# POSITION DESCRIPTION

<table>
<thead>
<tr>
<th>Title</th>
<th>Chief Operating Officer</th>
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<tbody>
<tr>
<td>Position Classification:</td>
<td>Non-Award</td>
</tr>
<tr>
<td>Status:</td>
<td>Full time, Senior Staff Contract</td>
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<tr>
<td>Position written on:</td>
<td>30 June 2014</td>
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<tr>
<td>Position written by:</td>
<td>General Manager</td>
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<tr>
<td>Division:</td>
<td>General Manager’s Office</td>
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<tr>
<td>Department:</td>
<td>Legal</td>
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<tr>
<td>Section:</td>
<td>N/A</td>
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<td>Reports to:</td>
<td>General Manager</td>
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<tr>
<td>Special Conditions</td>
<td>Pecuniary Interest disclosures are required.</td>
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<tr>
<td></td>
<td>This position has delegations under relevant legislation.</td>
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<td>Attendance and participation, out of hours, at public meetings, Council and Committee meetings and special events is required such to be reasonable having regard for management level and importance of the position.</td>
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</table>
1 ACCOUNTABILITY OBJECTIVE

Ensure that all legal services for Council and are effectively and efficiently managed.

Provide legal management and advice services to General Manager and all Council Divisions as requested.

Oversee Council’s legal services panel and budget.

To ensure that all council contracts are managed and administered to comply with appropriate standards and meet legal obligations

To manage an effective and efficient division which includes the following functions:
- Contracts Management
- Insurance and Risk Management
- Procurement
- Legal services

2 PRINCIPAL ACCOUNTABILITIES - OPERATIONAL

2.1 Co-ordination of Legal Matters

Key Tasks:
- To attend and organise callover and hearing dates for development and other appeals.
- Organise and attend callovers and ensure that Council is represented appropriately at all callovers, mentions and hearings.
- Liaise between staff and lawyers.
- Ensure effective maintenance of timeframes to prosecute and defend appeals.
- To brief lawyers / barristers as instructed by Manager and Director.
- To ensure a free flow of information between professional staff and lawyers and the Court.
- To manage legal paper work.
- To manage and assist technical experts in the production of information and evidence for Court.

2.2 Administer Legal Function

Key Tasks:
- To manage the input and output of legal documentation.
- To receive and advise management of appeals and matters of legal import.
- To instruct lawyers of advice from management.
- To manage legal accounts for authorisation by management.
- Maintain registers of appeals and other legal matters.
2.3 Attend Section 34 Conferences

Key Tasks:
- Provide legal representation at appropriate Section 34 Conferences with assistance from internal professional experts. Ensure timely and costly qualitative representation.
- Ensure appropriate information is provided to the Court to enable a determination of the matter.

2.4 Insurance and Risk Management

Key Tasks:
- Ensure the development, implementation and auditing of a comprehensive risk management system including organisational, work health and safety and community risks and audit compliance.

2.5 Contract Management

Key Tasks:
- Ensures a contract management framework is designed that complies with legislation and ensures that all Council complies with the framework.

2.6 Procurement

Key Tasks:
- Ensures that Council has a procurement framework and system which meets statutory requirements while providing an efficient basis to secure goods and services as best value for Council.
- Ensure that there is ongoing evaluation and monitoring of supplier performance and this information is acted upon.

2.7 Governance

Key Tasks:
- Undertake the role of Complaints Co-ordinator, receiving and investigating complaints from the public and handling matters in relation to North Sydney Council’s Code of Conduct.
- Undertake the role of Disclosures Co-ordinator appointed for the purpose of managing reports of wrongdoing under the Public Disclosures Act 1994.

2.8 Other duties
Other duties may be allocated, by the General Manager, consistent with the area of responsibility.
3 **KEY CORPORATE RESPONSIBILITIES**

3.1 **Council’s Vision and Core Values**
Uphold and promote Council’s Vision for making North Sydney a more satisfying place for people. Behave in a manner consistent with Council’s Core Values:
- Provision of services to the community through co-operation and understanding.
- Responsive government based on open government and community participation.
- Honesty and integrity in all we do.
- Fairness and equity.
- Innovation and excellence.
- Responsive and responsible regulation.

3.2 **Best Value and Continuous Improvement**
Provide best value to the community by applying a continuous improvement philosophy. Identify ineffective and/or inefficient processes and recommend improvements. Capitalise on changes so as to increase effectiveness and efficiency. Undertake to learn from the workplace experience. Participate in learning and development activities as/when appropriate and then apply the learned skills/knowledge on the job. Identify and report to management any obligations, risks and opportunities facing Council.

3.3 **Council’s Policies and Procedures**
Comply with all Council policies and procedures which are relevant to the position. Identify where these are out-of-date and where improvement is needed.

3.4 **Customer Service**
Promote a professional and positive image of Council in accordance with Council’s Customer Service Policy. Take a pro-active approach to providing excellent customer service – to both internal and external customers.

3.5 **Organisational Sustainability**
Consider sustainability - economic, environmental, social and governance factors - in all activities and decision making in accordance with Council’s Organisational Sustainability Policy and procedures.

3.6 **Community Engagement**
Comply with legislative requirements and Council’s Community Engagement Policy and related procedures regarding the identification and implementation of consultation opportunities to ensure that stakeholders are consulted on matters of relevance to them. Ensure Council’s Core Value of open government and community participation is upheld.

3.7 **Record Keeping**
Undertake responsible and accountable practices for keeping full and accurate records and information for all corporate activities and decisions.

3.8 **Equal Employment Opportunity**
Comply with the requirements of the Anti-Discrimination legislation and Council’s Policies and Procedures relating to EEO and Anti-Discrimination. Take appropriate action to ensure a harassment-free workplace.
3.9 Ethical Conduct
Comply with the requirements of Council’s Code of Conduct. Take appropriate action to ensure a workplace free from corruption, maladministration and serious and substantial waste.

3.10 Work Health and Safety
Observe safe work practices and operating procedures and comply with the requirements of the WHS legislation and Council’s Policies and Procedures relating to Work Health and Safety.

Take appropriate action to ensure a safe and healthy working environment for self and others. In particular, show leadership:
- in the identification and control of WHS risks in the workplace;
- in planning for the return to work of injured/ill employees and developing and implementing the Return-to-Work/Injury Management Plan of injured/ill employees, including - if necessary - the provision of alternate duties for employees from other departments;

3.11 Statutory Obligations
Ensure that all statutory obligations are met in an appropriate and timely manner and are applied fairly and impartially.

3.12 Team Work
Support and promote teamwork through:
- co-operation;
- communication;
- sharing of relevant information;
- provision of responsive and accurate advice;
- maintenance of effective liaison with other employees within own team and across Council as/when appropriate.

3.13 Staff Management
- Manage the work environment within the span of control to ensure subordinate staff meets all Key Corporate and Operational Responsibilities.
- Take appropriate action to manage performance and behaviour in the workplace.
- Apply Council's Performance Management & Assessment process to provide feedback to employees.

3.14 Financial Management
- Provide input into budget/operating plan and recommend objectives, in the area of responsibility, for inclusion in the Division’s overall budget/operating plan and Management Plan.
- Manage financial performance against the budget/operating plan and act appropriately upon trends and variances in a timely manner to ensure the effective and efficient achievement of all budget and plan objectives.
4 CONTACTS ARISING FROM THE POSITION

Reports to: General Manager
Supervises: Directly: 7
Indirectly: 3

5 PERSON SPECIFICATIONS

5.1 Essential Education/Academic Qualifications
- Law degree

5.2 Essential Licences and/or Certificates
- Unrestricted NSW Practising Certificate

5.3 Essential Experience/Knowledge/Skills
- Extensive experience in local government and environmental law
- Extensive knowledge of the operation of the Land and Environment Court
- Knowledge and expertise in operation of councils, including Local Government Act, Code of Conduct, GIPA etc
- Extensive experience of the operation of local government regulatory mechanisms
- Ability to lead and manage teams
- Project management skills, including being able to direct, monitor and review projects
- Skills in strategic management and decision making, to develop and implement policies and strategy objectives in a consultative way within a political framework
- High level negotiation and mediation skills
- High level written and communication skills
- High level computer literacy (Windows environment)
- Qualifications/experience in preparation and management of budgets

5.4 Other Desirable Skills/Qualifications/Experience/Knowledge
- Land and Environment Court and Local Court advocacy skills and experience

Employee only:

I have read and understand the contents of this position description and undertake to meet the responsibilities in an appropriate manner.

Employee’s Name (printed) …………………………………………………………………………………………………………

Employee’s Signature ………………………………………... Date ……………………………. 