

## Legal Advisor – Legal Services

### Role data

<b>Position no.</b>	TBA	<b>Work Area Profile</b>	Legal Services
<b>Work Level Classification</b>	Level 7	<b>Directorate/Business Unit</b>	Regulatory Operations
<b>Reports to (role)</b>	Corporate Counsel	<b>Location</b>	Melbourne
<b>No. direct reports</b>	Nil	<b>No. of indirect reports</b>	Nil
<b>Version date</b>	2 June 2020	<b>Tenure</b>	Full time

### Work area profile

Ahpra's overall mission is to protect the public by regulating health practitioners efficiently and effectively in the public interest to facilitate access to safer healthcare for all the community. Website: [www.ahpra.gov.au](http://www.ahpra.gov.au)

Regulatory Operations National Legal services provides high quality legal input and advice at key points of Ahpra's regulatory processes under the Health Practitioner Regulation National Law, as in force in each state and territory (the National Law). The national team manages the risks associated with individual legal cases and conducts the regulatory litigation (civil, disciplinary and criminal) on behalf of the Boards and Ahpra. It also provides strategic and policy related legal advice to ensure that Ahpra and National Boards comply with relevant legislative requirements and obligations.

### Role purpose

Reporting to the Corporate Counsel, the Legal Advisor provides commercial law, privacy law and administrative law advice to key stakeholders across the organisation, including but not limited to staff, Board and Committee members, and other relevant regulatory bodies for the purpose of ensuring the National Law is applied and administered in an effective and efficient manner in line with organisational policies and procedures. The role also acts as counsel in relation to litigation conducted by the various Boards and Ahpra.

### Key Accountabilities

- *Provide legal advice and operate in accordance with legislation, regulations and codes of practice relevant to the National Law.*
- *Provide legal advice and recommendations to address and resolve complex issues in respect of commercial, contract, procurement, privacy and public interest disclosure matters, facilities and leasing, intellectual property rights and protection, delegations and authorisations, and records management.*
- *Proactively identify legal issues and risks and develop solutions in line with the organisation's risk framework and overall legal strategy and approach.*
- *Conduct relevant research and provide consistent, authoritative high quality advice regarding Ahpra's regulatory requirements and the National Law.*
- *Where applicable, brief, monitor and manage the engagement of legal firms and counsel to provide advice and conduct dispute resolution on behalf of Ahpra and the National Boards on commercial, administrative law and privacy law matters.*
- *Provide support in the development of privacy material to ensure Ahpra manages privacy risks appropriately and meets privacy obligations.*

- *Ensure adherence to the delegated provisions as prescribed under the National Law.*
- Health Safety and Wellbeing: Ensuring the workplace provides a safe working environment with the required level of care and respect for its participants. This means to:
  - Take reasonable care for own and others' health, safety and wellbeing;
  - Adhere to Ahpra's workplace health, safety and wellbeing policies and procedures.

## Capabilities for the role

The Ahpra [Capability Framework](#) applies to all Ahpra employees. Below is the complete list of capabilities and proficiency level required for this position.

Values	Capabilities	Proficiency Level
<b>Service</b>	Commits to customer service	Advanced
	Displays leadership	Intermediate
	Generates and delivers the strategic vision	Advanced
	Demonstrates an awareness of the National Registration and Accreditation Scheme (the National Scheme) and the National Law	Highly Advanced
<b>Collaboration</b>	Builds constructive working relationships	Advanced
	Communicates effectively	Advanced
<b>Achievement</b>	Demonstrates accountability in delivering results	Advanced
	Uses information and technology systems	Intermediate
	Displays personal drive and integrity	Advanced

## Qualifications/experience

Qualifications/Experience	Required
<b>Qualifications</b>	Admission as a legal practitioner to any state or territory and holds or is eligible to hold an unrestricted practicing certificate.
<b>Experience</b>	<p>Demonstrated legal skills and experience in commercial law, procurement and contract management, privacy law and information / data governance are essential. Experience in administrative law (including statutory interpretation, Ombudsman requirements, freedom of information, instruments of delegation and public interest disclosures) is desirable.</p> <p>Demonstrated ability to build and maintain constructive relationships with staff and internal and external stakeholders.</p> <p>Demonstrated ability to prepare complex correspondence and present legal information to a variety of audiences.</p> <p>Understanding of administrative law and governance, demonstrated by experience in a statutory or regulatory environment.</p> <p>Excellent legal, analytical, conceptual and investigative skills particularly in relation to analysing evidence and reporting on complex issues.</p> <p>Excellent case management and organisational skills; together with the ability to autonomously plan, prioritise and manage competing tasks and deadlines.</p>

## Key relationships

Internal Relationships	External Relationships
National Director – Legal Services	Courts
National Managers	Legal firms
Senior Legal Advisors	Tribunals
National Boards	Other Government agencies
National Legal Services teams	Health practitioners
Regulatory Operations teams	General public
Strategy & Policy teams	
Finance & Procurement team	
Information Technology teams	