

**Office of the Work Health and Safety
Commissioner**

Position Title: Legal Policy Officer

Section: Legal Policy

Branch: Compliance and Enforcement

Position Number: P64294

Classification: ASO6

Location: Canberra City

Last Reviewed: August 2024

WORKSAFE ACT OVERVIEW

WorkSafe ACT achieves its objectives through a combination of compliance and enforcement, awareness raising, education, inspection, and investigation. It is responsible for monitoring and enforcing compliance by duty holders with the *Work Health and Safety Act 2011* (WHS Act) and associated legislation for dangerous substances, workers' compensation, and Labour Hire Licensing.

WorkSafe ACT is a fully independent office headed by the WHS Commissioner, who is the Territory's regulator. A planned program of work is currently being implemented to improve our operational efficiency and effectiveness. WorkSafe ACT is committed to cultural and organisational change to become a professional, modern, intelligence-led, responsive regulator.

The work we do carries with it an obligation to act in the public interest. It requires standards of professional behaviour and conduct from all employees that promote and maintain public confidence and trust in our work.

DIVERSITY STATEMENT

The ACT Public Service (ACTPS) is committed to building a culturally diverse workforce and an inclusive workplace. As part of this commitment, women, veterans, Aboriginal and Torres Strait Islander peoples, people from linguistically and culturally diverse backgrounds, people with disability and those who identify as LGBTIQ+ are encouraged to apply.

POSITION OVERVIEW

WorkSafe ACT is responsible for the enforcement of a range of legislation in relation to work health and safety, dangerous goods, workers' compensation, labour hire licensing, and long service leave.

As the Legal Policy Officer, under limited direction, you will provide general advice on a range of legislative and policy issues and have a role in supporting the Agency's investigation functions.

You will have strong communication skills and the ability to adapt your writing style to suit a range of audiences. The position will suit a flexible worker who can work across several topics.

The successful candidate will be engaged under the Administrative and Related Classification Enterprise Agreement 2023-2026 and/or its successor.

ROLE / RESPONSIBILITIES

- Successfully complete the WorkSafe ACT in house inspector training course.
- Prepare legal policy and operational advice on matters relevant to the Agency, including regulatory notices and the effect of new or amended legislation, including codes of practice.
- Assist in reviewing investigation materials and, as necessary, provide feedback to the inspectors and investigators.
- Assist in preparing investigation material for the Office of the Director of Public Prosecutions, WorkSafe ACT Prosecutor, the Government Solicitor's Office, and external law firms.
- Assist in the drafting of documentation for consideration and settling by the Commissioner, Executive, and/or lawyers representing the Commissioner, concerning potential or instituted legal proceedings.
- Assess and draft internal reviews of regulatory decisions and assist with the outcomes of such including the monitoring of payments, taking steps to institute and monitor proceedings following non-payment of infringements.
- Assist and engaging in litigation, including as an instructor to the Government Solicitor in external reviews within ACAT, or proceedings before the Magistrate and Supreme Courts.
- Assess and respond to Freedom of Information ("FOI") Applications, Subpoena for Production of Documents, Non-Party Production Requests / Orders directed to WorkSafe ACT, including carrying out required searches and communicating with CMTEDD FOI Team and other third parties in relation to such requests and / or applications.

- Assist in the development and updating of online and published information, including providing input for web content, guidance materials, and Codes of Practice.
- Work closely with staff at all levels to provide general advice and interpretation on relevant legislation and other material.
- Assist business as it relates to WorkSafe ACT, including preparing components of the annual report and managing delegations, and other governance and reporting requirements.
- Understand the ACTPS values covering ethical standards and a demonstrated self-awareness, professionalism and a proven commitment to the ongoing integration of workplace respect, equity and diversity work practices and WHS principles and practices.
- Undertake other duties as directed.

IDEAL CANDIDATE

- Well-developed legal policy analysis skills, including the ability to research, interpret, and apply legislation.
- Strong communication skills, including written, oral, and interpersonal communication, with a strong ability to confidently present information to a variety of audiences.
- Exercise sound judgement in decision making or recommendations.
- Demonstrated ability to effectively manage competing priorities to achieve results.
- Demonstrated ability to work independently and within a diverse team, contribute to efficient work practices, including planning and monitoring of work programs.

OTHER RELEVANT QUALIFICATIONS AND EXPERIENCE

- Knowledge of work health and safety or workers' compensation laws and related legislation is highly desirable.
- Tertiary qualifications in law or working towards such, or experience working in legal policy in a related area is highly desirable.
- Experience with regulatory compliance work in government, specifically in relation to criminal and administrative law.

WORK ENVIRONMENT DESCRIPTION

The following work environment description outlines the inherent requirements of the role of the Legal Policy Officer and indicates how frequently each of these requirements would be performed. Please note that WorkSafe ACT is committed to providing reasonable adjustment and ensuring all individuals have equal opportunities in the workplace.

ADMINISTRATIVE	FREQUENCY
Telephone use	Occasionally
General computer use	Frequently
Extensive keying/data entry	Frequently
Graphical/analytical based	Occasionally
Sitting at a desk	Frequently
Standing for long periods	Occasionally
Designated workstation <i>Please note this is a position in an activity based work environment</i>	Never
STANDARD HOURS	FREQUENCY
Flexible working hours (access to flex time)	Occasionally
Fixed or specified start/finish times	Occasionally
Expected to work extensive hours over a significant period due to the nature of the duties	Occasionally
Access to Accrued Days Off (ADOs)	Never
Peaks and troughs	Occasionally
Frequent paid overtime	Occasionally
Rostered shift work	Never
SOCIAL DEMANDS	FREQUENCY
Work with others towards shared goals in a team environment	Frequently
Work in isolation from other staff (remote supervision)	Occasionally
Working in a call centre environment	Never
Working directly with the public	Occasionally
PHYSICAL DEMANDS	FREQUENCY
Distance walking (large buildings or inter-building transit)	Occasionally
Working outdoors	Occasionally
MANUAL HANDLING	FREQUENCY
Lifting 0 – 5kg	Occasionally
Lifting 5 – 10kg	Occasionally
Lifting 10kg+	Never
Climbing	Never
Reaching	Occasionally

Bending/squatting	Occasionally
Push/pull	Occasionally
Sequential repetitive movements in a short amount of time	Occasionally
TRAVEL	FREQUENCY
Frequent travel – multiple work sites	Occasionally
Frequent travel – driving	Occasionally
Frequent travel – interstate	Never
SPECIFIC HAZARDS	FREQUENCY
Working at heights	Never
Exposure to extreme temperatures	Never
Operation of heavy machinery e.g. forklift	Never
Confined spaces	Never
Excessive noise	Never
Low lighting	Never
Handling of dangerous goods/equipment	Never
Working with asbestos	Never
Potential to encounter agitated customers	Never
Exposure to potentially distressing case material	Occasionally
OTHER	FREQUENCY
Uniform required	Occasionally
Personal Protective Equipment (PPE) required	Occasionally