

# Role Description

## Manager Industrial Relations and Workplace Standards

Cluster	Stronger Communities
Agency	Legal Aid NSW
Division/Branch/Unit	Human Resources
Classification/Grade/Band	Clerk Grade 11/12
ANZCO Code	223111
PCAT Code	3224992
Date of Approval	2 June 2021 reviewed 30 January 2025
Agency Website	<a href="http://www.legalaid.nsw.gov.au">www.legalaid.nsw.gov.au</a>

### Agency overview

Legal Aid NSW is the largest legal aid agency in Australia, comprising a Central Sydney office and 28 regional offices in metropolitan and regional centres across NSW including two satellite offices located at Walgett and Bourke, and a number of specialist services and advice clinics. It was established under the Legal Aid Commission Act 1979 as an independent authority to assist economically and socially disadvantaged people to understand and protect their rights in the legal system. People with disabilities, from people from culturally and linguistically diverse backgrounds, women and children, Indigenous people and people with mental illness are some of the groups who may experience difficulties when enforcing and defending their rights.

Working in partnership with private lawyers, Legal Aid NSW provides legal advice, information and minor assistance and legal representation to eligible people in many areas of law. Legal Aid NSW also provides alternative dispute resolution services, community legal education programs, and publications on legal issues.

### Primary purpose of the role

Lead a team that delivers and maintains professional standards in the management of workplace complaints and governance and drive positive behaviours in people issues and ethical conduct across Legal Aid NSW, including the case management of investigations and high-level advice and support on conduct and workplace behaviour matters.

The role also manages and implements a range of workplace relations activities as the central liaison between Legal Aid and the Public Service Association (PSA) in response to industrial disputes and disciplinary appeals.

### Key accountabilities

- Develop and maintain the Legal Aid NSW conduct and ethics framework and drive positive behaviours across the organisation.
- Assess and respond to all workplace grievances, complaints and allegations of misconduct (including 'whistleblower' reports) and, where necessary, conduct and/or coordinate investigation and formal disciplinary processes.
- Develop and deliver reporting frameworks to inform senior management on organisational trends and risks and to address and resolve instances of misconduct, unethical and illegal behaviour in the workplace.

- Ensure compliance with notification and reporting requirements to relevant oversight agencies (NSW Ombudsman, ICAC).
- Provide a centralised point of expert advice for all staff on how to deal with a range of employee conduct, ethics and unsatisfactory performance issues.
- Provide a centralised point of expert advice for Legal Aid NSW in relation to conditions of employment and Award interpretation.
- Manage correspondence, consultation and negotiations on relevant workplace issues and industrial disputes with employee groups and unions. Represent Legal Aid NSW before relevant tribunals including with external legal providers when required.
- Provide support and advice to managers on employee related policy matters related to workforce management including organisational structure, industrial matters and other related workforce management matters.

### Key challenges

- Coaching managers effectively and providing high-level strategic advice to senior executive proactively to facilitate the management of ethics and professional standards issues in an effective manner.
- Managing the conduct of complex investigations into allegations of misconduct by staff and the resolution of complaints to ensure equitable and pragmatic resolutions are achieved.
- Developing professional standards initiatives that meet legislative requirements and enable the delivery of a productive and efficient workforce across Legal Aid NSW whilst responding to the changing needs of the business.

### Key relationships

Who	Why
<b>Internal</b>	
Director Human Resources	Obtain strategic direction and guidance on sensitive matters and provide regular updates, advice, information and recommendations on professional standards matters, projects and priorities.
Human Resources (HR)	Working in collaboration with HR staff and provide coaching on workplace standards processes.
In-house Counsel Unit	Seek legal advice and liaise closely with unit on employee related matters.
Senior Executive	Provide advice, information and recommendations on professional standards matters, projects and priorities.
<b>External</b>	
ICAC, the NSW Ombudsman's Office and other regulatory bodies	Manage relationships and share information regarding best practice policy and current legislation.
Other Government Agencies	Consultation, negotiations and information sharing on professional standards programs and initiatives.
External Agencies and Stakeholders	Identify opportunities to improve workforce programs and initiatives. Engage and monitor the performance of consultants and contractors.
External legal providers	Liaise closely on employee related matters.

## Who

Public Service Association

## Why

Achieve resolution of industrial matters

### Role dimensions

#### Decision making

The role operates with autonomy in respect of their day-to-day work priorities and the coordination of work and resources of the team to meet service levels. It provides advice and decision making to the Human Resources team, the Director HR and the Executive at Legal Aid NSW.

#### Reporting line

Director Human Resources

#### Direct reports

2 Senior Advisor (Clerk Grade 9/10)

2 HR Business Partner (Clerk Grade 9/10)

1 HR Advisor (Clerk Grade 7/8) Temporary

1 x Project Officer/s (Clerk Grade 7/8)

#### Budget/Expenditure

Nil

#### Essential requirements

Qualification in Human Resources Management and/or extensive demonstrated high-level HR experience in performance, conduct, employee relations, industrial relations in a complex environment.

Hold or willingness to complete a Certificate IV in Government Investigation.

Demonstrated experience and record of achievement in developing and implementing ER/IR strategies and solutions across an organisation.

Demonstrated high level experience in the conduct and management of workplace investigations and disciplinary matters.

#### Capabilities for the role

The [NSW public sector capability framework](#) describes the capabilities (knowledge, skills and abilities) needed to perform a role. There are four main groups of capabilities: personal attributes, relationships, results and business enablers, with a fifth people management group of capabilities for roles with managerial responsibilities. These groups, combined with capabilities drawn from occupation-specific capability sets where relevant, work together to provide an understanding of the capabilities needed for the role.



The capabilities are separated into focus capabilities and complementary capabilities

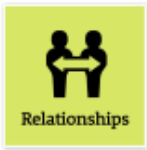
#### Focus capabilities

*Focus capabilities* are the capabilities considered the most important for effective performance of the role. These capabilities will be assessed at recruitment.

The focus capabilities for this role are shown below with a brief explanation of what each capability covers and the indicators describing the types of behaviours expected at each level.

## Focus capabilities

Capability group/sets	Capability name	Behavioural indicators	Level
 <p>Personal Attributes</p>	<p><b>Act with Integrity</b></p> <p>Be ethical and professional, and uphold and promote the public sector values</p>	<ul style="list-style-type: none"> <li>• Model the highest standards of ethical and professional behaviour and reinforce their use</li> <li>• Represent the organisation in an honest, ethical and professional way and set an example for others to follow</li> <li>• Promote a culture of integrity and professionalism within the organisation and in dealings external to government</li> <li>• Monitor ethical practices, standards and systems and reinforce their use</li> <li>• Act promptly on reported breaches of legislation, policies and guidelines</li> </ul>	Advanced
 <p>Relationships</p>	<p><b>Communicate Effectively</b></p> <p>Communicate clearly, actively listen to others, and respond with understanding and respect</p>	<ul style="list-style-type: none"> <li>• Present with credibility, engage diverse audiences and test levels of understanding</li> <li>• Translate technical and complex information clearly and concisely for diverse audiences</li> <li>• Create opportunities for others to contribute to discussion and debate</li> <li>• Contribute to and promote information sharing across the organisation</li> <li>• Manage complex communications that involve understanding and responding to multiple and divergent viewpoints</li> <li>• Explore creative ways to engage diverse audiences and communicate information</li> <li>• Adjust style and approach to optimise outcomes</li> <li>• Write fluently and persuasively in plain English and in a range of styles and formats</li> </ul>	Advanced



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### **Influence and Negotiate**

Gain consensus and commitment from others, and resolve issues and conflicts

- Influence others with a fair and considered approach and present persuasive counter-arguments
- Work towards mutually beneficial 'win-win' outcomes
- Show sensitivity and understanding in resolving acute and complex conflicts and differences
- Identify key stakeholders and gain their support in advance
- Establish a clear negotiation position based on research, a firm grasp of key issues, likely arguments, points of difference and areas for compromise
- Anticipate and minimise conflict within the organisation and with external stakeholders

Advanced



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### **Deliver Results**

Achieve results through the efficient use of resources and a commitment to quality outcomes

- Seek and apply the expertise of key individuals to achieve organisational outcomes
- Drive a culture of achievement and acknowledge input from others
- Determine how outcomes will be measured and guide others on evaluation methods
- Investigate and create opportunities to enhance the achievement of organisational objectives
- Make sure others understand that on-time and on-budget results are required and how overall success is defined
- Control business unit output to ensure government outcomes are achieved within budgets
- Progress organisational priorities and ensure that resources are acquired and used effectively

Advanced

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### Think and Solve Problems

Think, analyse and consider the broader context to develop practical solutions

- Undertake objective, critical analysis to draw accurate conclusions that recognise and manage contextual issues
- Work through issues, weigh up alternatives and identify the most effective solutions in collaboration with others
- Take account of the wider business context when considering options to resolve issues
- Explore a range of possibilities and creative alternatives to contribute to system, process and business improvements
- Implement systems and processes that are underpinned by high-quality research and analysis
- Look for opportunities to design innovative solutions to meet user needs and service demands
- Evaluate the performance and effectiveness of services, policies and programs against clear criteria

Advanced



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### Project Management

Understand and apply effective planning, coordination and control methods

- Understand all components of the project management process, including the need to consider change management to realise business benefits
- Prepare clear project proposals and accurate estimates of required costs and resources
- Establish performance outcomes and measures for key project goals, and define monitoring, reporting and communication requirements
- Identify and evaluate risks associated with the project and develop mitigation strategies
- Identify and consult stakeholders to inform the project strategy
- Communicate the project's objectives and its expected benefits
- Monitor the completion of project milestones against goals and take necessary action
- Evaluate progress and identify improvements to inform future projects

Adept



### Manage and Develop People

Engage and motivate staff, and develop capability and potential in others

- Define and clearly communicate roles, responsibilities and performance standards to achieve team outcomes
- Adjust performance development processes to meet the diverse abilities and needs of individuals and teams
- Develop work plans that consider capability, strengths and opportunities for development
- Be aware of the influences of bias when managing team members
- Seek feedback on own management capabilities and develop strategies to address any gaps
- Address and resolve team and individual performance issues, including unsatisfactory performance, in a timely and effective way
- Monitor and report on team performance in line with established performance development frameworks

Adept



### Manage Reform and Change

Support, promote and champion change, and assist others to engage with change

- Support teams in developing new ways of working and generating innovative ideas to approach challenges
- Actively promote change processes to staff and participate in communicating change initiatives across the organisation
- Provide guidance, coaching and direction to others who are managing uncertainty and change
- Engage staff in change processes and provide clear guidance, coaching and support
- Identify cultural barriers to change and implement strategies to address these

Adept

## Occupational Specific Focus Capabilities

Capability group/sets	Capability name	Behavioural indicators	Level
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### Workforce Relations


Develop and deliver effective workplace practices aligned with organisational objectives and regulatory and legislative requirements

- Advise managers and leaders, instruct counsel, and represent the organisation in consultations and negotiations with employee representative forums on a range of employment issues. Level 3
- Manage external consultants and providers and work with managers and leaders to ensure ongoing communication, assessment, compliance, and effective implementation of the employee relations plan and strategy as part of the organisation's workforce management practice.
- Manage the development of policies and practices to support the employee relations plan and strategy and address key industrial relations issues based on contemporary practices and evolving needs of the organisation.
- Encourage understanding of industrial relations principles and employee relations policies, practices and procedures within the organisation, and their consistent integration into the organisation's workplace practices and documentation, in line with the organisation's values.
- Design frameworks for provision of advice to the organisation on employment law, industrial arrangements and contractual matters.
- Manage the investigation and resolution of difficult, complex or high-profile workforce relations issues, in accordance with organisational policy.
- Design and maintain employ health, safety and wellbeing policies, practices and procedures ensuring full compliance with relevant legislation and a proactive approach to risk management, in accordance with organisational strategy.












### Complementary capabilities

*Complementary capabilities* are also identified from the Capability Framework and relevant occupation-specific capability sets. They are important to identifying performance required for the role and development opportunities.

Note: capabilities listed as 'not essential' for this role are not relevant for recruitment purposes however may be relevant for future career development.

Capability group/sets	Capability name	Description	Level
	Display Resilience and Courage	Be open and honest, prepared to express your views, and willing to accept and commit to change	Adept



	Manage Self	Show drive and motivation, an ability to self-reflect and a commitment to learning	Adept
	Value Diversity and Inclusion	Demonstrate inclusive behaviour and show respect for diverse backgrounds, experiences and perspectives	Adept
	Commit to Customer Service	Provide customer-focused services in line with public sector and organisational objectives	Adept
	Work Collaboratively	Collaborate with others and value their contribution	Adept
	Plan and Prioritise	Plan to achieve priority outcomes and respond flexibly to changing circumstances	Adept
	Demonstrate Accountability	Be proactive and responsible for own actions, and adhere to legislation, policy and guidelines	Adept
	Finance	Understand and apply financial processes to achieve value for money and minimise financial risk	Adept
	Technology	Understand and use available technologies to maximise efficiencies and effectiveness	Intermediate
	Procurement and Contract Management	Understand and apply procurement processes to ensure effective purchasing and contract performance	Intermediate
	Inspire Direction and Purpose	Communicate goals, priorities and vision, and recognise achievements	Adept
	Optimise Business Outcomes	Manage people and resources effectively to achieve public value	Adept