

Role Description

Principal Solicitor

Portfolio	Communities and Justice
Agency	NSW Trustee and Guardian
Division/Branch/Unit	Legal, Governance and Risk
Role number	TBA
Classification/Grade/Band	Solicitor Grade VI
Senior executive work level standards	Not Applicable
ANZSCO Code	271311
PCAT Code	1119192
Date of Approval	14 July 2025
Agency Website	nsw.gov.au/trustee-guardian

Agency overview

NSW Trustee and 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, trustee, financial management and guardianship services.

We write more than 12,000 estate planning documents each year, support over 50,000 customers annually and manage in excess of eight billion dollars in customer assets. A NSW government agency within the Communities and Justice Portfolio, our services help support and protect people at critical moments in their lives.

Division overview

The Legal, Governance and Risk Division is responsible for the provision of Legal, Governance and Risk, Policy and Performance, Information and Privacy Management services to NSW Trustee and Guardian and its customers.

Primary purpose of the role

This role is required to deliver high-quality commercial legal advice, with a particular emphasis on contract law, to NSW Trustee and Guardian and its customers. By serving as the main source of expertise in commercial legal matters, the incumbent ensures that both the organisation and its customers are well-informed and compliant with relevant laws and regulations, thereby supporting effective decision-making and risk management.

Key accountabilities

- Working across NSW Trustee and Guardian's enterprise functions to provide high quality legal support and advice as appropriate.
- Prepare and review contracts, agreements, deeds, and leases - including confidentiality agreements, non-disclosure agreements, licence agreements, and tender agreements as required.
- Negotiate and deal with disputes over these documents, their terms and provisions.
- Managing risks and resolving disagreements.
- Ensure government policies and compliance requirements are met including: appropriate indemnities; limitation of liability; insurance; intellectual property protection; privacy protection; modern slavery provisions; termination; subcontracting and transition in or out requirements.
- Handling contract extensions and transition matters, as well as developing and evaluating policies, procedures, and templates.
- Providing high quality legal advice in broad areas of law with a focus on commercial and contract law.
- Advising and supporting the agency on corporate and customer commercial matters.

Key challenges

- Effectively managing limited resources while delivering high-quality work and responding to urgent demands.
- Identifying legal issues early and ensuring stakeholders adhere to legal guidance, despite potential resistance or complexity.
- Keeping up to date with evolving laws and regulations in relevant fields.

Key relationships

Who	Why
Internal	
Senior Management	<ul style="list-style-type: none"> • Provide guidance, advice, information and reporting.
Director Legal, Governance and Risk	<ul style="list-style-type: none"> • Provide guidance, advice and reporting as required and contribute to decision making. Identify emerging risks and propose solutions.
Procurement team	<ul style="list-style-type: none"> • Collaborate, guide, support and provide advice.
Legal staff	<ul style="list-style-type: none"> • Collaborate, provide advice and reporting as required.
Staff	<ul style="list-style-type: none"> • Collaborate, provide advice. • Provide training. • Contribute to capability development and continuous improvement initiatives.

Who	Why
External	
Other Government Agencies including NSW Procurement	<ul style="list-style-type: none"> • Networking, information sharing and contributing to law reform processes.
Counsel and other members of the legal profession	<ul style="list-style-type: none"> • Receive information, advice and direction.
External Vendors/Service Providers and Consultants	<ul style="list-style-type: none"> • Negotiate, communicate, manage relationship.

Role dimensions

Decision making

The role works with a level of autonomy and accountability in delivering the required services and determining competing priorities.

The role is responsible for the provision of complex legal advice and drafting of the allocated program of work. The role makes legal recommendations and manages day to day activities within established priorities and directives.

Reporting line

This Position reports to Director, Legal, Governance and Risk

Direct reports

Nil

Budget/Expenditure

Nil

Essential Requirements

- Legal Qualifications, holding a current unrestricted practising certificate in NSW.
- Substantial experience and expert knowledge in commercial and contract law.
- Experience in government procurement desirable.

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
 Personal Attributes	Act with Integrity Be ethical and professional, and uphold and promote the public sector values	<ul style="list-style-type: none"> • Model the highest standards of ethical and professional behaviour and reinforce their use. • Represent the organisation in an honest, ethical and professional way and set an example for others to follow. • Promote a culture of integrity and professionalism within the organisation and in dealings external to government. • Monitor ethical practices, standards and systems and reinforce their use. • Act promptly on reported breaches of legislation, policies and guidelines. 	Advanced
 Relationships	Commit to Customer Service Provide customer-focused services in line with public sector and organisational objectives	<ul style="list-style-type: none"> • Promote a customer-focused culture in the organisation and consider new ways of working to improve customer experience. • Ensure systems are in place to capture customer service insights to improve services. • Initiate and develop partnerships with customers to define and evaluate service performance outcomes. • Promote and manage alliances within the organisation and across the public, private and community sectors. • Liaise with senior stakeholders on key issues and provide expert and influential advice. • Identify and incorporate the interests and needs of customers in business process design and encourage new ideas and innovative approaches. • Ensure that the organisation's systems, processes, policies and programs respond to customer needs. 	Advanced


FOCUS CAPABILITIES

Capability group/sets	Capability name	Behavioural indicators	Level
	Influence and Negotiate Gain consensus and commitment from others, and resolve issues and conflicts	<ul style="list-style-type: none"> Influence others with a fair and considered approach and present persuasive counter-arguments. Work towards mutually beneficial 'win-win' outcomes. Show sensitivity and understanding in resolving acute and complex conflicts and differences. Identify key stakeholders and gain their support in advance. Establish a clear negotiation position based on research, a firm grasp of key issues, likely arguments, points of difference and areas for compromise. Anticipate and minimise conflict within the organisation and with external stakeholders. 	Advanced
	Communicate Effectively Communicate clearly, actively listen to others, and respond with understanding and respect	<ul style="list-style-type: none"> Present with credibility, engage varied audiences and test levels of understanding. Translate technical and complex information concisely for diverse audiences. Create opportunities for others to contribute to discussion and debate. Actively listen and encourage others to contribute inputs. Adjust style and approach to optimise outcomes. Write fluently and persuasively in a range of styles and formats. 	Adept
	Think and Solve Problems Think, analyse and consider the broader context to develop practical solutions	<ul style="list-style-type: none"> Undertake objective, critical analysis to draw accurate conclusions that recognise and manage contextual issues. Work through issues, weigh up alternatives and identify the most effective solutions in collaboration with others. Take account of the wider business context when considering options to resolve issues. Explore a range of possibilities and creative alternatives to contribute to system, process and business improvements. Implement systems and processes that are underpinned by high-quality research and analysis. 	Advanced

FOCUS CAPABILITIES

Capability group/sets	Capability name	Behavioural indicators	Level
		<ul style="list-style-type: none"> Look for opportunities to design innovative solutions to meet user needs and service demands. Evaluate the performance and effectiveness of services, policies and programs against clear criteria. 	
	Plan and Prioritise Plan to achieve priority outcomes and respond flexibly to changing circumstances	<ul style="list-style-type: none"> Understand the links between the business unit, Adept organisation and the whole-of-government agenda. Ensure business plan goals are clear and appropriate including contingency provisions. Monitor progress of initiatives and make necessary adjustments. Anticipate and assess the impact of changes, such as government policy/economic conditions, to business plans and initiatives, and respond appropriately. Consider the implications of a wide range of complex issues, and shift business priorities when necessary. Undertake planning to transition the organisation through change initiatives and evaluate progress and outcome to inform future planning. 	
 Business Enablers	Procurement and Contract Management Understand and apply procurement processes to ensure effective purchasing and contract performance	<ul style="list-style-type: none"> Apply legal, policy and organisational guidelines and procedures relating to procurement and contract management. Develop well-written, well-structured procurement documentation that clearly sets out the business requirements. Monitor procurement and contract management processes to ensure they are open, transparent and competitive. Be aware of procurement and contract management risks, and actions to manage or mitigate risk in monitoring contract performance. Evaluate tenders and select providers in an objective and rigorous way, in line with established guidelines and principles. Escalate procurement and contract management issues, where required. 	Advanced

OCCUPATIONAL SPECIFIC FOCUS CAPABILITY

Capability group/sets	Capability name	Behavioural indicators	Level
	Legal Drafting Prepare legal documents to achieve client outcomes	<ul style="list-style-type: none"> • Draft and settle court and tribunal documents in contentious or significant matters. • Draft and settle significant and complex court and tribunal documents which achieve their strategic purpose, and establish effective processes for meeting procedural, evidentiary and ethical requirements. • Apply high level drafting skills to draft and settle complex transactional documents which meet the requirements for significant or contentious transactions and projects and appropriately manage significant legal risk. • Use expert legal knowledge to draft, review and settle complex and significant legal documents which comply with policy, achieve the client's purpose and minimise legal and commercial risk. • Bring an expert understanding of the legal principles applying to transactional documents to drafting and settling complex documentation and resolving issues of interpretation. • Provide supervision to other legal professionals in preparing legal documents, to provide quality assurance and ensure that ethical and legal requirements are met. 	Level 3
	Legal Advice Provide quality independent legal advice and explanation of legal issues	<ul style="list-style-type: none"> • Independently identify the client, scope, purpose and form of legal advice required in complex, urgent or sensitive matters. • Clarify and refine instructions where appropriate and assist others to do so. • Deal independently with vulnerable clients, including where capacity may be in issue or where ethical or cross-cultural issues arise. • Independently analyse and apply relevant law to complex facts, incorporating policy, probity and operational considerations, and creatively formulating options. • Independently identify and advise upon emerging legal risks and their strategic, commercial and policy implications. • Provide guidance to others on selection of external legal services providers and approves briefing of external legal services providers. 	Level 3

OCCUPATIONAL SPECIFIC FOCUS CAPABILITY










Capability group/sets	Capability name	Behavioural indicators	Level
		<ul style="list-style-type: none"> Conduct quality assurance of external legal advice provided and provide feedback to external legal providers. Provide professional supervision to other legal roles in preparing legal advice to assure the quality of the advice provided. 	

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.	Adept
 Personal Attributes	Manage Self	Show drive and motivation, an ability to self-reflect and a commitment to learning.	Advanced
 Personal Attributes	Value Diversity and Inclusion	Demonstrate inclusive behaviour and show respect for diverse backgrounds, experiences and perspectives.	Adept
 Relationships	Work Collaboratively	Collaborate with others and value their contribution.	Adept
 Results	Deliver Results	Achieve results through the efficient use of resources and a commitment to quality outcomes.	Adept
 Results	Demonstrate Accountability	Be proactive and responsible for own actions, and adhere to legislation, policy and guidelines.	Adept
 Business Enablers	Finance	Understand and apply financial processes to achieve value for money and minimise financial risk.	Intermediate
 Business Enablers	Technology	Understand and use available technologies to maximise efficiencies and effectiveness.	Intermediate
 Business Enablers	Project Management	Understand and apply effective project planning, coordination and control methods.	Intermediate