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| Ministry of Social Development logo |
| **Position:** | Graduate Lawyer / Lawyer / Senior Lawyer |
| **Children’s Worker:** | No  |
| **Location:** | National Office |
| **Business Unit** | MSD Legal  |
| **Group:** | Organisational Assurance and Communication |
| **Reporting to:** | Team Manager as appropriate |
| **Issue date:** | November 2019 |
| **Delegated authority:** | Nil |
| **Staff responsibility:** | Nil |
| **Our Purpose** |
| **Manaaki tangata, Manaaki whānau**We help New Zealanders to be safe, strong and independent |
| **Our Commitment to Māori** |
| As a **Te Tiriti o Waitangi partner** to we are committed to supporting and enabling Māori, whānau, hapū, Iwi and communities to realise their own potential and aspirations. |
| **The outcomes we want to achieve** |
| New Zealanders get the support they require | New Zealanders are resilient and live in inclusive and supportive communities | New Zealanders participate positively in society and reach their potential |
| **We carry out a broad range of responsibilities and functions including** |
| * Employment, income support and superannuation
* Community partnerships, programmes and campaigns
* Advocacy for seniors, disabled people and youth
 | * Public housing assistance and emergency housing
* Resolving claims of abuse and neglect in state care
* Student allowances and loans
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| **Our strategic direction** |
| **Mana manaaki**A positive experience every time | **Kotahitanga**Partnering for greater impact | **Kia takatū tātou**Supporting long-term social and economic development |
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| **He Whakataukī\*** |
| Unuhia te rito o te harakekeKei hea te kōmako e kō?Whakatairangitia, rere ki uta, rere ki tai;Ui mai ki ahau,He aha te mea nui o te ao?Māku e kī atu,He tangata, he tangata, he tangata\* | If you remove the central shoot of the flaxbushWhere will the bellbird find rest?Will it fly inland, fly out to sea, or fly aimlessly;If you were to ask me,What is the most important thing in the world?I will tell you,It is people, it is people, it is people |
| \*We would like to acknowledge Te Rūnanga Nui o Te Aupōuri Trust for their permission to use this whakataukī |

**Position description approved by:**

Deputy Chief Executive, Organisational Assurance and Communication

Date: ……/……/……

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## Group Purpose

The Organisational Assurance and Communication group is responsible for ensuring the overall integrity of MSD’s operations by ensuring that there is ongoing compliance to legislation and policy, communications with the public and stakeholders is effective, and Ministers are supported.

**Business Unit**

MSD Legal advise on everything from policy development to contracts and defending Ministry decisions before tribunals and courts. We provide legal services to all units across the Ministry. We also oversee legal services from external providers to supplement expertise in the team. MSD Legal works to ensure that the Ministry identifies legal issues and risks, and those are properly managed. MSD Legal offers a broad range of professional and development opportunities for staff.

**Position Purpose**

Lawyers provide legal advice, legislation and advocacy services on the range of operational and corporate issues facing the Ministry. Lawyers also help the Ministry identify legal risk and put in place strategies to manage that risk and identifying legal issues of importance to the Ministry

**Working Relationships**

**Internal**

* Chief Legal Advisor
* Other Legal Managers and staff
* Ministry Managers and staff

**External**

* Relevant external agencies, in particular Crown Solicitors, Crown Law, Legal Practitioners, the Judiciary, Courts and the Law Society.

**Key Accountabilities and Competencies**

**Delivering a quality service**

***Graduate Lawyers will:***

* Develop the ability to identify and analyse facts, identify the relevant law and prepare and deliver quality legal advice and advocacy which is of a consistently good standard and delivered within a reasonable timeframe (under supervision)
* Develop a broad understanding of Ministry processes and legal issues and what it means to be a government lawyer.
* Develop professional expertise in one or more areas of MSD Legal
* Maintain a high standard of personal integrity in all matters and ensure Ministry processes and protocols are followed
* Assist with training and education of management and staff on their legal duties and obligations, where required
* Assist with the coordination and liaison with Crown Lawyers, other practitioners, Courts and other agencies throughout the area or areas assigned
* Assist in the development of instruction to the Crown or other lawyers to conduct legal business for the Ministry

***Lawyers will also:***

* Identify and analyse facts, identify the relevant law and prepare and deliver high quality legal advice and advocacy for the Ministry within a reasonable timeframe
* Have a detailed understanding of Ministry processes and what it means to be a government lawyer.
* Provide effective support and assistance to managers in the management of legal issues and risk
* Actively promote the services available from MSD Legal
* Assess the need for training and education with clients and develop/deliver tailored training
* Contribute to the process of initiation and/or amendment of the Ministry’s policies and legislation
* Be responsible and accountable for the conduct of proceedings in the District Court, High Court or other Tribunal or proceedings as required
* Coordinate and liaise with Crown Lawyers, other practitioners, Courts and other agencies throughout the area or areas assigned
* Instruct the Crown or other solicitors to conduct legal business for the Ministry as required

***Senior Lawyers will also:***

* Confidently and independently identify and analyse complex facts, identify the relevant law and prepare and deliver high quality strategic legal advice and advocacy.
* Take responsibility for complex legal matters and contribute to broader work streams. Actively manage risks, issues, timelines, resourcing and deliverables and escalate appropriately. Actively manage their own workload.
* Provide tactical and strategic direction with advice that fully reflects the wider picture, political and fiscal sensitivities and impacts.
* Think creatively to identify solution and continuously strive for process improvements.
* Adapt quickly to new areas of law with the ability to handle a wide variety of work and legal risks while inspiring confidence in clients, team members and managers.
* Drive their own development and pursue a diverse range of experiences to build their knowledge, skills and competencies.
* Challenge themselves to look beyond their immediate sphere of knowledge to learn from other sources.
* Lead robust discussions on the quality of legal processes, insights and lessons learned to improve capability.
* Identify improvement opportunities in area of practice and ensure operating procedures are based on best practice
* Frame advice that is fit-for-purpose, can anticipate and time when the advice should be provided, influences others and build connections to empower informed decision making.

**Building Relationships**

***Graduate Lawyers and Lawyers will:***

* Develop and maintain close cooperative relationships with key internal and external stakeholders
* Maintain a client focused approach
* Provide advice which is apt and timely, well prepared for meetings and case conferences, handle unexpected questions reasonably well, able to justify advice given.

***Senior Lawyers will also:***

* Be confident in dealing with senior management, senior officials and representatives from other organisations.
* Have credibility and a reputation as a trusted advisor who offers proactive legal advice.
* Be an excellent ambassador for the Ministry, by establishing and building strong working relationships at all levels of the Ministry, the wider public service and within the legal profession.
* Build the trust of decision makers by being responsive and aware of organisational priorities while contributing to free and frank advice.
* Be skilled at reading, interpreting and navigating sensitive situations, relationships and competing interests.

**Leadership**

***Graduate Lawyer and Lawyers will:***

* Actively contribute to a positive and inclusive team culture
* Participate in projects and team activities.

***Senior Lawyers will:***

* Invite and offer regular constructive feedback to team members and external colleagues. Share knowledge and expertise.
* Accept responsibility, be self-reflective and appreciate and work with others' weaknesses, strengths and different ways of working.
* Facilitate and influence positive outcomes that support team goals
* Pro-actively contribute to a positive and inclusive team culture by modelling and demonstrating constructive behaviours which enhance and support the wellbeing of other team members. Initiate, lead and actively participate in projects and team activities.
* Provide leadership including the allocation and supervision of work by others
* Work with managers to identify and deliver mentoring, training and development for team members
* Actively encourage others and seek out opportunities for process improvement
* Contribute to practice development and innovative delivery approaches within the team across MSD Legal

**Communication**

***Graduate Lawyers will:***

* Write clear, concise, error free work. Learn how to produce a range of written advice in plain English.
* Be increasingly articulate and confident when contributing to discussions.
* Be developing ability to communicate degrees of legal risk

***Lawyers will also:***

* Write high-quality advice in a plain English style that is easy to read and has a clear purpose and is targeted to its audience.
* Develop the ability to represent MSD Legal as required at senior management and external meetings.
* Know when and how to communicate degrees of legal risk.

***Senior Lawyers will also:***

* Confidently and independently identify and analyse complex facts, identify the relevant law and prepare and deliver high quality strategic legal advice and advocacy.
* Write high-quality advice in a polished, plain English style that is easy to read and has a clear purpose.
* Represent MSD at high levels as required such as officials’ groups and in meetings with Ministers and senior officials.
* Demonstrate the ability to balance competing arguments/risks; know when to consult others.
* Know when and how to clearly communicate complex legal risk.
* Accurately identify all key issues and produce practical options.

**Safe and Healthy**

* Understands and adhere to MSD health, safety and security (HSS) policies and procedures
* Implements HSS accountabilities at work to keep themselves, colleagues, clients and others safe and well.
* Acknowledge that all staff have a role to play to help create a healthy, safe workplace

**Technical/Professional Knowledge and Experience**

***All levels will have:***

* Been admitted as a Barrister and Solicitor in New Zealand and have (or be eligible for) a practicing certificate
* Good computing skills and typing ability and be competent working with MS Office and relevant Ministry IT programmes and applications

***Graduate Lawyers will have:***

* Some experience or the ability to quickly acquire experience in the application of relevant areas of law in which the Ministry operates
* A sound understanding of issues relevant to the Ministry’s business
* Some experience or the ability to acquire practical experience in providing advice clients

***Lawyers will also have:***

* Legal practice experience
* Expertise in the application of relevant areas of law in which the Ministry operates
* A strong understanding of policy and practice issues relevant to the Ministry’s business
* Practical experience providing high quality advice to clients or in conducting cases and appearing before Courts and Tribunals
* Sound knowledge of the justice systems, the parliamentary system and Public Service administration

***Senior Lawyers will also have:***

* Extensive legal practice experience
* Significant expertise in relevant areas of law in which the Ministry operates
* Deep knowledge of government legal practice
* Extensive experience in the development of and adaptation of policy and practice issues focused on continuous improvement
* Proven ability to provide excellent advice to clients within a complex political environment or in conducting cases autonomously and appearing or managing litigation before Courts and Tribunals

**Other Requirements**

* Willing to travel to fulfil job requirements
* Holds current drivers licence and is prepared to drive the Ministry’s vehicles if required.