

# Role Description

## Principal Guardian

Cluster	Stronger Communities
Agency	NSW Trustee & Guardian
Division/Branch/Unit	Public Guardian
Role number	Various
Classification/Grade/Band	Clerk Grade 7/8
Senior executive work level standards	Not Applicable
ANZSCO Code	272613
PCAT Code	1119192
Date of Approval	15 October 2021
Agency Website	<a href="http://www.tag.nsw.gov.au">www.tag.nsw.gov.au</a>

### Agency overview

NSW Trustee & Guardian protects, promotes and supports the rights, dignity, choices and wishes of the people of NSW. The agency supports the Chief Executive Officer and the Public Guardian to provide customer-centred services to the people of NSW, including some of the state's most vulnerable. We do this by providing a range of multidisciplinary services including Will-making, estate planning, executorship, trustee, financial management and guardianship services. We write more than 13,000 estate planning documents each year, support over 47,000 customers annually and manage over six billion dollars in customer assets.

The Public Guardian promotes the rights and interests of people with disability through the practice of guardianship, advocacy and education. A NSW government agency within the Stronger Communities Cluster, our services help support and protect people at critical moments in their lives.

### Primary purpose of the role

Deliver quality guardianship services to our customers, with the aim of achieving the best possible outcomes for people with disabilities, consistent with the Principles of the *Guardianship Act 1987* (NSW), the Public Guardian's standards, policy and guidelines through individual and systemic advocacy. The role is responsible for the supervision and mentoring of senior guardians.

### Key accountabilities

- Make decisions on behalf of customers based on the principles of the Guardianship Act and in line with decision making standards.
- Maintain accurate customer records and undertake individual and systemic advocacy to achieve positive outcomes for our customers.
- Prepare accurate reports, submissions and recommendations to senior officers and the Public Guardian on issues within delegated authority. Prepare well-reasoned reports to the Guardianship Division of the NSW Civil and Administrative Tribunal (NCAT) on relevant matters and attend hearings where required.
- Make decisions in line with policies, within the Principal Guardian delegation level, and authority from the Guardianship Division, to best serve the interests of our customers.

- Supervise and assist Senior Guardians, Guardians and support staff, including providing support, advice and direction in relation to complex cases and customer situations. Review and approve reports of Senior Guardians and team members.
- Manage a range of guardianship matters including complex cases, this includes negotiate highly complex or contentious matters with a range of professionals and other key stakeholders using sound communication and negotiation skills, both written and verbal.
- Conduct visits to represented people in line with the Guardianship standards and relevant policy.
- Ensure the exchange of information with represented people, family, carers and key stakeholders is accurate and timely and at all times compliant with relevant legislation including the *Privacy and Personal Protection Information Act 1998*, the *Health Records and Information Privacy Act 2002* and the *State Records Act 1998*.

## Key challenges

- Advocating for the development of appropriate customer related options and solutions by (but not limited to) the National Disability Insurance Agency (NDIA), aged care providers, mental health services, registered service providers and other government agencies on behalf of represented people and including at times where a precedent isn't readily available. This includes having some knowledge of community resources, disability issues and changes in the sector in general.
- Acting in situations where practical and immediate concerns and solutions have to be balanced against long term issues. The Principal Guardian is involved in cases where complex or divergent opinions as to the customer's well-being may be present, such as dysfunctional family relationships partnered with conflict of interests.
- Navigating situations where there are issues such as inappropriate or insufficient accommodation, conflict or dysfunctional relationships. The Principal Guardian has to deal with these issues and respond in a timely, objective and empathic manner to a range of circumstances faced by the represented person.

## Key relationships

Who	Why
<b>Internal</b>	
Regional Manager	<ul style="list-style-type: none"> <li>• Reports to the Regional Manager for supervision and in all matters pertaining to guardianship, decision making, advocacy and professional development.</li> </ul>
Assistant Public Guardian Service Delivery and Public Guardian Leadership Team	<ul style="list-style-type: none"> <li>• Is required, on occasion, to report to the Public Guardian and others in the Leadership Team regarding matters at their delegation level.</li> </ul>
Guardianship staff	<ul style="list-style-type: none"> <li>• Provides supervision and support to regional staff on all matters pertaining to guardianship through both formal and informal supervision.</li> </ul>
Estate Management	<ul style="list-style-type: none"> <li>• Working together on contentious or complex issues involving a person who is has a guardianship order and a financial management order that is being managed by NSW Trustee.</li> </ul>

Who	Why
<b>External</b>	
NCAT Guardianship Division, and key agencies such as NDIA, DCJ, Health, and other government and non-government agencies involved in the disability sector	<ul style="list-style-type: none"> <li>An effective relationship with representatives of key agencies is a critical component of the role and integral to its success to achieving positive outcomes for our clients.</li> </ul>
Customers and stakeholders	<ul style="list-style-type: none"> <li>Provide advice, information, support and decision making for those represented by the Public Guardian.</li> </ul>

## Role dimensions

### Decision making

- Deliver guardianship services in an efficient and effective manner to a defined region of New South Wales.
- Ensure all decisions adhere to guardianship standards and principles of the Guardianship Act and other relevant legislation.
- Prepare detailed reports, submissions and recommendations on guardianship issues.
- Provide structured supervision to senior guardians and other members within the regional team.

### Reporting line

This role reports to the Regional Manager.

### Direct reports

Nil

### Budget/Expenditure

Nil

## Essential requirements

- Degree or the equivalent experience in social, health, behavioural sciences or relevant experience.
- Available to travel throughout NSW and to undertake after hours work on a rotational basis.

## Checks and Clearances

Appointments are subject to reference checks. Some roles may also require the following checks/ clearances: National Criminal History Record Check in accordance with the Disability Inclusion Act 2014.

Working with Children Check clearance in accordance with the Child Protection (Working with Children) Act 2012.

## Capabilities for the role

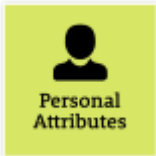
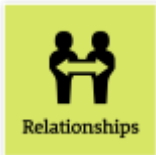
The [NSW public sector capability framework](#) describes the capabilities (knowledge, skills and abilities) needed to perform a role. There are four main groups of capabilities: personal attributes, relationships, results and business enablers, with a fifth people management group of capabilities for roles with managerial responsibilities. These groups, combined with capabilities drawn from occupation-specific capability sets where relevant, work together to provide an understanding of the capabilities needed for the role.

The capabilities are separated into **focus capabilities** and **complementary capabilities**.

## Focus capabilities

*Focus capabilities* are the capabilities considered the most important for effective performance of the role. These capabilities will be assessed at recruitment.

The focus capabilities for this role are shown below with a brief explanation of what each capability covers and the indicators describing the types of behaviours expected at each level.

FOCUS CAPABILITIES			
Capability group/sets	Capability name	Behavioural indicators	Level
 <p>Personal Attributes</p>	<p><b>Act with Integrity</b> Be ethical and professional, and uphold and promote the public sector values</p>	<ul style="list-style-type: none"> <li>• Represent the organisation in an honest, ethical and professional way and encourage others to do so</li> <li>• Act professionally and support a culture of integrity</li> <li>• Identify and explain ethical issues and set an example for others to follow</li> <li>• Ensure that others are aware of and understand the legislation and policy framework within which they operate</li> <li>• Act to prevent and report misconduct and illegal and inappropriate behaviour</li> </ul>	Adept
 <p>Relationships</p>	<p><b>Commit to Customer Service</b> Provide customer-focused services in line with public sector and organisational objectives</p>	<ul style="list-style-type: none"> <li>• Take responsibility for delivering high-quality customer-focused services</li> <li>• Design processes and policies based on the customer's point of view and needs</li> <li>• Understand and measure what is important to customers</li> <li>• Use data and information to monitor and improve customer service delivery</li> <li>• Find opportunities to cooperate with internal and external stakeholders to improve outcomes for customers</li> <li>• Maintain relationships with key customers in area of expertise</li> <li>• Connect and collaborate with relevant customers within the community</li> </ul>	Adept
	<p><b>Influence and Negotiate</b> Gain consensus and commitment from others, and resolve issues and conflicts</p>	<ul style="list-style-type: none"> <li>• Negotiate from an informed and credible position</li> <li>• Lead and facilitate productive discussions with staff and stakeholders</li> <li>• Encourage others to talk, share and debate ideas to achieve a consensus</li> <li>• Recognise diverse perspectives and the need for compromise in negotiating mutually agreed outcomes</li> <li>• Influence others with a fair and considered approach and sound arguments</li> </ul>	Adept






		<ul style="list-style-type: none"> <li>• Show sensitivity and understanding in resolving conflicts and differences</li> <li>• Manage challenging relationships with internal and external stakeholders</li> <li>• Anticipate and minimise conflict</li> </ul>	
	<p><b>Think and Solve Problems</b></p> <p>Think, analyse and consider the broader context to develop practical solutions</p>	<ul style="list-style-type: none"> <li>• Research and apply critical-thinking techniques in analysing information, identify interrelationships and make recommendations based on relevant evidence</li> <li>• Anticipate, identify and address issues and potential problems that may have an impact on organisational objectives and the user experience</li> <li>• Apply creative-thinking techniques to generate new ideas and options to address issues and improve the user experience</li> <li>• Seek contributions and ideas from people with diverse backgrounds and experience</li> <li>• Participate in and contribute to team or unit initiatives to resolve common issues or barriers to effectiveness</li> <li>• Identify and share business process improvements to enhance effectiveness</li> </ul>	Adept
	<p><b>Technology</b></p> <p>Understand and use available technologies to maximise efficiencies and effectiveness</p>	<ul style="list-style-type: none"> <li>• Apply computer applications that enable performance of more complex tasks</li> <li>• Apply practical skills in the use of relevant technology</li> <li>• Make effective use of records, information and knowledge management functions and systems</li> <li>• Understand and comply with information and communications security and acceptable use policies</li> <li>• Support the implementation of systems improvement initiatives and the introduction and roll-out of new technologies</li> <li>•</li> </ul>	Intermediate
	<p><b>Manage and Develop People</b></p> <p>Engage and motivate staff, and develop capability and potential in others</p>	<ul style="list-style-type: none"> <li>• Collaborate to set clear performance standards and deadlines in line with established performance development frameworks</li> <li>• Look for ways to develop team capability and recognise and develop individual potential</li> <li>• Be constructive and build on strengths by giving timely and actionable feedback</li> <li>• Identify and act on opportunities to provide coaching and mentoring</li> <li>• Recognise performance issues that need to be addressed and work towards resolving issues</li> <li>• Effectively support and manage team members who are working flexibly and in various locations</li> </ul>	Intermediate

- Create a safe environment where team members' diverse backgrounds and cultures are considered and respected
- Consider feedback on own management style and reflect on potential areas to improve

## Complementary capabilities

*Complementary capabilities* are also identified from the Capability Framework and relevant occupation-specific capability sets. They are important to identifying performance required for the role and development opportunities.

Note: capabilities listed as 'not essential' for this role are not relevant for recruitment purposes however may be relevant for future career development.

COMPLEMENTARY CAPABILITIES			
Capability group/sets	Capability name	Description	Level
 Personal Attributes	Display Resilience and Courage	Be open and honest, prepared to express your views, and willing to accept and commit to change	Intermediate
	Manage Self	Show drive and motivation, an ability to self-reflect and a commitment to learning	Intermediate
	Value Diversity and Inclusion	Demonstrate inclusive behaviour and show respect for diverse backgrounds, experiences and perspectives	Intermediate
 Relationships	Communicate Effectively	Communicate clearly, actively listen to others, and respond with understanding and respect	Intermediate
	Work Collaboratively	Collaborate with others and value their contribution	Intermediate
 Results	Deliver Results	Achieve results through the efficient use of resources and a commitment to quality outcomes	Intermediate
	Plan and Prioritise	Plan to achieve priority outcomes and respond flexibly to changing circumstances	Intermediate
	Demonstrate Accountability	Be proactive and responsible for own actions, and adhere to legislation, policy and guidelines	Intermediate
 Business Enablers	Finance	Understand and apply financial processes to achieve value for money and minimise financial risk	Foundational
	Procurement and Contract Management	Understand and apply procurement processes to ensure effective purchasing and contract performance	Foundational
	Project Management	Understand and apply effective planning, coordination and control methods	Intermediate
 People Management	Inspire Direction and Purpose	Communicate goals, priorities and vision, and recognise achievements	Foundational
	Optimise Business Outcomes	Manage people and resources effectively to achieve public value	Foundational
	Manage Reform and Change	Support, promote and champion change, and assist others to engage with change	Foundational