

Legal advisor – Legal Services (Level 6)

Role data

Position no.	TBC	Work Area Profile	Legal Services
Work Level Classification	Level 6	Directorate/Business Unit	Regulatory Operations
Reports to (role)	Senior Legal Advisor – Legal Services	Location	Flexible
No. direct reports	Nil	No. of indirect reports	Nil
Version date	31 July 2018	Tenure	Ongoing, 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 Senior Legal Advisor – Legal Services in either the Panels, Appeals, and Advice unit or the Professional Misconduct unit, the Legal Advisor – Legal Services is to conduct relevant research and prepare legal advice in matters involving all aspects of regulation of health practitioners (registration of health practitioners; appeals against registration decisions; notifications involving conduct, health and performance issues; options for investigation of notifications; and strategy for resolution of notifications matters). Additionally the role will support the legal services division by working collaboratively across all areas and providing legal advice and support to AHPRA and the National Boards and Committees.

Key Accountabilities

- *Provide legal advice and operates in accordance with legislation, regulations and codes of practice relevant to the National Law.*
- *Gather and analyse relevant, appropriately sourced legal information.*
- *Seek, analyse and evaluate expert advice.*
- *Analyse workplace policies, procedures and systems for compliance with contractual and legal obligations.*
- *Identify implications of relevant legislation, regulation and legal precedent, and applies it in making operational decisions.*
- *Provide legal advice on policies and procedural issues and identify risks relating to the statutory interpretation and administration of the relevant National law.*
- *Provide routine legal advice relating to freedom of information requests, privacy and service of subpoenas.*

- *Conduct and manage legal cases in relation to AHPRA’s regulatory requirements and interpretation of National Law.*
- *Manage disciplinary cases and appeals to tribunals or the courts, including liaising with other legal representatives.*
- *Provide effective and consistent advice in compliance with the national law and the delegations of the national boards and AHPRA.*
- *Provide advice to panels on the interpretation and application of the national law, including their powers and options for resolving cases within scope.*
- *Provide advice on appropriate documents to include in summary of issues, background of the matter and questions.*
- *Provide advice on search warrants and entering sites with consent.*
- *Draft agenda and meeting papers, statement of facts, allegations and notices in accordance with the National law and other relevant legislation.*
- Other duties as directed by the Senior Lawyer – 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.

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

Qualifications/experience

Qualifications/Experience	Required
Qualifications	Admission as a legal practitioner to any state or territory and holds or is eligible to hold an unrestricted practicing certificate.
Experience	<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>Advanced legal, analytical, conceptual and investigative skills particularly in relation to analysing evidence and reporting on complex issues.</p> <p>Advanced understanding of administrative law and governance, particularly as required in a statutory or regulatory environment.</p> <p>Advanced 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 Services	Legal firms
Senior Legal Advisors – Legal Services	Tribunals
National Boards	Other Government agencies
State and Territory Managers	Health practitioners
National Legal Services teams	General public
Notifications teams	
Registrations teams	
Monitoring and Compliance teams	