

Position title:	Lawyer
Division:	Operations
Employment type:	Full Time Fixed Term Contract 24 months
Industrial instrument:	QSNTS Enterprise Agreement
Salary:	Negotiable based on skills and experience
Reports to:	Chief Operating Officer / Deputy Principal Legal Officer
Location:	Brisbane

Queensland South Native Title Services (**QSNTS**) is the native title service provider for almost two-thirds of Queensland. QSNTS is a company limited by guarantee, funded under s 203FE of the Native Title Act 1993 (Cth) to carry out the functions of a representative body. For further information, please visit <http://www.qsnts.com.au>. For further information about this job opportunity contact Human Resources on (07) 3224 1200.

1. Purpose

As a member of the legal team and a broader intra-disciplinary team, you will assist with the delivery of comprehensive legal services to commence and progress native title claims under the Native Title Act as well as provide legal services to Prescribed Bodies Corporate (**PBCs**).

2. Key Responsibilities

1. Under the direction of the Chief Operating Officer or Deputy Principal Legal Officer (COO/DPLO):
 - a) Monitor progress against the client management plan, and provide regular updates;
 - b) Work collaboratively with team members to mitigate risks as they are identified;
 - c) Apply basic project management methodologies to achieve outcomes and facilitate continuous improvement;
 - d) Ensure that matters proceed in accordance with an established client management plan and within allocated budget.
2. Assist the COO/DPLO in preparing claims for mediation, and represent claimants in mediation, negotiations and legal proceedings:
 - a) Undertake field trips, liaise with native title groups and facilitate settlement negotiations with relevant stakeholders;
 - b) Prepare and deliver written and verbal communications and formal documents to progress native title claims and agreements, including (but not limited to) in the form of: legal workshops, legal submissions and presentations, native title claimant applications, documents and pleadings for tribunals and courts, briefs to Barristers, and reports to clients;
 - c) Liaise with Research Officers to gather facts to inform progress of native title claims and to deliver services to Prescribed Bodies Corporate ('PBCs');
 - d) Take accurate statements from potential witnesses, perform analysis and produce reports to inform preparation of native title claims, Indigenous Land Use and 'Future Acts' agreements;

3. Undertake negotiations with mining and exploration companies, other proponents and third parties in relation to Future Act and cultural heritage matters;
4. Provide legal advice to native title holders (PBCs) and claimants in relation to Future Act and cultural heritage matters;
5. Provide advocacy and representation to native title holders and claimants in relation to Future Act and other legal matters before the Federal Court and National Native Title Tribunal;
6. Provide legal advice to support PBCs in relation to corporate structure and governance matters;
7. Assist with the development and implementation of strategies, policies and procedures regarding legal advice associated with native title claims and PBC support.
8. Engage in and promote QSNTS's Whole of Client/Whole of Organisation service delivery strategy so as to support QSNTS's realisation of our Strategic Plan's objectives.
9. Manage records and correspondence in accordance with QSNTS information management standards and record management system requirements.
10. Ensure the currency of the information in Monday.com relating to allocated matters.

3. Key Competencies

Essential

1. Qualified and admitted as a legal practitioner in Queensland and the Commonwealth.
2. Demonstrated understanding of applicable sections of the law, including native title law, corporations law, contract law, trusts law and property law.
3. Demonstrated experience in court appearances and processes, including drafting of court documents.
4. Ability to take part in sensitive negotiations in relation to resolution of native title determinations or compensation applications, as well as commercial matters (including Future Acts and Cultural Heritage Agreements) arising from those applications.
5. Demonstrated knowledge of the cultural, political, economic, environmental and social issues affecting First Nations people.
6. Able and willing to undertake regular travel throughout Queensland.
7. A current open driver's licence.

4. Conditions of Employment

It is a condition of employment with QSNTS that you:

- Work in a safe manner and not put yourself or others at risk of injury or illness;
- Are committed to privacy and confidentiality; and
- Follow instructions, and act in accordance with QSNTS policy and procedures.

5. Technical Competencies

Ability to handle legal matters: Core proficiency level

<p>Knowledge of the law <i>Understands the relevant aspect of the law.</i></p>	<ul style="list-style-type: none"> ◦ Demonstrates a well-developed understanding of applicable sections of the law, including all categories outlined in Foundation. ◦ Demonstrates well developed understanding of Federal Court process and rules. ◦ Demonstrates well developed understanding of and acts in accordance with professional ethics and relevant statutory rules and standards. ◦ Demonstrates well developed understanding of evidentiary requirements under the Native Title Act and established jurisprudence. ◦ Demonstrates well developed understanding of meeting process. ◦ Understands legal processes and requirements related to Native Title claims
<p>Research <i>Identifies facts required to support the relevant legal issues and selects data sources to draw required information.</i></p>	<ul style="list-style-type: none"> ◦ Uses a systematic approach to gather all relevant information when analysing a problem. ◦ Identifies when online databases are the appropriate source and extracts relevant data. ◦ Demonstrates an understanding of anthropology principles to generate research questions that guide research activities. ◦ Uses proficient interviewing skills to draw required information from interviewees in an unbiased manner.
<p>Critical interpretation of the law <i>Applies the law to the facts of the matter in an appropriate and defensible way.</i></p>	<ul style="list-style-type: none"> ◦ Logically and correctly analyses information to inform findings and conclusions. ◦ Breaks down a matter to its core parts to assess it. ◦ Informs findings, conclusions or recommendations with accurate insights drawn from an extrapolation of relevant data. ◦ Identifies multiple causes and implications of a problem across a broad context. ◦ Draws on own and others' comprehensive experience when analysing alternatives.
<p>Acting for the client <i>Understands client's goals, objectives and legal entitlements and advises the client on its options and course of action. Represents the client in legal matters before the court.</i></p>	<ul style="list-style-type: none"> ◦ Demonstrates a well-developed understanding of court processes, including drafting of court documents. ◦ Clearly and completely describes the issue or problem to the relevant person in a timely manner. ◦ Understands court etiquette and advises clients on appropriate behaviour in court. ◦ Prepares professional legal documents and correspondence to a very high standard, including drafting pleadings and legal submissions. ◦ Explains complex legal matters to non-experts. ◦ Able to take part in sensitive negotiations in relation to resolution of native title determination or compensation applications, as well as commercial matters (including Future Acts) arising from those applications.

<p>Knowledge of and application of PBC Governance</p>	<ul style="list-style-type: none"> ◦ Understands financial terms and functions and can explain these to non-experts ◦ Provides advice to Directors to assist with the statutory and legal compliance
<p>Develops capacity of PBC Group</p>	<ul style="list-style-type: none"> ◦ Identifies areas of development in the skills and capabilities of PBC ◦ Assists PBC group in building skills required for a self-managing PBC
<p>Understanding Future Acts and associated processes</p>	<ul style="list-style-type: none"> ◦ Has well developed understanding of Future Acts regime under the Native Title Act and Cultural heritage legislation ◦ Demonstrates an understanding of QSNTS Future Acts policies and procedures ◦ Demonstrates basic knowledge and competency in using QSNTS' statutory notification function ◦ Demonstrates basic knowledge of the States expedited procedure process and the Native Title Protection Conditions ◦ Demonstrates basic knowledge of the role of the National Native Title Tribunal in relation to the Future Acts regime ◦ Clearly understands mining, petroleum and gas tenement application processes ◦ Basic understanding of the application of the Mineral Resources Act and Petroleum and Gas (Production & Safety) Act to native title related matters
<p>Understanding of and ability to negotiate for client interests</p>	<ul style="list-style-type: none"> ◦ Able to take part in sensitive negotiations in relation to resolution of native title determination and commercial matters arising from those applications ◦ Demonstrates a well-developed understanding of commercial agreements ◦ Has basic experience of participation negotiations ◦ Demonstrates a well-developed understanding of the need to act in 'good faith' in accordance with the requirements of the NTA and relevant case law ◦ Demonstrates a well-developed understanding of processes associated with Future Acts matters ◦ Clearly and completely described the issue or problem to the relevant person in a timely manner. ◦ Understands court etiquette and advises clients on appropriate behaviour in court. ◦ Prepares professional documents and correspondence to a very high standard.

Ability to manage claims: Core proficiency level

<p>Strategise and plan prosecution of claims <i>Develops a plan of activities and strategies to achieve a goal.</i></p>	<ul style="list-style-type: none"> ◦ Ability to plan litigation having regard to the life cycle of a claim. ◦ Strong understanding of the litigation process, especially in the native title jurisdiction of the Federal Court. ◦ Demonstrated ability to gather evidence and correlate and verify evidence from various sources.
<p>Case management <i>Acts as part of a case management team in</i></p>	<ul style="list-style-type: none"> ◦ Clarifies direction and priorities of claim work. ◦ Leverages the talents of a multi-disciplinary team to achieve results. ◦ Delegates effectively and empowers team members.

<p><i>preparation and execution of case management plan.</i></p>	<ul style="list-style-type: none"> ◦ Identifies skills and performance gaps and takes action to address them. ◦ Maintains compliance with work plan and budget.
<p>Project management <i>Plan, organise and monitor progress towards project outcomes.</i></p>	<ul style="list-style-type: none"> ◦ Checks case and milestone details before commencing work to ensure clarity of purpose. ◦ Contributes to the implementation of case management schedules and plans. ◦ Alerts immediately upon discovery of potential problems. ◦ Provides feedback (what went well, what could have been done differently) after project close.
<p>Dispute resolution <i>Promotes effective resolution of points of conflict between parties through communication.</i></p>	<ul style="list-style-type: none"> ◦ Strong understanding of alternate dispute resolution processes. ◦ Has taken part in alternative dispute resolution processes. ◦ Has undertaken training in alternative dispute resolution processes.

Ability to lead a team: Foundation proficiency level

<p>Clarifies direction <i>Conveys a clear sense of purpose, priority and direction to the team or organisation.</i></p>	<ul style="list-style-type: none"> ◦ Demonstrates knowledge of relevant legislative framework and trends. ◦ Aware of other like organisation's strategies and performance in the native title sector. ◦ Identifies clear short and medium term goals and performance measures for their team; focuses on the 3 – 12 month horizon. ◦ Develops a clear plan aligned with the organisation's vision. ◦ Regularly tracks progress on delivering against the business plan, ensuring effort remains focused and meets performance expectations.
<p>Sets the tone <i>Sets clear expectations and inspires others to deliver exceptional results.</i></p>	<ul style="list-style-type: none"> ◦ Recognises behaviours that prevent or inhibit the desired culture. ◦ Constructively addresses behaviours that do not support the desired culture. ◦ Builds trusting relationships with others, and sets the tone with guidance from senior leaders. ◦ Regarded by others as being approachable and fair; responds appropriately to others' needs; acts on others' feedback. ◦ Instils confidence in others when delivering key messages; provides timely, persuasive communications that engage team members. ◦ Clearly expresses QSNTS's expectations of the team with direct links to the business plan and desired outcomes.
<p>Delivers results <i>Delivers outstanding results for the organisation.</i></p>	<ul style="list-style-type: none"> ◦ Generally can be relied on to deliver quality results, although at times requires assistance to understand how successful outcomes can be achieved. ◦ Basic knowledge of who to involve to deliver results; contacts relevant stakeholder groups, requires the support of others to achieve desired outcomes. ◦ Pays attention to the objectives of tasks, considers a range of approaches to ensure task is completed to a high standard; completes work within time frames. ◦ Contributes and communicates information, though sometimes requires prompting.

	<ul style="list-style-type: none"> Attempts to seek involvement from others when deemed appropriate; at times asks for others' opinions and views.
<p>Builds excellence <i>Seeks and creates opportunities for professional development and learning, through formal and informal approaches.</i></p>	<ul style="list-style-type: none"> Translates constructive feedback into general goals and actions for self that lead to improved performance. Provides feedback to others where appropriate. Demonstrates sound awareness of own performance levels, strengths and gaps; provides some insights to enhance others' level of self-awareness. Sets and monitors personal performance and development goals, aligning them with QSNTS goals. Builds own development plans and seeks input where necessary; recognises connection between own goals and QSNTS goals. Seeks new ways to apply skills and knowledge to improve individual, team and QSNTS performance; shares new skills and information with team and others. Identifies opportunities for self and others to contribute to team performance and support team members' development.

Records management: Core proficiency level

HPCM skills	<ul style="list-style-type: none"> Can store and retrieve documents within HPCM according to guidelines.
MS Office skills	<ul style="list-style-type: none"> Formats documents to customise Word documents as required. Uses Outlook to send and receive emails and book meetings. Creates new spread sheets in Excel.
Understand document and record retention requirements, policies and procedures	<ul style="list-style-type: none"> Monitors records and saved documents to ensure records retention meets policies and procedures.

6. Behavioural Competencies

Collaborative, Accountable, Courageous, Flexible and Resilient: Foundation proficiency level

<p>Collaborative</p>	<ul style="list-style-type: none"> ◦ Approaches interactions with a constructive attitude, honesty and transparency. ◦ Maintains supportive and constructive relationships by responding to internal and external client's needs, completing tasks and addressing requirements on time. ◦ Demonstrates basic interpersonal awareness; is aware of own impact and puts oneself 'in others' shoes' to consider different perspectives. ◦ Works as a supportive and co-operative team member, shares information and acknowledges others' efforts. ◦ Steps in to help others when workload is high for them. ◦ Respects different viewpoints by listening to others. ◦ Is willing to negotiate and compromise.
<p>Courageous</p>	<ul style="list-style-type: none"> ◦ Supports, is open to and receptive of, new ideas and approaches to work proposed by others. ◦ Puts forward own opinion and raises challenging issues. ◦ Learns from previous attempts or experiences. ◦ Participates in, and contributes to, ideas and brainstorming sessions; builds on others' perspectives. ◦ Weighs new ideas against true non-negotiables, rather than 'the way it's always been'. ◦ Tests ideas with colleagues and supervisors, confident to suggest ideas that might seem radical. ◦ Maintains energy and focus on successfully delivering new approaches.
<p>Accountable</p>	<ul style="list-style-type: none"> ◦ Takes responsibility for own actions. ◦ Prioritises work in order of importance; focuses on tasks that are the most important. ◦ Manages daily tasks and workload, using available resources (e.g. lists, Outlook, diary). ◦ Gets started on tasks within area of responsibility or when provided with requests from others. ◦ Monitors progress of required tasks, keeps others informed of progress and raises awareness if tasks are finished early or if there is a risk of tasks not being completed on time. ◦ Persists with assigned tasks until they are completed to expectations and follows through on commitments. ◦ Identifies options for ways to complete work despite challenges, takes these options to supervisor for confirmation of preferred option. ◦ Takes responsibility for the quality of own work with awareness of the standards to which the work needs to adhere. ◦ Takes responsibility for the appropriate treatment and safeguarding of work assets and property. ◦ Follows safe work practices and takes reasonable care of own and others health and safety.

<p>Flexible</p>	<ul style="list-style-type: none"> ◦ Shows openness and acceptance of change. ◦ Remains calm and positive when faced with changes, last minute requests or unforeseen requirements. ◦ Willingly attempts new tasks when required with the support of a supervisor or manager. ◦ Refocuses attention to respond to changes and shifting priorities when required. ◦ Seeks to understand ambiguous and uncertain situations; gathers information to get clarity. ◦ Maintains momentum through challenges and setbacks; stays focused even when changes don't go to plan. ◦ Has basic understanding of QSNTS's future vision and makes an effort to understand how current changes will contribute to this.
<p>Resilient</p>	<ul style="list-style-type: none"> ◦ When faced with a setback, is prepared to try again. ◦ Maintains energy and willingly invests extra effort when required. ◦ Bounces back after setbacks. ◦ Stays calm in challenging situations. ◦ Considers what could be done differently next time, if the first approach didn't achieve the outcome. ◦ Acknowledges that ideas may not come to fruition and is not discouraged by this. ◦ Persists with assigned tasks until they are complete (checking in with others along the way to ensure the work is on track).