

# Role Description



## Manager Legal Services

| Role Description Fields               | Details                                                      |
|---------------------------------------|--------------------------------------------------------------|
| Department/Agency                     | Health Care Complaints Commission                            |
| Division/Branch/Unit                  | Legal Services                                               |
| Role number                           | Multiple                                                     |
| Classification/Grade/Band             | Clerk Grade 11/12                                            |
| Senior executive work level standards | Not Applicable                                               |
| OSCA Code                             | 171332                                                       |
| PCAT Code                             | 1128192                                                      |
| Date of Approval                      | 01 October 2026                                              |
| Agency Website                        | <a href="http://www.hccc.nsw.gov.au">www.hccc.nsw.gov.au</a> |

### Agency overview

The Health Care Complaints Commission (HCCC) is an independent statutory body set up under the Health Care Complaints Act 1993. The work of the Health Care Complaints Commission (HCCC) contributes to ensuring the community is safe and confident in the standard and quality of health services in NSW.

The Commission protects the health and safety of the NSW community through independent, accessible, and effective management of health care complaints and regulatory action.

The Commission deals with complaints about all types of health services and providers in NSW including:

- Health organisations such as public and private hospitals, medical centres, cosmetic clinics, correction and detention facilities, pharmacies, and community health services,
- All registered health practitioners, such as medical practitioners, nurses and midwives, dentists and pharmacists, and
- All non-registered health practitioners, such as counsellors, speech therapists, naturopaths, massage therapists and alternative health care providers.

The Commission aims to provide a system of complaints handling which is customer-focused, accessible, responsive, transparent and accountable.

The Commission is committed to engaging with health consumers and health providers to ensure that our role as an independent regulator is understood, that our services are accessible, and that we are supporting effective complaints management and patient-centred care.

### Primary purpose of the role

Lead and manage a team carrying out a range of legal functions, including prosecutions, consistent with the Commission's obligations under the HCC Act.

Contribute to and co-ordinate legal advice on legislative reform options and proposals. Provide advice on legal matters affecting the work of the Commission.

## **Key accountabilities**

- Support the Commission in the performance of its principal functions through the provision of high quality and cost-effective legal services.
- Supervise and conduct complex and sensitive prosecution matters, including analysis of briefs of evidence within a set timeframe, and make sound and pragmatic recommendations as to sufficiency of evidence and appropriateness of prosecution action.
- Draft and settle final form of reports, applications and correspondence associated with legal matters.
- Manage, prioritise and monitor the quality, accuracy and timeliness of the team's work to ensure compliance with divisional key performance indicators and that professional standards are maintained.
- Act as a mentor and leader within the team, recognising the Commission's public interest charter and duty to act as a model litigant. Monitor and manage individual staff performance to ensure compliance with internal policies and procedures and external ethical, professional and legal obligations. Provide day-to-day leadership, supervision, coaching and development/ career planning for team staff.
- Collaborate with Assessments and Investigations Division to ensure effective and efficient evidence gathering, preparation of high quality briefs of evidence, and efficient management of referrals to the Executive Director of Legal Services and Director of Proceedings.
- Work with the Executive Unit to ensure timely communication and publication of prosecution outcomes.
- Undertake legal/policy research and provide advice and recommendations. Contribute to the development and implementation of precedents, policy and best practice.
- Develop the Commission's legal position on matters and provide advice on strategic issues.
- Initiate and collaborate on significant internal projects to improve the quality and efficiency of legal services.
- Provide advice and recommendations on legal reform options presented to or by the Commission.
- Provide General Counsel services to Commission executives and managers.
- Model, monitor and maintain the highest standards of probity, accountability, consistency, and proper exercise of powers.
- Participate and contribute as a member of the Commission's leadership team, building and nurturing relationships with other divisions of the Commission to achieve a coordinated approach to the Commission's functions and an integrated and collaborative culture.

## **Key challenges**

- The Commission is the statutory prosecutor for the health disciplinary system. Cases have high profile and visibility, with reputational risk. Timeliness, high quality preparation and decisions, and effective case presentation are key to maintaining a high success rate and the consequent protection of the public. Manager Legal Services must act fairly in their dealings with health practitioners and their legal representatives, and provide appropriate assistance to those who are not legally represented.
- Efficient utilisation of resources and effective cost recovery processes are a high priority,
- Communication with parties in a prosecutions environment, often about highly sensitive cases, including cases of significant vulnerability and/or trauma for the parties involved. Regular and constructive communication with parties, including legal representatives, is essential throughout the various, at times adversarial, legal processes.

## Key relationships

### Internal

| Who                                                           | Why                                                                                                                                                                                                                                                                                                                                                                      |
|---------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Commissioner                                                  | <ul style="list-style-type: none"><li>• Provide advice and report on legal matters</li><li>• Provide advice direct to the Commissioner on matters handled to preserve the Director of Proceedings' independence.</li><li>• Attend meetings to support the Commissioner with expert legal advice.</li></ul>                                                               |
| Executive Director Legal Services and Director of Proceedings | <ul style="list-style-type: none"><li>• Executive Director Legal Services and Director of Proceedings allocates work to the Manager Legal Services, who allocates within the legal team.</li><li>• The Manager Legal Services reports to the Executive Director Legal Services and Director of Proceedings on the status of prosecutions and team performance.</li></ul> |
| Other Commission Divisions                                    | <ul style="list-style-type: none"><li>• Communication with the Assessments, Investigations and Resolutions teams regarding matters.</li><li>• Liaison with and advice to Commission executives.</li></ul>                                                                                                                                                                |

### External

| Who                                                                                                   | Why                                                                                                                                                                                                                                                                                                                                                      |
|-------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Legal Counsel, Crown Solicitors Office and Professional Councils                                      | <ul style="list-style-type: none"><li>• To provide instruction and briefs of evidence.</li><li>• To request advice on matters.</li><li>• To liaise on a range of matters, including intention to prosecute, conditions to be imposed on registrations, feasibility of monitoring imposed conditions.</li></ul>                                           |
| NCAT; Courts; Solicitors and Barristers; complainant witnesses/experts; other NSW Government agencies | <ul style="list-style-type: none"><li>• Communicate with staff from the various registration authorities, Tribunals, Courts, Local Health Districts, the Ministry of Health, legal and health practitioners and expert report writers.</li><li>• Contact with the DPP and the NSW Police Service in relation to investigations or proceedings.</li></ul> |

## Role dimensions

### Decision making

- Make staffing decisions within allocated funds, including recruitment, training and development, and managing individual performance.
- Exercise independence in managing prosecutions and other legal applications allocated to the team. Providing direction to legal officers on all procedural and legal matters arising in the day-to-day running of matters and using judgement as to when to refer complex or significant issues to the Executive Director of Legal Services and Director of Proceedings.
- Formulate and approve all recommendations to prosecute and other legal outcomes for complaints referred to the DoP under the HCCA (including referral back for further investigation or to Councils for further action).
- Delegated authority to respond to requests to release information under the discretion conferred by s99B of the HCC Act.
- Exercise functions of the Executive Director Legal Services and Director of Proceedings with respect to particular complaints as delegated by s90E of the HCC Act, including determinations and prosecuting complaints.

- Make recommendations to the Commissioner to release information Pursuant to section 99B of the HCC Act

## Reporting line

This role reports to the Executive Director Legal Services and Director of Proceedings.

## Direct reports

Manager Legal Services has a number of direct reports which can include:

- Legal Officer Grade I-II
- Legal Officer Grade III-IV
- Senior Legal Officer Grade V
- Solicitor Advocate

## Budget/Expenditure

Exercise financial delegation as per approved Financial and Purchasing delegations.

## Essential requirements

- An Australian lawyer eligible for a practising certificate in NSW.
- Extensive litigation experience with an emphasis on advocacy and administrative law.
- The HCCC has a unique and critical part to play in maintaining the integrity of the NSW health system. As such, it is an essential requirement that all prospective employees are able to carry out their duties in an honest and consistent way, with uncompromising adherence to strong moral and ethical principles and values.

## 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.

| Capability group/sets                                                               | Capability name                                                                                                                         | Behavioural indicators                                                                                                                                                                           | Level    |
|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
|  | <b>Display Resilience and Courage</b><br>Be open and honest, prepared to express your views, and willing to accept and commit to change | <ul style="list-style-type: none"> <li>• Respond constructively when in high pressure and unpredictable situations</li> <li>• Give frank, honest advice in response to contrary views</li> </ul> | Advanced |

| Capability group/sets                                                                                    | Capability name                                                                                                           | Behavioural indicators                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Level    |
|----------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| Personal Attributes                                                                                      |                                                                                                                           | <ul style="list-style-type: none"> <li>Be open to criticism of your ideas and respond in a thoughtful and considered way</li> <li>Welcome new challenges and persist in raising and working through novel and difficult issues</li> <li>Develop effective strategies and be decisive when dealing with emotionally charged situations and difficult issues</li> <li>Support and lead change and overcome discomfort when things are complicated, uncertain or unclear</li> </ul>                                                                                                                                                                                                                                                                                                                                                  |          |
| <br>Personal Attributes | <b>Manage Self</b><br>Be persistent, self-reflect and commit to learning                                                  | <ul style="list-style-type: none"> <li>Be a professional role model for colleagues, set high personal goals and take pride in achieving them</li> <li>Actively seek, reflect on and act on feedback about your performance</li> <li>Reflect on and use negative feedback as an opportunity for growth and improvement</li> <li>Take the initiative and act in a decisive way</li> <li>Pursue and apply new knowledge and practices relevant to your organisation to improve outcomes</li> </ul>                                                                                                                                                                                                                                                                                                                                   | Advanced |
| <br>Relationships     | <b>Communicate Effectively</b><br>Communicate clearly, pay attention to others and respond with understanding and respect | <ul style="list-style-type: none"> <li>Present with credibility, engage diverse audiences and test whether they understand you</li> <li>Translate technical and complex information clearly and concisely for different audiences</li> <li>Create opportunities for others to contribute to discussion and debate</li> <li>Set an example by promoting information sharing across your organisation</li> <li>Manage complex communications that involve understanding and responding to multiple and divergent viewpoints</li> <li>Explore creative ways to share information and communicate with diverse audiences</li> <li>Leverage insights from people with lived experience to shape communication and engagement strategies</li> <li>Write clearly, concisely and persuasively in a range of styles and formats</li> </ul> | Advanced |
| <br>Relationships     | <b>Work Collaboratively</b><br>Collaborate with others and value their contribution                                       | <ul style="list-style-type: none"> <li>Recognise when effective collaboration between teams leads to achieving outcomes</li> <li>Communicate with others in your organisation and across government to improve information sharing and collaboration</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Advanced |

| Capability group/sets                                                                          | Capability name                                                                                                   | Behavioural indicators                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Level    |
|------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
|                                                                                                |                                                                                                                   | <ul style="list-style-type: none"> <li>Facilitate opportunities to collaborate with stakeholders to develop solutions together</li> <li>Network widely across government and other organisations to increase opportunities to collaborate</li> <li>Encourage others to use appropriate ways and tools to collaborate, including digital technology</li> <li>Encourage diverse cultural perspectives in developing strong team relationships</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                           |          |
| <br>Results   | <b>Deliver Results</b><br>Achieve results by using resources efficiently and committing to quality outcomes       | <ul style="list-style-type: none"> <li>Use your own and others' expertise to achieve outcomes, and take responsibility for delivering intended outcomes</li> <li>Ensure staff understand expected goals and acknowledge staff success in achieving these</li> <li>Identify the resources people need and ensure goals are achieved within budget and on time</li> <li>Use business data to evaluate outcomes and inform continuous improvement</li> <li>Identify priorities that need to change and ensure the way resources are allocated meets new business needs</li> <li>Ensure you budget for and clearly state the financial impacts of new priorities</li> </ul>                                                                                                                                                                          | Adept    |
| <br>Results | <b>Think and Solve Problems</b><br>Think, analyse and consider the broader context to develop practical solutions | <ul style="list-style-type: none"> <li>Undertake objective, critical analysis to reach accurate conclusions that recognise and manage contextual issues</li> <li>Work through issues, weigh up alternatives and identify the most effective solutions in collaboration with others</li> <li>Consider the wider business context when thinking about options to resolve issues</li> <li>Explore a range of possibilities and creative alternatives to improve systems, processes and business practices</li> <li>Put systems and processes in place that are supported by high-quality research and analysis</li> <li>Look for opportunities to design innovative solutions to meet customers' needs and service demands</li> <li>Evaluate the performance and effectiveness of services, policies and programs against clear criteria</li> </ul> | Advanced |

| Capability group/sets                                                                                  | Capability name                                                                                                | Behavioural indicators                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Level        |
|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <br>Business Enablers | <b>Technology</b><br>Understand and use available technology to maximise efficiencies and effectiveness        | <ul style="list-style-type: none"> <li>• Demonstrate a sound understanding of technology relevant to the work unit, and identify and select the most appropriate technology for assigned tasks</li> <li>• Use available technology to improve individual performance and effectiveness</li> <li>• Use records, information and knowledge management systems effectively</li> <li>• Support system improvement initiatives and new technology when it is deployed</li> <li>• Identify where technology or automation supports tasks, and raise issues when applications may be inappropriate or inaccurate</li> </ul>                                                                                                               | Intermediate |
| <br>People Management | <b>Manage and Develop People</b><br>Engage with and motivate staff, and develop their capability and potential | <ul style="list-style-type: none"> <li>• Refine roles and responsibilities over time to achieve better business outcomes</li> <li>• Recognise talent, develop team capability and succession plan</li> <li>• Coach and mentor staff and encourage professional development and continuous learning</li> <li>• Prioritise dealing with team and individual performance issues and ensure your organisation uses a consistent approach</li> <li>• Implement performance development frameworks to align workforce capability with your organisation's current and future priorities and objectives</li> <li>• Develop systems to promote cultural capability as a means of ensuring the cultural safety of all colleagues</li> </ul> | Advanced     |

## Complementary capabilities

*Complementary capabilities* are also identified from the Capability Framework and relevant occupation-specific capability sets. They are important to identify 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 |
|-------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------------------------|-------|
|  | <b>Act with Integrity</b> | Be ethical and professional, and uphold and promote the public sector values | Adept |

| Capability group/sets                                                                                    | Capability name                            | Description                                                                                      | Level        |
|----------------------------------------------------------------------------------------------------------|--------------------------------------------|--------------------------------------------------------------------------------------------------|--------------|
| Personal Attributes                                                                                      |                                            |                                                                                                  |              |
| <br>Personal Attributes | <b>Value Diversity and Inclusion</b>       | Be inclusive and respect diverse backgrounds, experiences and perspectives                       | Adept        |
| <br>Relationships       | <b>Commit to Customer Service</b>          | Provide customer-focused services in line with public sector and organisational objectives       | Adept        |
| <br>Relationships       | <b>Influence and Negotiate</b>             | Gain consensus and commitment from others, and resolve issues and conflicts                      | Advanced     |
| <br>Results            | <b>Plan and Prioritise</b>                 | Plan to achieve priority outcomes and respond flexibly to changing circumstances                 | Adept        |
| <br>Results           | <b>Demonstrate Accountability</b>          | Be proactive and responsible for your actions, and follow legislation, policy and guidelines     | Adept        |
| <br>Business Enablers | <b>Finance</b>                             | Understand and apply financial processes to achieve value for money and minimise financial risk  | Intermediate |
| <br>Business Enablers | <b>Procurement and Contract Management</b> | Understand and use procurement processes to ensure effective purchasing and contract performance | Intermediate |

| Capability group/sets                                                                                          | Capability name                      | Description                                                                | Level |
|----------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------------------------------------------------------------------|-------|
| <br><b>Business Enablers</b>  | <b>Project Management</b>            | Understand and use effective ways to plan, coordinate and control projects | Adept |
| <br><b>People Management</b>  | <b>Inspire Direction and Purpose</b> | Communicate goals, priorities and vision, and recognise achievements       | Adept |
| <br><b>People Management</b>  | <b>Optimise Business Outcomes</b>    | Manage people and resources effectively to achieve public value            | Adept |
| <br><b>People Management</b> | <b>Manage Reform and Change</b>      | Support and champion change, and help others to engage with change         | Adept |

| Occupation specific capability set                                                           | Behavioural indicators                                                                                                                                             | Level   |
|----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| <br>Legal | <b>Statutory Interpretation</b><br><br>Interpret legislation, subordinate legislation and instruments in accordance with legislation and accepted legal principles | Level 3 |
| <br>Legal | <b>Legal Advice</b><br><br>Provide quality independent legal advice and explanation of legal issues                                                                | Level 3 |
| <br>Legal | <b>Legal drafting</b><br><br>Prepare legal documents to achieve client outcomes                                                                                    | Level 3 |

| Occupation specific capability set                                                                                                | Behavioural indicators                                                         | Level   |
|-----------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|---------|
|  <p><b>Litigation and Dispute Resolution</b></p> | Litigate and resolve disputes effectively in relevant forums and jurisdictions | Level 3 |