

Role Description

Principal Legal Officer, Operations



Role Description Fields	Details
Cluster	Health
Department/Agency	Health Infrastructure
Division/Branch/Unit	Strategy & Operations
Classification/Grade/Band	Health Manager Level 5
ANZSCO Code	599214
PCAT Code	1228192
Date of Approval	31 May 2022
Agency Website	www.hinfra.health.nsw.gov.au and www.health.nsw.gov.au

Agency overview

Health Infrastructure delivers sustainable and innovative infrastructure solutions to meet the health care needs of NSW communities now and into the future. We collaborate with government and industry to transform public health facilities across NSW. Outside of health we contribute longer term benefits to NSW communities including the creation of jobs and increased opportunities for local businesses.

Primary purpose of the role

The Principal Legal Officer provides high level legal services and advice on wide ranging matters impacting Government practice, aligning with business imperatives, including commercial and contract, property (and compulsory acquisitions), planning, procurement, administrative law, risk management, GIPA, organisational governance and compliance. This role will have a particular focus on property transactions, including purchases, disposals, compulsory acquisitions, leasing, licensing and easements.

Key accountabilities

- Providing specialist, high level, timely and client focused legal advice (including drafting, reviewing and finalising transaction documents, namely contracts for sale, agreements for lease & leases, easement documents, and property acquisition agreements) and supporting the General Counsel / Director, senior executives and staff of Health Infrastructure to meet priority legal service needs.
- Having conduct and carriage of matters, managing stakeholder relationships and driving timely, outcomes in line with Health and Government objectives and timeframes.
- Supervising, managing and mentoring junior lawyers.
- Assisting with briefing HI's Board, executive and Audit & Risk Committee.
- Engaging and developing good working relationships with Ministry of Health (particularly legal branch) and across Government and other stakeholders to support and enhance HI's objectives and project delivery requirements.
- Update on a regular basis HI's contracting platform precedent documents to reflect key learnings and best practice.
- Conduct workshop, training and briefing sessions, and develop related materials, for internal and external consumption.
- Briefing and managing external lawyers and counsel where appropriate, including ensuring HI legal is kept informed on a regular basis.

Key challenges

- Providing high standard legal services, often without supervision, to effectively manage legal risks in high volume, complex and sensitive matters.
- Providing solutions focused legal services and advice within tight timeframes and managing competing stakeholder priorities and interests.
- Mapping out and achieving organisational and professional development and progression requirements.

Key relationships

Internal

Who	Why
General Counsel / Director	<ul style="list-style-type: none">• Provide high level legal services and advice, and ongoing support, to provide assurances to HI's executive as part of giving advice and providing legal sign offs.• To facilitate ongoing mentoring / development.
Chief Operating Officer / Leadership team	<ul style="list-style-type: none">• Providing assurances around organisational legal matters.• Provide regular updates on status of legal matters and priorities.
Stakeholders	<ul style="list-style-type: none">• Develop and maintain effective and respectful working relationships.• Liaise to ensure broad understanding and resolution of legal aspects and issues impacting current HI initiatives.

External

Who	Why
Across Government	<ul style="list-style-type: none">• Develop effective working relationships where appropriate.• Act as a key player in stakeholder engagement activities to understand agendas and views and obtain support and cooperation.• Liaise to achieve mutual outcomes and provide and obtain information, advice and responses.

Role dimensions

Decision making

The Health Infrastructure Vision, CORE Values, and Corporate Plan and Business Priorities provide the context for the role. The role makes decisions and acts within Government and NSW Health legislative and regulatory frameworks, delegations, policy and procedural frameworks and guidelines.

Works with limited or no supervision and guidance to achieve overall work commitments developed in agreement with the supervisor or manager. Acts independently to determine day-to-day work priorities, negotiates matters related to area of responsibility and makes decisions in relation to the quality of work outcomes.

Reporting line

General Counsel

Direct reports

1+

Budget/Expenditure

Nil / As per financial delegation

Key knowledge and experience

- Experience in commercial & contract law, and property and construction law, and preferably administrative law or experience in the policy making and legislative process.
- Sound understanding of whole of government policy development and decision-making processes.

Essential requirements

- Admitted or qualified for admission as a Solicitor or Barrister in the Supreme Court of NSW and holds, or be eligible to hold a NSW Practising Certificate

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.

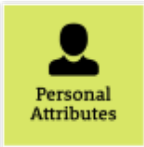
The capabilities are separated into focus capabilities and complementary capabilities

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
	Act with Integrity Be ethical and professional, and uphold and promote the public sector values	<ul style="list-style-type: none">• 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



Manage Self

Show drive and motivation, an ability to self-reflect and a commitment to learning

- Act as a professional role model for colleagues, set high personal goals and take pride in their achievement
- Actively seek, reflect and act on feedback on own performance
- Translate negative feedback into an opportunity to improve
- Take the initiative and act in a decisive way
- Demonstrate a strong interest in new knowledge and emerging practices relevant to the organisation

Advanced

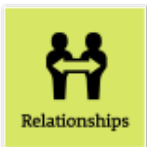


Communicate Effectively

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



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



Plan and Prioritise

Plan to achieve priority outcomes and respond flexibly to changing circumstances

- Consider the future aims and goals of the team, unit and organisation when prioritising own and others' work
- Initiate, prioritise, consult on and develop team and unit goals, strategies and plans
- Anticipate and assess the impact of changes, including government policy and economic conditions, on team and unit objectives and initiate appropriate responses
- Ensure current work plans and activities support and are consistent with organisational change initiatives
- Evaluate outcomes and adjust future plans accordingly

Adept



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



Technology

Understand and use available technologies to maximise efficiencies and effectiveness

- Identify opportunities to use a broad range of technologies to collaborate
- Monitor compliance with cyber security and the use of technology policies
- Identify ways to maximise the value of available technology to achieve business strategies and outcomes
- Monitor compliance with the organisation's records, information and knowledge management requirements

Adept




Manage and Develop People

Engage and motivate staff, and develop capability and potential in others

- Define and clearly communicate roles, responsibilities and performance standards to achieve team outcomes
- Adjust performance development processes to meet the diverse abilities and needs of individuals and teams
- Develop work plans that consider capability, strengths and opportunities for development
- Be aware of the influences of bias when managing team members
- Seek feedback on own management capabilities and develop strategies to address any gaps
- Address and resolve team and individual performance issues, including unsatisfactory performance, in a timely and effective way
- Monitor and report on team performance in line with established performance development frameworks

Adept

Occupational Specific Focus Capabilities

Capability group/sets	Capability name	Behavioural indicators	Level
	Statutory Interpretation Interpret legislation, subordinate legislation and instruments in accordance with legislation and accepted legal principles	<ul style="list-style-type: none"> • Apply understanding of the legislative process and common law to identify and solve complex issues of statutory interpretation. • Make use of extrinsic materials to resolve ambiguity and complex statutory interpretation issues, consistent with legislative and common law requirements. • Understand and apply current legislation relating to interpretation of statutes to solve complex interpretation issues. • Draw on detailed knowledge of the structure and operation of Acts and subordinate legislation in undertaking statutory interpretation. 	Level 3



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. Level 3
- 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.

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.

Capability group/sets	Capability name	Description	Level
	Display Resilience and Courage	Be open and honest, prepared to express your views, and willing to accept and commit to change	Advanced
	Value Diversity and Inclusion	Demonstrate inclusive behaviour and show respect for diverse backgrounds, experiences and perspectives	Advanced
	Commit to Customer Service	Provide customer-focused services in line with public sector and organisational objectives	Adept
	Work Collaboratively	Collaborate with others and value their contribution	Adept

	Deliver Results	Achieve results through the efficient use of resources and a commitment to quality outcomes	Adept
	Demonstrate Accountability	Be proactive and responsible for own actions, and adhere to legislation, policy and guidelines	Adept
	Finance	Understand and apply financial processes to achieve value for money and minimise financial risk	Intermediate
	Procurement and Contract Management	Understand and apply procurement processes to ensure effective purchasing and contract performance	Intermediate
	Project Management	Understand and apply effective planning, coordination and control methods	Adept
	Inspire Direction and Purpose	Communicate goals, priorities and vision, and recognise achievements	Adept
	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