SENIOR LAWYER (DATA PROTECTION AND PRIVACY)

DEPARTMENT/UNIT          Office of the General Counsel
FACULTY/DIVISION         Office of the Chief Operating Officer and Senior Vice-President portfolio
CLASSIFICATION          HEW Level 10A
WORK LOCATION            Clayton campus

ORGANISATIONAL CONTEXT
Monash is a university of transformation, progress and optimism. Our people are our most valued asset, with our academics among the best in the world and our professional staff revolutionising the way we operate as an organisation. For more information about our University and our exciting future, please visit www.monash.edu.

The Chief Operating Officer and Senior Vice-President is responsible for the Monash University Administration portfolio, which includes the majority of the University’s internal and infrastructure support services.

The Office of the General Counsel (OGC) is the central office within the University to deal with legal issues. The office provides comprehensive legal advice and services to management and staff on University related matters, and coordinates access to external legal services. The OGC does not provide legal advice to students nor does it advise staff on personal matters.

POSITION PURPOSE
This position is a senior legal contact within the OGC for privacy and data protection matters. The incumbent will apply high-level data protection and privacy expertise to establish and maintain a data protection framework that supports the University’s compliance with both Australian privacy and data protection legislation and the requirements of the International legislation with which the university must comply, such as European Union’s General Data Protection Regulation (GDPR). This includes fostering a renewed focus on privacy and data protection across Monash and implementing the essential elements of the GDPR, such as principles of data processing, data subjects’ rights, data protection by design and by default, records of processing activities, security of processing, and notification and communication of data breaches. The position works in consultation with senior staff and expert advisors to further enhance privacy and data protection, data security and incident management measures.

Reporting Line: This position reports to the Deputy General Counsel
**Supervisory Responsibilities:** Not applicable

**Financial Delegation:** Not applicable

**Budgetary Responsibilities:** Not applicable

## KEY RESPONSIBILITIES

1. Contribute to strategic planning and the achievement of GDPR requirements including fostering a data protection focussed and compliant culture across all Monash operations

2. Lead and manage a renewed focus on privacy and data protection across Monash including the implementation of essential elements of the GDPR such as the principles of data processing, data subjects’ rights, data protection by design and by default, records of processing activities, security of processing, and notification and communication of data breaches

3. Provide expert, specialist advice and training to senior management, staff, students and other stakeholders regarding GDPR compliance

4. Direct, advise on and implement data protection impact assessment (DPIA) requirements including the establishment of DPIA methodology, sourcing decisions, safeguards and measures to apply to mitigate any risks to the rights and interests of the data subjects and monitoring compliance with the GDPR

5. Direct and conceptualise programs of research and analysis in GDPR compliance, best practice and methodology, including making recommendations and co-ordinating regular high level business reporting

6. Direct and deliver effective record keeping processes for all data processing operations and decision making to enable compliance monitoring and reporting

7. Monitor, document and report on actions and decisions in relation to official data protection advice including providing a consultation service in the case of a data breach or incident

8. Provide timely, accurate and practical high quality legal advice, research, documents and services to management and staff on day-to-day and complex legal matters, applying a deep understanding of the University’s strategic objectives and the business imperatives associated with each matter that is being handled

9. Build and sustain relationships with a network of colleagues, clients and stakeholders and use these to facilitate cooperation and deliver services aligned with client needs

10. Play a key role in supporting the development and implementation of initiatives, improvements to the service delivery model and solutions to improve the effective operation of the OGC and strategic delivery of legal services to clients

11. Provide leadership and guidance to colleagues both within the OGC and external to the OGC as appropriate

12. Undertake work in a manner consistent with the ethical and legal obligations of a corporate legal practice

13. Apply judgement to prioritise work of self and others and effectively manage client expectations in a high volume legal office

## KEY SELECTION CRITERIA

### Education/Qualifications

1. The appointee will have:
   - Tertiary qualifications in law (LLB or equivalent);
   - legal practising certificate and preferably currently practising in Victoria;
   - interest in IT security management;
• knowledge and understanding of privacy either as a legal practitioner, privacy practitioner or IT security expert and, relevant experience; or extensive management experience and proven management expertise; or an equivalent combination of relevant experience and/or education/training; and
• high standing with extensive experience in a legal practice setting

Knowledge and Skills

2. Significant experience in national data protection/privacy laws and practices, including an ability to quickly build an in-depth understanding of the GDPR and its application suitable for a senior legal role in a large tertiary education institution

3. Experience in data protection/privacy program and compliance management, preferably in a large and complex tertiary education and research or similar environment

4. Relevant experience in delivering training programs on legal matters for a large, complex organisation

5. Demonstrated ability to provide expert advice, handle information and business affairs with integrity, professional ethics and with due regard for secrecy and confidentiality

6. Highly-developed relationship management skills, including the ability to interact, influence and negotiate at senior levels

7. Exceptional communication skills, including the ability to provide authoritative advice, and effectively communicate complex information in a clear, succinct manner

8. Demonstrated ability to be independent, flexible and versatile, to manage competing priorities and deliver high quality advice within tight timeframes

9. Advanced computer literacy and the ability to quickly understand Monash University’s processing operations, information systems, data security and data protection needs

10. Familiarity with privacy and security risk assessment and best practices, privacy certifications/seals, and information security standards certifications

OTHER JOB RELATED INFORMATION

• Travel (e.g. to other campuses of the University) may be required
• Some out of hours work (including evenings, weekends and public holidays) is likely to be required to deal with pressing matters
• There may be peak periods of work during which the taking of leave may be restricted

GOVERNANCE

Monash University expects staff to appropriately balance risk and reward in a manner that is sustainable to its long-term future, contribute to a culture of honesty and integrity, and provide an environment that is safe, secure and inclusive. Ensure you are aware of and adhere to University policies relevant to the duties undertaken and the values of the University. This is a standard which the University sees as the benchmark for all of its activities in Australia and internationally.