

Department of Justice



Office of the Public Guardian

Statement of Duties – May 2021

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| Title | Senior Guardian |
| Number | 357245 |
| Award | Tasmanian State Service Award |
| Classification | General Stream Band 6 |
| Division | Office of the Public Guardian |
| Full Time Equivalent | 1.0 FTE |
| Output Group | Administration of Justice |
| Branch | |
| Supervisor | Public Guardian |
| Direct Reports | Nil |
| Location | Hobart |
| Terms of Employment | Permanent, full-time, 73.50 hours per fortnight. Some interstate and intrastate travel may be required. |
| Position category and funding | A014 |

The Department of Justice

Aim

A safe, fair and just Tasmania.

Purpose

To support the Tasmanian Government to promote the rule of law by

- ensuring an effective, efficient and accessible justice system.
- protecting and respecting rights.
- improving laws.
- influencing positive behaviour and enforcing responsibilities.

Visit the [Department of Justice website](#) for more information.

Divisional Information

The Public Guardian has broad functions under the *Guardianship and Administration Act 1995*, including acting as guardian for adults with a disability when appointed by the Guardianship and Administration Board; fostering and supporting programs and services for people with a disability; providing education and information on the functions of the OPG, the Guardianship and Administration Board and the operation of the Act; and promoting, speaking for and protecting the rights and interests of people with a disability.

Visit the [website](#) for more information.

About the position

Objective

This position contributes to the operation of the Guardianship and Administration Act 1995 by acting as guardian and assisting the Public Guardian to promote the rights and dignity of persons with a disability; to strengthen their position in society; and to reduce exploitation, abuse, and neglect. The position assists the Public Guardian to foster the provision of services, facilities and programs for persons with a disability.

Duties

- Assist the Public Guardian by acting as guardian or occasionally as administrator for persons with disabilities and advocate on their behalf when the Public Guardian is appointed by the Guardianship and Administration Board.
- Make applications to the Board as appropriate, primarily for the appointment of a guardian or an administrator or for the review of a guardianship or administration order.
- Submit reports on any matters referred to the Public Guardian by the Board and to intervene, as appropriate, in any proceedings before the Board or Mental Health Tribunal.
- Seek assistance in the best interests of any person with a disability from any Government department, institution, welfare organisation or service provider and influence systemic change in policies and procedures for people with disabilities.
- Assist the Public Guardian to arrange, co-ordinate and promote informed public awareness and understanding of the rights of people with a disability and provide authoritative advice, including policy advice, on guardianship issues and the rights of people with a disability.
- Assist the Public Guardian to investigate complaints or allegations of inappropriate guardianship, exploitation, abuse or neglect of persons with disabilities.
- Participate in an after-hours “on-call” emergency service. Assist with emergency investigations at short notice.
- Assist the Public Guardian to investigate, report and make recommendations to the Minister on any aspect of the Act.

Level of responsibility

- Undertake the functions of Senior Guardian together with such other functions as may, from time to time, be assigned by the Public Guardian and will be subject to the direction and accountable to the Public Guardian.
- Conduct your work in a safe manner such that it does not put yourself or others at risk.

- Comply with any reasonable instruction contained in WHS policies, procedures and instructions and report hazards, near misses and incidents to your supervisors.

Direction and supervision received

- General instructions are given and tasks are undertaken to achieve the required outcomes or objectives. Discretion and choice in selecting the most appropriate method for completing the allotted tasks is expected and encouraged.

Selection criteria

The following specific selection criteria must be addressed by candidates by describing their relevant personal and professional skills and abilities; qualifications, training and competencies; past achievements; and potential for development. The position objective and duties can also be used to assist in addressing the selection criteria.

1. A thorough knowledge and understanding of Tasmania's substitute decision-making framework and the *Guardianship and Administration Act 1995*, together with the ability to interpret and apply this and related legislation.
2. Proven ability to exercise sound judgement and make principled, just decisions in complex and urgent situations; well-developed analytical and problem solving skills.
3. High-level communication and interpersonal skills, including excellent written communication, negotiation and conflict resolution skills.
4. Demonstrated experience in conducting investigations and researching and analysing social and human service issues.
5. Highly developed self-management skills, including organisational skills, flexibility, and the capacity to deal with pressure and ambiguity.
6. Demonstrated experience, expertise and established networks in areas of work related to people with decision-making disabilities, including people from a diverse range of backgrounds.

Working environment

Employment in the State Service is governed by the *State Service Act 2000*. Both employees and officers are required to uphold and comply with the State Service Principles (Section 7) and the Code of Conduct (section 9).

Department of Justice state service employees:

- treat all users of our services with respect and courtesy;
- listen to what users of our services have to say;
- personalise services to the needs and circumstances of each user of our services where practical;
- always do what they say they are going to do, or update the appropriate people promptly if things change, offering an explanation for the change;
- respond to enquiries promptly and efficiently; and
- consult the public and users of our services about their service needs.

The minimum standard of behaviour expected of all Department of Justice employees is to:

- Consider people equally without prejudice or favour.
- Act professionally with honesty, consistency and impartiality.
- Take responsibility for situations, showing leadership and courage.
- Place the public interest over personal interest.
- Appreciate difference and welcome learning from others.
- Uphold the law, institutions of government and democratic principles.
- Communicate intentions clearly and invite teamwork and collaboration.
- Provide transparency to enable public scrutiny.
- Be fiscally responsible and focus on efficient, effective and prudent use of resources.

Further information about employee expectations is on the Department of Justice Intranet site under Statement of Intent.

The department is committed to high standards of performance in the application of contemporary management practices and principles including workplace health and safety and workplace diversity. The department recognises and uses the diversity of the community it serves. In doing this it acknowledges the individual differences that can contribute to the capacity of a person to perform the inherent requirements of the duties.

DoJ has a zero tolerance approach to violence*, including any form of family violence. DoJ takes an active role in supporting employees and their families and is committed to providing a workplace that promotes safety and wellbeing of all employees.

**The Department accepts the Tasmanian legal definition of violence.*

All employees are expected to participate in maintaining safe working conditions and practices and to promote and uphold the principle of fair and equitable access to employment/promotion, personal development and training and the elimination of workplace harassment and discrimination.

All employees are responsible for participating actively and constructively in discussions regarding performance and for the implementation of agreed outcomes in accordance with the Performance Management policies and strategies of the Department.

Smoking is prohibited in State Government workplaces and vehicles.

Requirements

Essential requirements

- Current motor vehicle driver's licence.

Desirable requirements

- Nil

Pre-employment Checks

The Head of State Service has determined that the person nominated for this vacancy is to satisfy a pre-employment check before taking up the appointment, promotion or transfer.

The following checks are to be conducted:

1. Pre-employment checks

- Arson and fire setting
- Violent crimes and crimes against the person
- Sex-related offences
- Drug and alcohol related offences
- Crimes involving dishonesty
- Crimes involving deception
- Making false declarations
- Malicious damage and destruction to property
- Serious traffic offences
- Crimes against public order or relating to the Administration of Law and Justice
- Crimes against Executive or the Legislative Power
- Crimes involving Conspiracy

2. Disciplinary action in previous employment.

3. Identification check.