



## POSITION DESCRIPTION

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<b>Position Title:</b>	<i>LEGAL COUNSEL</i>
<b>Reports To:</b>	<i>General Counsel</i>
<b>Location:</b>	<i>Mercy Centre Alphington 720 Heidelberg Road Alphington VIC 3078</i>
<b>Parameters:</b>	<i>Part Time: Salaried (salary based on experience) 2 Year Maximum Term Contract 4-5 days per week (60-75 hours per fortnight)</i>
<b>Date Prepared:</b>	<i>28 May 2024</i>
<b>Approved By:</b>	<i>Executive Director, ISMAPNG / Human Resources Manager</i>

### **Organisational Context**

The Institute of Sisters of Mercy of Australia and Papua New Guinea (“Institute”) is a religious congregation of Catholic women who endeavour to engage with the call of God’s Mercy by responding to the cry of the earth and of those rendered poor.

Sisters of the Institute are governed by an elected Leader and Council (the Leadership) and serve individually in a variety of ministries.

Concerning its day to day administration, the Institute is served by a dedicated team of people who, in collaboration with the Leadership and Institute’s communities, deliver a broad range of professional and administrative services from a number of locations throughout Australia and Papua New Guinea.

The Institute’s workplace values are:

- Integrity
- Hospitality
- Unity of purpose
- Diligence for excellence
- Respect for all



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### Primary Purpose of the Position

Reporting to General Counsel and being a member of the Standards and Legal team, the Legal Counsel provides legal advice which is tailored to the particular needs of the Institute as a faith based organisation. Being part of a small and supportive team, the role is varied. No two days are the same. Day to day tasks requires knowledge of Commercial Law, Property Law and the National Redress Scheme matters. You may also be involved in overseeing outsourced litigated matters throughout Australia and general law matters that arise from time to time.

The Institute's Legal team is a highly functioning, collaborative and supportive team. Training and/or mentoring will be provided to the successful applicant.

### Reporting Relationships

<u>Direct Reports to this Position</u>	<u>Indirect Reports to this Position</u>
<ul style="list-style-type: none"><li>• Nil</li></ul>	<ul style="list-style-type: none"><li>• Nil</li></ul>

### Key Relationships

<u>Internal</u>	<u>External</u>
<ul style="list-style-type: none"><li>• General Counsel</li><li>• Safeguarding Officer</li><li>• Pastoral Response Co-ordinators</li><li>• Manager, Archives &amp; Heritage</li></ul>	<ul style="list-style-type: none"><li>• Legal firms working on behalf of the Institute</li><li>• Redress scheme and DHS contacts</li><li>• Professional Standards Offices</li></ul>

### Key Decision Making

<p><u>Decisions Expected</u></p> <ul style="list-style-type: none"><li>• Issues that arise in relation to property matters</li><li>• Issues that arise in relation to commercial matters affecting the Institute</li><li>• Assessments and responses in relation to NRS matters</li><li>• Review and assessment of claims made directly to the Institute (occasional)</li></ul> <p><u>Recommendations Expected</u></p> <ul style="list-style-type: none"><li>• Determination of manner in which an application or matter will proceed</li><li>• Referral of matters to external solicitors</li><li>• Lodgement of information with the Redress scheme portal, PRODA</li></ul>
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### **Key Accountabilities and Responsibilities**

- General and Commercial Legal work including:
  - Property matters
  - Redress claims brought under the National Redress Scheme
  - Outsourced Litigation
  - Commercial matters affecting the Institute
- Undertake other legal work that pertains to the members of the Institute
- Assist General Counsel

### Values & Formation

- Demonstrate values and behaviours that are in line with the values and ethos of ISMAPNG including an alignment with the mission of hearing the cry of Earth and the cry of those rendered poor, in the context of Integral Ecology and care for our common home
- Actively participate in Mercy formation available within the Institute

### Safety of Children and Vulnerable Adults

The Institute is committed to ensuring zero tolerance of abuse in all its forms by creating a culture of safety and respect for all, including prioritising the safety and best interest of all children and vulnerable adults with whom we have contact. All staff and those who work with us are expected to take all reasonable steps to ensure the protection of children and vulnerable adults and to comply with our safeguarding policies and procedures, including responding to and reporting all suspicions and allegations of abuse.

Staff who have access to children through their role must have a valid Working with Children Check. All other staff, prior to commencement, must have a valid National Police Check.

### Workplace Health and Safety

- Identify and respond to any safety issues
- Attend the workplace and adhere to the Institute's COVID-19 safety guidelines
- Comply with all WHS accountabilities and responsibilities relevant to the position as defined in WHS/P – 004 Structure and Responsibilities in the WHS Management System.

### **Key Challenges in Achieving Goals**



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### **Qualifications, Experience & Competencies**

- Tertiary qualifications in law
- To have, or be eligible to obtain, a current practising certificate
- Attention to detail and highly developed organisational skills
- An understanding of legal and court processes, including litigation requirements
- Excellent communication skills, both verbal and written, and ability to tailor communication to the intended audience
- Self-motivation and initiative to recommend alternative methods of practice
- A commitment to confidentiality and discretion in handling sensitive information
- Personal resilience, ability to work autonomously and manage competing priorities
- Some interstate travel may be required
- A commitment to uphold and support gospel values and the Institute values

### **Other Matters**

- All employees and contractors are required to comply with the policies and procedures adopted by the Institute
- This Position Description is subject to any Letter of Offer relating to the position
- This Position Description is not intended to be all inclusive. All employees are expected to undertake other tasks and take on other responsibilities reasonably required to meet the Position Objective