

# Role Description

## Senior Advisor

Cluster	Communities and Justice
Agency	Legal Aid NSW
Division/Branch/Unit	Human Resources
Location	Central Sydney
Classification/Grade/Band	Clerk Grade 9/10
ANZSCO Code	223113
PCAT Code	1224492
Approval Date	8 May 2023

### Agency overview

Legal Aid NSW is the largest legal aid agency in Australia, comprising a Central Sydney office and 28 regional offices in metropolitan and regional centres across NSW including two satellite offices located 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

Provides high quality, ethical strategic advice on key consultation, negotiation and dispute resolution processes with employees, unions and employee representative groups on a range of complex workforce relations issues. Provides initial advice in the management of workplace issues and complaints, including the conduct and coordination of facilitated resolution processes with a restorative and educative focus where possible. Coordinates formal misconduct matters and associated disciplinary processes. The team is currently reviewing the organisation's complaint management framework and processes and some change may occur later this year.

### Key accountabilities

- Provide advice and assistance in the development of a strategic industrial framework, interpretation of awards and legislation, the application of industrial instruments, industrial relations issue, workplace complaints and performance management processes.
- Assist in developing dispute resolution strategies and support managers in the prevention and resolution of industrial issues and workplace complaints, applying a human centred and trauma informed approach.

- Coordinate and case manage investigations into alleged breaches of departmental policies and/or improper conduct and related workplace issues and prepare reports, briefings and investigation plans and make recommendations to improve governance across Legal Aid NSW
- Work with the Manager, Industrial Relations, In-House Counsel, and external lawyers on matters brought before relevant commissions and tribunals.
- Act as the key liaison officer, and manage relations, between Legal Aid NSW and unions and assist in negotiations with relevant unions in a range of forums including award negotiations.
- Deliver best practice governance standards through staff training and education ensuring that managers and staff are familiar and compliant with all applicable laws, policies and other instruments.

## Key challenges

- Managing and fostering positive relationships with employee representative groups and unions in a complex and diverse environment.
- Ensuring timely and best practice initial assessments and dispute resolution processes.
- Negotiating resolutions and outcomes on complex matters with differing views.

## Key relationships

Who	Why
<b>Internal</b>	
Internal HR Teams	<ul style="list-style-type: none"> <li>• Workshop ideas and ensure consistency</li> <li>• Provide and seek advice</li> </ul>
Manager Industrial Relations and Workplace Standards	<ul style="list-style-type: none"> <li>• Provide expert advice on current workforce management practice in the public sector, provide support , coach and assist in employment issues</li> </ul>
<b>External</b>	
Investigation & legal firms	<ul style="list-style-type: none"> <li>• Ensure effective &amp; timely case management</li> </ul>
Unions	<ul style="list-style-type: none"> <li>• Represent Legal Aid NSW on employee relations matters</li> </ul>
External Governing Bodies	<ul style="list-style-type: none"> <li>• Represent Legal Aid NSW and present matters before IRC or other relevant jurisdictions on matters which have wide organisational implications and employee relations matters in general</li> </ul>

## Role dimensions

### Decision making

Contributes to the development, implementation and effectiveness of industrial relations and professional standards strategies and initiatives

### Reporting line

Manager Industrial Relations and Workplace Standards

### Direct reports

NIL

## Budget/Expenditure

N/A

## Essential requirements

N/A

## Key knowledge and experience

- Experience managing workplace complaints and investigations and coordinating human-centred dispute resolution processes.
- Experience in the provision of industrial advice and contributing to the development of strategic industrial solutions.

## 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.

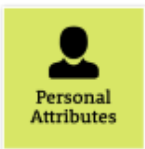
The capabilities are separated into focus capabilities and complementary capabilities

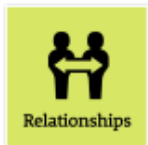
### Focus capabilities

*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
	<b>Act with Integrity</b> Be ethical and professional, and uphold and promote the public sector values	<ul style="list-style-type: none"><li>• Represent the organisation in an honest, ethical and professional way and encourage others to do so</li><li>• Act professionally and support a culture of integrity</li><li>• Identify and explain ethical issues and set an example for others to follow</li><li>• Ensure that others are aware of and understand the legislation and policy framework within which they operate</li><li>• Act to prevent and report misconduct and illegal and inappropriate behaviour</li></ul>	Adept



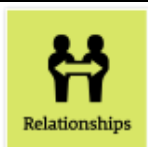
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**Commit to Customer Service**

Provide customer-focused services in line with public sector and organisational objectives

- Promote a customer-focused culture in the organisation and consider new ways of working to improve customer experience
- Ensure systems are in place to capture customer service insights to improve services
- Initiate and develop partnerships with customers to define and evaluate service performance outcomes
- Promote and manage alliances within the organisation and across the public, private and community sectors
- Liaise with senior stakeholders on key issues and provide expert and influential advice
- Identify and incorporate the interests and needs of customers in business process design and encourage new ideas and innovative approaches
- Ensure that the organisation's systems, processes, policies and programs respond to customer needs

Advanced



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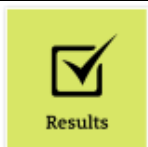
**Influence and Negotiate**

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

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### 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



### 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

## Occupational Specific Focus Capabilities

Capability group/sets	Capability name	Behavioural indicators	Level
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## Workforce Relations







Develop and deliver effective workplace practices aligned with organisational objectives and regulatory and legislative requirements






- Apply knowledge of legislation, industrial awards, agreements and instruments to support the organisation's effective participation in workforce relations consultation and negotiation processes.
- Apply knowledge of employment and contract law to assist managers and employees on more complex work-related enquiries, escalating matters as necessary.
- Support managers to develop their knowledge of workforce relations strategy, policies, practices and procedures, including compliance requirements.
- Develop and maintain relevant employee relations documentation, ensuring all contractual/legal documents, policies and handbooks are updated and comply with current legislation.
- Advise and develop managers in employee health, safety and wellbeing best practices, to ensure internal policies, procedures and legislative requirements are followed appropriately.
- Investigate and assist in the resolution of industrial relations issues in accordance with organisational policy, escalating matters to senior colleagues as required.

Level 2

## 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
 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	Adept
 Relationships	Communicate Effectively	Communicate clearly, actively listen to others, and respond with understanding and respect	Adept
 Relationships	Work Collaboratively	Collaborate with others and value their contribution	Adept
 Results	Deliver Results	Achieve results through the efficient use of resources and a commitment to quality outcomes	Intermediate

	Plan and Prioritise	Plan to achieve priority outcomes and respond flexibly to changing circumstances	Intermediate
	Demonstrate Accountability	Be proactive and responsible for own actions, and adhere to legislation, policy and guidelines	Intermediate
	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

## 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	Adept	<ul style="list-style-type: none"> <li>• Represent the organisation in an honest, ethical and professional way and encourage others to do so</li> <li>• Demonstrate professionalism to support a culture of integrity within the team/unit</li> <li>• Set an example for others to follow and identify and explain ethical issues</li> <li>• Ensure that others understand the legislation and policy framework within which they operate</li> <li>• Act to prevent and report misconduct, illegal and inappropriate behaviour</li> </ul>	
<b>Relationships</b> Commit to Customer Service	Advanced	<ul style="list-style-type: none"> <li>• Promote a culture of quality customer service in the organisation</li> <li>• Initiate and develop partnerships with customers to define and evaluate service performance outcomes</li> <li>• Promote and manage alliances within the organisation and across the public, private and community sectors</li> <li>• Liaise with senior stakeholders on key issues and provide expert and influential advice</li> <li>• Identify and incorporate the interests and needs of customers in business process design</li> <li>• Ensure that the organisation's systems, processes, policies and programs respond to customer needs</li> </ul>	

## NSW Public Sector Capability Framework

Group and Capability	Level	Behavioural Indicators
<b>Relationships</b> Influence and Negotiate	Adept	<ul style="list-style-type: none"> <li>Negotiate from an informed and credible position</li> <li>Lead and facilitate productive discussions with staff and stakeholders</li> <li>Encourage others to talk, share and debate ideas to achieve a consensus</li> <li>Recognise and explain the need for compromise</li> <li>Influence others with a fair and considered approach and sound arguments</li> <li>Show sensitivity and understanding in resolving conflicts and differences</li> <li>Manage challenging relations with internal and external stakeholders</li> <li>Pre-empt and minimise conflict</li> </ul>
<b>Results</b> Think and Solve Problems	Advanced	<ul style="list-style-type: none"> <li>Undertake objective, critical analysis to draw accurate conclusions that recognise and manage contextual issues</li> <li>Work through issues, weigh up alternatives and identify the most effective solutions</li> <li>Take account of the wider business context when considering options to resolve issues</li> <li>Explore a range of possibilities and creative alternatives to contribute to systems, process and business improvements</li> <li>Implement systems and processes that underpin high quality research and analysis</li> </ul>
<b>Business Enablers</b> Project Management	Adept	<ul style="list-style-type: none"> <li>Prepare clear project proposals and define scope and goals in measurable terms</li> <li>Establish performance outcomes and measures for key project goals, and define monitoring, reporting and communication requirements</li> <li>Prepare accurate estimates of costs and resources required for more complex projects</li> <li>Communicate the project strategy and its expected benefits to others</li> <li>Monitor the completion of project milestones against goals and initiate amendments where necessary</li> <li>Evaluate progress and identify improvements to inform future projects</li> </ul>

## Human Resources Professionals Capability Set

Group and Capability	Level	Behavioural Indicators
<b>Human Resources Professionals Capability Set</b> Workforce Relations	Level 2	<ul style="list-style-type: none"> <li>Apply knowledge of legislation, industrial awards, agreements and instruments to support the organisation's effective participation in workforce relations consultation and negotiation processes</li> <li>Apply knowledge of employment and contract law to assist managers and employees on more complex work-related enquiries, escalating matters as necessary</li> </ul>

## Human Resources Professionals Capability Set

Group and Capability	Level	Behavioural Indicators
		<ul style="list-style-type: none"><li>• Support managers to develop their knowledge of workforce relations strategy, policies, practices and procedures, including compliance requirements</li><li>• Develop and maintain relevant employee relations documentation, ensuring all contractual/legal documents, policies and handbooks are updated and comply with current legislation</li><li>• Advise and develop managers in employee health, safety and wellbeing best practices, to ensure internal policies, procedures and legislative requirements are followed appropriately</li><li>• Investigate and assist in the resolution of industrial relations issues in accordance with organisational policy, escalating matters to senior colleagues as required</li></ul>