



Australian Government

Department of Health
Therapeutic Goods Administration

CANDIDATE INFORMATION

FIRST ASSISTANT SECRETARY

Legal and Policy Adviser
Department of Health,
Therapeutic Goods
Administration

August 2021

First Assistant Secretary, Principal Legal and Policy Adviser, Therapeutic Goods Administration

Position description

Duties

The Principal Legal and Policy Adviser will provide strategic guidance, leadership and direction for the development, delivery, and monitoring of the activities of the Regulatory Legal Services team and ensure that they are consistent with the strategic directions of the Department and Government policy.

In addition to leadership and management of the Group's legal team, the Principal Adviser is also expected to provide Group wide advice on complex legal and regulatory policy issues. The Principal Adviser will also personally have leadership of a small number of high-profile cross-cutting projects. A recent example is leading development and implementation of a new regulatory framework for nicotine e-cigarettes to support national smoking cessation efforts.

The position will also be representing the Department in senior level discussions with industry, Government, and other relevant parties both nationally and internationally.

The key responsibilities of the role are:

- Provide leadership in delivering outputs of HPRG's regulatory process that are legally robust
- Provide regulatory advice on the review and development of legislation taking into account government and stakeholder expectations
- Provide policy and legal advice on:
 - Matters relating to complex regulatory decisions made under the legislation
 - Leadership of risk management for the Therapeutic Goods Administration and Office of Drug Control
 - Decisions on product regulatory compliance, including enforcement actions and litigation
- Lead, support and develop lawyers within the Group
- Ensure consistency between Group-wide process and the regulatory framework and facilitate the development of regulatory policy underpinning the legislation and its implementation
- Represent the organisation in high level discussions and negotiations; undertake negotiations in a range of high level national and international forums
- Provide expert advice and instruction in enforcement actions, including in relation to matters before the Federal Court and the Administrative Appeals Tribunal
- Support the development of the Department's regulatory capacity

The appointee will be part of the Group and Department's leadership cohort and will need to develop familiarity with the regulatory functions of the Group and priorities and programs of the broader Department.

You will provide advice and assistance to the Deputy Secretary, Secretary and Minister for Health in setting the strategic direction for the TGA and ODC. You will provide high quality input to the

development and/or review of regulatory practices, providing strategic and operational cohesion between individual projects and programs to promote a consistent approach. You will be comfortable from a technical and management perspective in leading a legal team as well as in collaborating with scientific and medical staff.

Relevant Experience

The successful applicant will have had demonstrated experience in a senior management position within a complex organisation, you will be experienced in providing strategic leadership and direction and building the capability of your team and the organisation more broadly.

You will need to be forward thinking, self-motivated, resilient, and adept at building relationships in a large complex and fast-paced environment. Your strong leadership credentials and ability to engender trust and respect will be complemented by sound judgement, a strong focus on results and the ability to resolve complex issues in a public sector context, including by winning support, marshalling resources and leveraging relationships.

The position requires training in and significant understanding of administrative law and policy development. Understanding and expertise in regulation and public sector administration is a significant advantage.

Leadership and Personal Attributes

The TGA is seeking leaders with:

- An exceptional results orientation based on leading by example with a resilient and positive approach to issues resolution
- Proven ability to lead legal professionals in a diverse scientific/regulatory based organisation, and to collaborate with others in areas outside their own professional legal training
- A solid understanding of, and experience at a senior level in administrative law in Australia
- A focus on nurturing people and relationships to ensure an inclusive and collaborative approach, where people are challenged and supported to be creative, innovative, and contribute to the best of their ability
- Experience in leading and implementing major organisational change.
- The ability to develop an understanding of regulatory requirements for therapeutic goods.
- The ability to confidently manage and lead in a dynamic environment. This includes the ability to create and unite people behind a strategic vision, astute judgement, political nous, engaging with positively and creatively with risk, and the ability to lead and support people through change
- First class communication and interpersonal skills that build relationships based on understanding, respect and trust, ensuring Health listens to and learns from stakeholders
- The intelligence, persuasiveness, professionalism, authenticity and credibility necessary to leverage both formal and informal authority
- Excellent self-awareness and a proactive approach to their own personal and professional development, to the development and of their staff and to building the capability of the organisation.

Qualifications

Tertiary qualifications in a relevant legal discipline and experience in administrative law is required.

Experience in a health, regulatory or a technical environment would be an advantage.

Remuneration

These are critical senior appointments and the remuneration packages will therefore be structured to attract and retain outstanding appointees. The packages will include an attractive base salary, an executive vehicle allowance (cash), non-cash benefits (such as parking, airport lounge membership, learning and development and IT equipment) and employer sponsored superannuation.

Location

The position is based in Symonston, ACT (relocating to Fairbairn ACT in early 2022).

Assistance with Relocation

Assistance with removal expenses and / or short term accommodation assistance may be provided if interstate relocation is involved.

Other Conditions

To be employed by the Department of Health applicants must be Australian citizens or have permanent residency status pending the granting of Australian citizenship.

These are positions of trust and successful candidates will be subject to an Negative Vetting 1 security clearance.

RecruitAbility

RecruitAbility applies to this vacancy. You will be invited to participate in further assessment activity for the vacancy if you choose to apply under the RecruitAbility scheme; declare you have a disability; and meet the minimum requirements for the job. For more information see: www.apsc.gov.au/priorities/disability/recruitability.

The Department

Background

The Principal Legal and Policy Adviser is a member of the HPRG's Executive and contribute to the setting of the strategic direction of HPRG and the wider department. They also have line responsibility for a team of over 20 lawyers and paralegals. The role is the chief risk manager for the Group, providing counsel to assist decision makers to assess risks and make decisions on complex regulatory and policy matters that are legally sound and supported by appropriate reasoning.

The other members of the Group Executive are:

- Deputy Secretary, Health Products Regulation
- FAS, Medicines Regulation Division
- FAS, Medical Devices and Product Quality
- FAS, Regulatory Practice and Support

The Department's Behaviours in Action

To achieve the Department's vision, the Executive fosters a culture where all staff:

- Collaborate to innovate – work with others to make a difference
- Invest in high performance – nurture talent and builds capability in others
- Trust and empower – build trust to exercise responsibility
- Listen and appreciate – listen with intent and value contributions
- Walk the talk – lead by example and embrace change

Further information about the Department can be found at: <https://www.health.gov.au/about-us>

APS Values

Every person in the Department is expected to uphold the Australian Public Service (APS) Values of being:

- Impartial – The APS is apolitical and provides the Government with advice that is frank, honest, timely and based on the best available evidence
- Committed to service – The APS is professional, objective, innovative and efficient, and works collaboratively to achieve the best results for the Australian community and the Government
- Accountable – The APS is open and accountable to the Australian community under the law and within the framework of Ministerial responsibility
- Respectful – The APS respects all people, including their rights and their heritage
- Ethical – The APS demonstrates leadership, is trustworthy, and acts with integrity in all that it does.

Preparing your application and how to apply

Your application should include a CV, covering letter and a response of no more than **one page**, to the following selection criteria.

In preparing your response, it is in the interest of candidates to present their application in a way that demonstrates significant outcomes associated with each of the following criteria, as well as the capabilities and behaviours that underpin them (please note that it is not necessary to address the capabilities and behaviours individually).

[Insert how to apply and EIG contact information here]

Selection criteria

1. Achieves Sustained Results

Relevant capabilities and behaviours:

- organisational capability
- professional expertise
- implements change
- ability to clarify ambiguities
- closure and delivery

2. Cultivates productive working relationships

Relevant capabilities and behaviours:

- nurtures internal and external relationships
- facilitates co-operation and partnerships
- values differences and diversity
- guides, mentors and develops people

3. Exemplify personal drive and integrity

Relevant capabilities and behaviours:

- professionalism and probity
- risk-taking and personal courage
- action orientation
- resilience
- self-awareness
- commitment to personal development

4. Communicates with influence

Relevant capabilities and behaviours:

- communicates clearly
- listens, understands and adapts to different audiences
- negotiates persuasively

5. Shapes strategic thinking

Relevant capabilities and behaviours:

- inspires a sense of purpose and direction
- strategic focus
- ability to recognise opportunities, harness information
- shows judgement, intelligence and common sense

6. Professional Capability

Professional skills, knowledge and experience that demonstrate the applicant's professional standing and competency.