

National Manager – Professional Misconduct unit

Role data

Position no.	TBC	Work Area Profile	Legal Services
Work Level Classification	Level 9	Directorate/Business Unit	Regulatory Operations
Reports to (role)	National Director – Legal Services	Location	Flexible
No. direct reports	Up to 8	No. of indirect reports	Up to 20
Version date	31 July 2018	Tenure	Fixed Term, fulltime

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

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 National Director – Legal Services, the national manages a complex and varied workload for either the Panels, and Advice Unit OR the Professional Misconduct unit to deliver national visibility and consistency in the management of all legal matters across Regulatory Operations. The role is expected to identify issues and ways to deliver both immediate resolution to these that are consistent with nationally agreed approaches and identify longer term strategic solutions to improve our future ways of working and ways of managing types of legal problems.

The role will have broad experience and legal expertise in regulating health practitioners, recognising and working with the skills of expertise of the Senior Legal Advisors to support them in their ongoing accountability for the management of individual matters, whilst developing nationally consistent approaches.

Key Accountabilities

- *Provide legal services and operate in accordance with legislation, regulations and codes of practice relevant to the National Law.*
- *Provide consistent, authoritative and high quality expert advice and recommendations to all stakeholders including National Boards and committees.*
- *Assess complex, high profile complaint cases of national relevance and recommends strategies ensuring high risk issues are managed in line with the national law and AHPRA's principles.*
- *Lead, manage and drive national consistency in the interpretation and management of legal cases that also consider jurisdiction specific requirements.*
- *Develop strategies to efficiently and effectively manage registration advice, appeals, notifications, information release, complaints and breaches in advertising.*
- *Analyse, provides advice and direction to the legal team and oversee the ongoing development and implementation of a legal knowledge management strategy for AHPRA staff and decision makers.*

- *Assist in the development of proposed legislation or amendments to legislation.*
- *Conduct and manage legal cases in relation to AHPRA's regulatory requirements and interpretation of National Law.*
- *Provide legal advice and operational guidance relating to complaints made against AHPRA.*
- *Provides risk management advice relating to disciplinary matters.*
- *Ensures attendance at board and/or committee meetings; provide legal services and recommendations to members in a timely and efficient manner.*
- *Supports responses to parliamentary questions and enquiries from relevant government bodies and ministers.*
- *Instructs and monitors the services of any external legal service providers in management of serious and complex panel matters.*
- *Identifies opportunities to continually improve systems, policies and procedures to protect the interests of National Boards and AHPRA in managing legal risk.*
- Provide national oversight and leadership to deliver national visibility of all legal matters across Regulatory Operations that informs the development of nationally agreed case management processes and legal policy positions.
- Lead and manage the National legal services team, by clarifying expectations, providing support, and communicating the rationale for any decisions and changes made.
- Work with the legal services leadership team to manage competing priorities to contribute to the delivery of strategic and operational objectives.
- Demonstrate an awareness of the possible impact of the work of National legal services on strategic, political, and/or operational outcomes for AHPRA, identifying ways to mitigate the risk of adverse impact.
- Apply best practice principles and standards in establishing and maintaining policies and procedures.
- Other duties as directed by the National Director – Legal Services.
- 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.
- People Management: Achieving organisational goals by effectively managing the team's and team members' workplace performance. This means to:
 - Enhance and encourage direct reports' potential through development and coaching activities;
 - Take actions to close identified performance gaps in a timely and effective manner;
 - Comply with AHPRA performance objectives setting, review and development processes;
 - Motivate direct reports' behaviour by providing clear direction and recognition of achievements as well as personally modeling AHPRA standards of behaviour.
 - Ensure quality outputs including that employees maintain a high level of specialist, professional and/or technical expertise.

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

Qualifications/experience

Qualifications/Experience	Required
Qualifications	<p>Admission as a legal practitioner to any state or territory and holds an unrestricted practicing certificate.</p> <p>Graduate Diploma of Strategic Leadership or equivalent and/or relevant leadership experience.</p>
Experience	<p>Demonstrated legal skills and experience in administrative law including statutory interpretation, Ombudsman requirements, freedom of information and privacy.</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>Demonstrated ability to apply legislative, policy and procedural requirements as they relate to a regulatory environment.</p> <p>Demonstrated experience in managing a large team and the ability to develop a high performing, results driven culture.</p> <p>Outstanding communication skills, ability to liaise, negotiate, consult, resolve conflict and manage change at a senior level in complex organisations.</p> <p>Outstanding understanding of administrative law and governance, demonstrated by experience in a statutory or regulatory environment.</p> <p>Outstanding legal, analytical, conceptual and investigative skills particularly in relation to analysing evidence and reporting on complex issues.</p> <p>Outstanding case management and organisational skills; together with the ability to autonomously plan, prioritise and manage competing tasks and deadlines.</p> <p>Outstanding leadership, people and change management, coaching and management skills and experience at a senior level in complex organisations.</p> <p>Significant management experience in a statutory environment leading regulatory functions preferably in a national or cross-jurisdictional context.</p>

Key relationships

Internal Relationships	External Relationships
National Director – Legal Services	Courts
Executive Directors Regulatory Operations, Strategy & Policy, Business Services, and People and Culture	Other regulatory entities
National Directors Notification, Compliance and Registration	Legal firms
National Boards	Tribunals
State and Territory Managers	Other Government agencies
National Legal Service teams	Health practitioners
Registration teams	General public
Monitoring and Compliance teams	