



EL2, DIRECTOR (PRINCIPAL LEGAL OFFICER)

Reference:	DVAO1377
Position Number:	TBC
Job Title:	Director (Principal Legal Officer)
APS Level:	EL2
Division:	Chief Operating Officer
Branch:	Legal Services and Audit
Section:	Various
Location:	Canberra ACT
No. of staff directly supervised:	Up to 10
Immediate Supervisor:	SES Band 1

Note that the department's Enterprise Agreement sets out the terms and conditions of employment within DVA, including remuneration, relocation and other aspects of working in DVA

Contact Officer Details:

For any job related information required after reading the selection documentation, please contact Nicole Ingram on **s 47E; s 47F**.

Where to lodge Applications:

To apply go to <https://dvajobs.nga.net.au/cp/index.cfm?event=jobs.home> and complete the on-line application by 11.30pm Thursday 16 September 2021.

For more information:

Contact PSGRecruitment@dva.gov.au.

CONTEXT STATEMENT

The Department of Veterans' Affairs (DVA) exists to meet the Nation's commitment to care for our veteran and defence service community—the men and women who have served Australia in times of war and conflict as well as peacetime. We do this through programs of care, compensation, commemoration, income support and Defence support services. Our aim is to ensure enhanced self-sufficiency, quality of life, financial wellbeing and community recognition for those we support.

DVA is both a policy and service delivery agency with an annual budget in excess of \$12 billion. We have strong relationships with Australian ex-service organisations, the Department of Defence, the international veteran community and international veterans' administrations.

DVA's vision is to be a responsive and flexible organisation, efficiently delivering high quality, connected services to all generations of veterans and the wider veteran community.



DVA's cultural vision, underpinned by the APS Values of ICARE, are:

- We know our clients,
- We are future focused,
- We walk the talk,
- We are connected and we work together, and
- We are capable and empowered to deliver

The Legal Services & Audit Branch is a specialist in-house practice that supports lawful implementation of the Department's objectives by advising on the management of legal risk as well as providing legal advice, litigation and dispute resolution services, legal training and legislation services.

We are looking for candidates with relevant experience, flexible thinking and a consistent and reliable work ethic. You need to have strong and efficient administration, liaison and communications skills and the ability to manage conflicting demands to meet deadlines.

You will have the opportunity to work in one of these areas of law:

Commercial and Corporate Law

- **Corporate advice**, which involves PGPA Act compliance, including reviewing and updating Accountable Authority Instructions (AAIs), Finance Business Rules (FBRs) and various policies and procedures;
- **Commercial advice**, including drafting and advising on contracts, deeds, licences, Intellectual Property issues, procurement and probity, negotiations and commercial / risk advice;
- **Commercial litigation**, including advising on contractual disputes, common law disputes and actions (e.g. defamation and negligence) and management of DVA's debt recovery litigation in various courts across Australia;
- **Property**, which involves advising DVA on preparing leases, licenses and purchases and disposals of land in its property portfolio and also advising on and lodging caveats as part of the pension loans scheme;
- **Workplace Relations, Employment and Safety (WRES)**, which includes providing advice on DVA's WHS obligations (e.g. as part of the pandemic response), HR matters (e.g. termination of employees / contractors), reviewing DVA's enterprise agreement and instruments, advising on redundancies and disciplinary matters and managing DVA's litigation in the Australian Human Rights Commission (AHRC) and the Fair Work Commission (FWC) and Federal Court to do with workplace disputes;

Statutory Interpretation

- Provision of timely advice on complex legal matters under the Department's primary pieces of legislation and related instruments.
- Work closely with the policy areas of the Department to support appropriate decision making.

Legislation and Instruments

- Manage the Minister's legislation program before the parliament
- Prepare drafting instructions and related documentation for all legislative proposals.
- Provide advice on matters relating to the legislative process.
- Drafting of the Department's legal instruments and determinations.

Information Law

- Management, processing and provision of legal advice on the Department's information access mechanisms.
- Handling of all privacy law matters, including development of Privacy Impact Assessments and Privacy Threshold Assessments (PIA/PTA).
- Processing non-routine, complex and/or sensitive FOI matters.

Litigation and Discretionary Claims

- Manage appeals to the Administrative Appeals Tribunal (AAT) of decisions under the Department's primary legislation. This may involve appearing in AAT and/or instructing external lawyers.

- Managing Federal Court litigation, where there has been an appeal to the Federal Court from a decision of the AAT or where there has been judicial review under the *Administrative Decisions (Judicial Review) Act 1977* or under the section 39B of the *Judiciary Act 1903*.
- Management and investigation of Discretionary Claims made against the Department. This includes the investigation and provision of recommendations to the decision maker for claims made under the Scheme for Compensation for Detriment caused by Defective Administration (CDDA Scheme) and the provision of input to the Department of Finance in respect of Act of Grace requests.

Royal Commission into Defence and Veteran Suicide Taskforce

- Legal advisors for responding to the upcoming Royal Commission into Defence and Veteran Suicide.
- The legal team working in the Taskforce will:
 - coordinate with other government and external legal teams,
 - monitor Royal Commission proceedings to anticipate the Department's responsibilities for producing information, and
 - work closely with all areas of the Department, and assist with document identification processes, document review and witness evidence in a fast-paced environment.

This recruitment process is being used to fill current and future ongoing and non-ongoing vacancies. A merit pool of suitable applicants will be created which may be used to fill future vacancies should they become available over the next 12 months.

The current vacancy in the branch is the Director of Commercial and Corporate Law. Specific experiences in ICT procurement, property leasing and/or WRES are highly desirable.

DUTY STATEMENT

Position Number:	TBC
Job Title:	Director (Principal Legal Officer)
APS Level:	EL2
Division:	Chief Operating Officer
Branch	Legal Services and Audit
Section:	Various
Location:	Canberra ACT
Immediate Supervisor:	General Counsel (SES Band 1)

DUTIES

In accordance with the principles of workplace diversity, Work Health and Safety, participative work practices, APS values and APS Employment Principles:

As a Director (Principal Legal Officer) you will need to work collaboratively with staff across the department on the delivery of key priorities, while managing staff in your section. Your responsibilities would include:

- Delivery of high quality legal services that meet client expectations (including financial), manage business and legal risk, compliance requirements and professional standards.
- Develop and maintain client relationships with business areas and promote the Legal Services and Audit branch as the Department's trusted advisor.
- Supervise and support other section members including contributing to the setting of the direction of work priorities and practices and monitoring work flow for legal support staff as required.
- Further develop professional legal expertise, through participation in development, training and study opportunities, and meet Continuing Legal Education requirements and other expectations.
- Have professional responsibilities within a legal team delivering services in a very complex environment and have "day-to-day" responsibility for legal matters with important Government and client implications.
- Operate under broad direction and undertake legal work with moderate supervision, the extent of which is dependent upon complexity of legal work and experience.
- Successful applicants will demonstrate sound decision-making and judgement to produce high-level legal advice across different areas of the department's operations, which may include corporate management or service delivery.
- Drafting high quality documents (including briefs, instruments, explanatory statements, agreements and correspondence).
- Manage and develop capabilities of the branch, this includes professional supervision and mentoring of lawyers and/or working with lawyers operating across different areas of law, jurisdictions and geographic locations
- Liaise with managers at all levels in the Department.
- As necessary, represent the Section, Branch, Division or Department at meetings, on committees or with other agencies.
- Ensure the department complies with the *Legal Services Directions 2017*.

SELECTION CRITERIA

Your application will be assessed against the relevant APS level within the Integrated Leadership System (ILS)

For **executive and senior executive levels** is built around five core capability clusters:

- shapes strategic thinking
- achieves results
- cultivates productive working relationships
- exemplifies personal drive and integrity
- communicates with influence.

The five core capability clusters for the pathway for **APS levels** are:

- supports strategic direction

- achieves results
- supports productive working relationships
- displays personal drive and integrity
- communicates with influence.

To learn more about the ILS click [here](#).

The successful candidates will have:

- Excellent written and oral communication skills (including negotiation and influencing skills);
- Significant demonstrated experience as a senior lawyer in government and/or private sector;
- Proactive and result orientated;
- Experience in delivering high level and complex legal advice to senior executives in government and/or the private sector on a wide variety legal issues.
- Highly developed leadership, management and practice management skills.

STATEMENT OF CLAIMS

Candidates apply by submitting a 1000 word statement of claims, also known as a 'one page pitch'.

Candidate's statement of claims outline their skills, knowledge and experience and why they should be considered for the role taking into consideration the duties and selection criteria (ILS).

Mandatory

- Must have at least a Bachelor of Laws degree (or equivalent) from a recognised Australian tertiary education provider.
- Admission as a legal practitioner of the High Court or the Supreme Court of a State or Territory of Australia and must possess, or be eligible to obtain, an ACT practising certificate.
- Substantial contemporary, relevant knowledge and experience in relevant areas of law and knowledge of the Commonwealth legal environment.
- You will also need to hold or obtain a baseline security clearance.