

Senior Legal Advisor – Legal Services

Role data

Position no.	E11199	Work Area Profile	Legal Services
Work Level Classification	Level 8	Directorate/Business Unit	Regulatory Operations
Reports to (role)	National Manager – Panel, Appeals, and Advice or Professional Misconduct	Location	Melbourne
No. direct reports	Up to 8	No. of indirect reports	Up to 5
Version date	30 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 Manager – Legal Services, the Senior Legal Advisor is to provide legal 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 operates in accordance with legislation, regulations and codes of practice relevant to the National Law.*
- *Provide recommendations and professional opinions to address and resolve complex issues.*
- *Proactively identifies legal issues and risks and develops solutions in line with the organisation's risk framework and overall legal strategy and approach.*
- *Provide authoritative advice and direction to the legal services case management teams.*
- *Review the team's current work practices and provide recommendations for process improvement which leads to a whole National legal service team improvement.*
- *Conduct and manage legal cases in relation to AHPRA's regulatory requirements and interpretation of National Law.*
- *Manage reviews and appeals referred to Tribunals and/or the Courts, instructs, coordinates and monitors the provision of services by external legal providers; drafts and prepares court documents and liaises with external legal representatives.*

- *Conduct litigation and prosecution, brief, monitor and manage the engagement of legal firms and counsel to conduct litigation on behalf of AHPRA and the National Boards.*
- *Provide legal advice on policies and procedural issues and identify risks relating to the statutory interpretation and administration of the relevant National law.*
- *Provide advice on complex regulatory issues identified as serious risk to the public*
- *Brief experts to provide opinion on complex matters and issues.*
- Ensure adherence to the delegated provisions as prescribed under the National Law.
- Other duties as directed by the National Manager – 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.

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	Advanced
	Displays leadership	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 or is eligible to hold an unrestricted practicing certificate.</p> <p>Advanced Diploma in Leadership and Management 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>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
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	