaborate with others and value their contribution	Advanced
	Influence and Negotiate	Gain consensus and commitment from others, and resolve issues and conflicts	Adept
 Results	Plan and Prioritise	Plan to achieve priority outcomes and respond flexibly to changing circumstances	Advanced
	Demonstrate Accountability	Be proactive and responsible for own actions, and adhere to legislation, policy and guidelines	Adept

COMPLEMENTARY CAPABILITIES

Capability Group/Sets	Capability Name	Description	Level
 Business Enablers	Finance	Understand and apply financial processes to achieve value for money and minimise financial risk	Intermediate
	Technology	Understand and use available technologies to maximise efficiencies and effectiveness	Intermediate
	Procurement and Contract Management	Understand and apply procurement processes to ensure effective purchasing and contract performance	Intermediate
 People Management	Inspire Direction and Purpose	Communicate goals, priorities and vision, and recognise achievements	Intermediate
	Optimise Business Outcomes	Manage people and resources effectively to achieve public value	Intermediate
	Manage Reform and Change	Support, promote and champion change, and assist others to engage with change	Intermediate

Complementary Occupation Specific Capabilities



Capability name	Description	Level
Advocacy	Act as an effective and ethical advocate	Level 3
Statutory Interpretation	Interpret legislation, subordinate legislation and instruments in accordance with legislation and accepted legal principles	Level 3