

JOB DESCRIPTION

Senior Solicitor | Tautīnei Ture Matua

ROLE TITLE	Senior Solicitor Tautīnei Ture Matua
SECTION/DIVISION:	Vice-Chancellor's Office, Corporate Division
REPORTS TO:	General Counsel Waha Kōrero Matua
DIRECT REPORTS (FTE):	Nil
INDIRECT REPORTS (FTE):	Nil
OUR VISION KO TE ARONGA	<p>The University of Otago is committed to Te Tiriti as set out in Pae Tata and Vision 2040. Our Vision / Ko te Aronga is for our people and knowledge to transform lives, connect communities and nurture the environment in Otago, Te Waipounamu, Aotearoa, the Pacific, and the world. Our mission / Ko te Uaratanga is to create, advance, share, promote, preserve and apply knowledge. We undertake outstanding research and research-informed teaching, enable transformative learning and student experiences, and engage in meaningful service to society with a dedication to excellence, innovation and positive impact.</p> <p>E ū titikaha nei a Ōtākou Whakaihū Waka ki kā hua o Te Tiriti ko whakatakotoria ki Te Pae Tata me Te Pae Tawhiti 2040 hoki. Ko Our Vision/Ko te Aronga he whakakiteka, he waka e kawea ana ō mātau tākata, ō mātau mātauraka hoki kia whakapakari ai te takata, kia tūhono ai kā hapori, kia poiipoia hoki ai te ao mātauraka ki Ōtākou, ki Te Waipounamu, ki Aotearoa, ki Te Moana-nui-a-Kiwa, ā, ki te ao. Ko kā tini kaupapa e iri ana ki roto i Our Mission/Ko te Uaratanga he kaupapa waihaka, he kaupapa whakakōkiri, he kaupapa tohatoha, he kaupapa whakatairaka, he kaupapa whakauka, ā, he kaupapa whakamahi mōhiotaka anō hoki. Ko tā mātau ko te whakakoke i te rakahau whakarahara, te whakaakoraka whai rakahau, te mātua whakarite i kā akoraka whakapakari, i kā wheako tauira, ā, ko whakaaka atu ki te whakaratoka whai tikaka ki te pāpori me te whakaūtaka mārie ki te hiraka, te auahataka me te pāpātaka manawapai.</p>
PRIMARY PURPOSE OF THE ROLE	Act as a trusted adviser to guide and give legal advice to managers and staff in order to assess and mitigate legal risk and assist the University in achieving its strategic and tactical goals. Ensure projects, activities and decision-making have the required support to progress and deliver desired outcomes lawfully while applying best practice.
ACCOUNTABILITIES	<p>Legislation, policies and guidelines</p> <ul style="list-style-type: none"> • Provide advice to the Vice-Chancellor and/or Council (e.g., in relation to the Education and Training Act 2020, Local Government and Official Information and Meetings Act 1987, delegations). • Advice on relevant legislation, such as the Privacy Act 2020, Official Information Act 1982, Children's Act 2014, Education and Training Act 2020, Local Government and Official Information and Meetings Act 1987 and Public Records Act 2005.

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- Guide and support to staff regarding relevant University Statutes, processes, and procedures (e.g., Student Academic Grievance Procedures, Ethical Behaviour Policy, Student Conduct Statute 2011, Academic Progress Policy, Sexual Misconduct Policy, admission and enrolment processes).
 - Provide advice, draft and/or amend University guidelines, policies, procedures, statutes and/or regulations.

Contracts, commercial and trusts

- Provide advice relating to the University of Otago Foundation Trust.
- Review contracts and agreements from across the University in relation to a wide range of matters (e.g., student placements, use of new IT systems, student exchange, intellectual property, research, memorandums of understanding and partnership agreements).

Appeals, Privacy and Complaints

- Manage the University's privacy capability e.g., co-ordinating the Privacy Impact Assessment process; recording, reporting and responding to privacy breaches; draft relevant policies, procedures, privacy notices and consents; provide advice on matters related to privacy, including reviewing applicable terms in our agreements with third parties; and provide privacy training across the University.
- Respond to matters before the Ombudsman, Study Complaints or Disputes Tribunal.
- Manage and oversee the University of Otago appeals process, provide advice to the Appeals Board and draft decisions.
- Report to the Audit and Risk Committee and Council on legal risk.
- Respond to complaints from current, former and prospective students, or members of the public.

Engage, empower and make a difference

- Actively exemplify and live the university values, embedding, and promoting these in interactions with colleagues, students, and stakeholders.
- Respect and embrace Te Tiriti o Waitangi, the Māori Strategic Framework, and the Pacific Strategic Framework.
- Embody the University's commitment to inclusiveness, participation, recognition, support, and sense of connection and belonging for all students and staff.
- Bring to life Tī Kōuka: The Sustainability Strategic Framework, and sustainability efforts of the University within the division. Role model the responsible use of resources and equipment.
- Participate in, and lead, projects and other duties as requested to support the University of Otago's success.

KEY RELATIONSHIPSInternal

General Counsel
Registrar and Secretary to the Council
Office of Māori Development
Pacific Development Office
Leaders, managers and staff
Risk, Assurance and Compliance
Policy Management Group
Appeals Board

External

Government departments, agencies, and bodies
Tertiary Institutions
External Committees
The Privacy Commissioner and Ombudsman
Legal service providers

**QUALIFICATIONS &
EXPERIENCE**Essential

Tertiary level qualification in Law
Considerable legal experience within a medium to large complex organisation, or experience in a specialist legal advisory role to such an organisation.
Admission as a Barrister and Solicitor of the High Court of New Zealand.
Hold, or meet the requirements to hold a legal practising certificate in order to offer in-house counsel.
An understanding of our obligations under Te Tiriti o Waitangi, including how to apply Te Tiriti principles in a meaningful way in this role.
Experience in drafting and/or interpreting written agreements.

Preferred

Experience working with a University or tertiary institution, or a public entity

TECHNICAL SKILLS AND KNOWLEDGE:

Essential

Understanding of New Zealand constitutional landscape and meaning and effect of Te Tiriti.

Working knowledge of relevant New Zealand statutes, regulations and codes of practice, including the Education and Training Act 2020, Official Information Act 1982, Privacy Act 2020, Local Government Official Information & Meetings Act 1987, and Public Records Act 2005 and all other relevant legislation.

Understanding of how legal issues affect organisations.

The ability to work in a range of practice areas, including commercial, public law and governance and contracts.

Knowledge of governance issues in the higher education sector, and the regulatory and legal arrangements for university governance.

Ability to give advice, or broker advice, on any legal matters affecting the University.

Exceptional attention to detail and ability to maintain a high level of accuracy in all work areas.

Considerable analytical skills, with the ability to assess and determine appropriate courses of action and to follow up with appropriate documentation.

Ability to clearly identify, analyse and communicate critical issues.

Demonstrated ability to present legal issues and analysis in a practical and understandable manner.

Displays judgement in the face of ambiguity, uncertainty and complexity.

Demonstrated professional ethics, integrity, and reliability, and a high degree of professionalism.

Preferred

Competency with te ao Māori, tikanga, and te reo Māori or a willingness to learn.

Knowledge of the University, its personnel and how the organisation functions.

SPECIAL REQUIREMENTS:

Occasionally this role can be required to work outside of normal work hours

DIRECT BUDGET ACCOUNTABILITY:

Nil

MĀORI STRATEGIC FRAMEWORK:

Act in a manner consistent with the principles and implications, as well as the University's commitment to the Treaty as articulated in the Māori Strategic Framework.

PACIFIC STRATEGIC FRAMEWORK:

Act in a manner consistent with the strategies and goals contained in the University's Pacific Strategic Framework, role-modelling and promoting Pacific values, equity and diversity principles and cultural safety practices.

HEALTH AND SAFETY:

Act and work in a manner compliant with current health and safety at work legislation and University procedures, frameworks and guidelines. Role model safe behaviour and practices, share the responsibility to prevent harm and contribute to a safe campus and work environment, including raising workplace health and safety concerns for self, students, visitors and other staff.

SUSTAINABILITY:

Act in a manner consistent with the University's sustainability commitments; role-modelling sustainable practices, with a particular emphasis on minimising the environmental impact of day-to-day activities.

CAPABILITY FRAMEWORK:

Capability Group	Capability Name	Level
ENGAGE	Communicate Effectively	Advanced
	Commit to Customer Service	Adept
	Work Collaboratively	Adept
	Influence and Negotiate	Advanced
ENABLE	Deliver Results	Advanced
	Plan and Prioritise	Adept
	Think and Solve Problems	Advanced
	Demonstrate Accountability	Adept
PERSONAL ATTRIBUTES	Display Resilience and Courage	Advanced
	Act with Integrity	Advanced
	Manage Self	Adept
	Value Diversity	Advanced
LANGUAGE AND CULTURE	Te Reo	Adept
	Tikanga Māori	Adept

CAPABILITY FRAMEWORK DESCRIPTORS

Senior Solicitor



Communicate Effectively	Commit to Customer Service	Work Collaboratively	Influence and Negotiate
<i>Communicate clearly, actively listen to others and respond with respect</i>	<i>Provide customer centric services in-line with the University's and organisational objectives</i>	<i>Collaborate with others and value their contribution</i>	<i>Gain consensus and commitment from others and resolve issues and conflicts</i>
ADVANCED	ADEPT	ADEPT	ADVANCED
<p>Present with credibility, engage varied audiences and test levels of understanding. Adjust style and approach to optimise outcomes</p> <p>Translate technical and complex information concisely for diverse audiences</p> <p>Actively listen and create opportunities for others to contribute to discussion and debate</p> <p>Write fluently and persuasively in a range of styles and formats</p>	<p>Take responsibility for delivering high quality customer-focused services</p> <p>Understand customer perspectives and ensure responsiveness to their needs</p> <p>Identify customer service needs and implement solutions</p> <p>Find opportunities to connect and co-operate with internal and external parties to improve outcomes for customers</p> <p>Maintain good relationships with key customers in area of expertise</p>	<p>Encourage a culture of recognising the value of collaboration</p> <p>Build co-operation and overcome barriers to information sharing and communication across teams and work units</p> <p>Share lessons learned across teams and work units</p> <p>Identify opportunities to work collaboratively with other areas to solve issues and develop better processes and approaches to work</p>	<p>Influence others with a fair and considered approach and present persuasive counter-arguments</p> <p>Work towards mutually beneficial win/win outcomes</p> <p>Show sensitivity and understanding in resolving acute and complex conflicts</p> <p>Manage challenging relations with internal and external stakeholders. Represent the organisation as required in negotiations.</p> <p>Establish a clear negotiation position based on research, a firm grasp of key issues, likely arguments, points of difference and areas for compromise</p>

Deliver Results	Plan and Prioritise	Think and Solve Problems	Demonstrate Accountability
<i>Achieve results through efficient use of resources and a commitment to quality outcomes</i>	<i>Plan to achieve priority outcomes and respond flexibly to changing circumstances</i>	<i>Think, analyse and consider the broader context to develop practical solutions</i>	<i>Be responsible for own actions, adhere to legislation and policy and proactively address risk</i>
ADVANCED	ADEPT	ADVANCED	ADEPT
<p>Be accountable for outcomes and drive a culture of achievement and acknowledge input of others. Seek and apply the expertise of key individuals to achieve organisational outcomes</p> <p>Investigate and create opportunities to enhance the achievement of organisational objectives</p> <p>Ensure others understand that on-time and on-budget results are required and how overall success is defined. Progress organisational priorities and ensure effective acquisition and use of resources</p> <p>Control output of work unit(s) to ensure organisational outcomes are achieved within budget</p>	<p>Take into account future aims and goals of the team/work unit and organisation when prioritising own and others' work</p> <p>Initiate, prioritise, discuss and develop team/work unit goals, strategies and plans</p> <p>Anticipate and assess the impact of changes, such as organisational strategy/economic conditions, on team/work unit objectives and initiate appropriate responses</p> <p>Monitor and evaluate achievements and adjust future plans accordingly</p>	<p>Undertake objective, critical analysis to draw accurate conclusions that recognise and manage contextual issues</p> <p>Engage in critical analysis of complex issues, weigh up alternatives and identify the most effective solutions, taking into account the wider organisational context</p> <p>Explore a range of possibilities and creative alternatives to contribute to systems, process and business improvements</p> <p>Implement systems and processes that underpin high quality data gathering and analysis</p>	<p>Ensure that actions of self and others are focused on achieving organisational outcomes</p> <p>Assess work outcomes and identify and share learnings to inform future actions. Exercise delegations responsibly</p> <p>Identify risks to successful achievement of goals, and take appropriate steps to mitigate those risks</p> <p>Understand and exercise integrity and due diligence with budgets, University monies and other resources</p>



PERSONAL ATTRIBUTES

Display Resilience and Courage	Act with Integrity	Manage Self	Value Diversity
<i>Be open and honest, prepared to express your views, and willing to accept and commit to change</i>	<i>Be ethical and professional and act in keeping with the University's values</i>	<i>Show drive and motivation, a measured approach and a commitment to learning</i>	<i>Show respect for diverse backgrounds, experience and perspectives</i>
ADVANCED	ADVANCED	ADEPT	ADVANCED
<p>Stay calm and act constructively in highly pressured and unpredictable environments</p> <p>Give constructive and honest feedback and advice using appropriate manner and tone in the face of strong, contrary views</p> <p>Accept criticism of own ideas and respond in a thoughtful and considered way</p> <p>Welcome new challenges and persist in raising and working through new and difficult issues</p> <p>Develop effective strategies and show decisiveness in dealing with emotionally charged situations, difficult and controversial issues</p>	<p>Represent the organisation in an honest, ethical and professional way and model the highest standards of ethical behaviour and reinforce them in others</p> <p>Promote a culture of integrity and professionalism within the organisation. Ensure others understand and comply with the legislation and policy framework within which they operate</p> <p>Monitor ethical practices, standards and systems and reinforce their use. Act on reported breaches of rules, policies and guidelines</p>	<p>Look for and take advantage of opportunities to learn new skills and develop strengths</p> <p>Show commitment to achieving challenging goals</p> <p>Examine and reflect on own performance and areas for improvement. Encourage feedback from colleagues and stakeholders</p> <p>Demonstrate a high level of personal motivation and maintain own motivation when tasks become difficult</p>	<p>Encourage and include diverse perspectives in the development of policies and strategies</p> <p>Leverage diverse views and perspectives to develop new approaches to delivery of outcomes</p> <p>Build and monitor a workplace culture that values fair and inclusive practices and diversity principles</p> <p>Implement methods and systems to ensure that individuals can participate to their fullest ability</p>



LANGUAGE & CULTURE

Te Reo	Tikanga Māori
<i>Develop understanding and use of te reo Māori (Māori language)</i>	<i>Create knowledge and use of tikanga Māori (Māori cultural practices) in the work place</i>
ADEPT	ADEPT
<p>Demonstrate use of te reo Māori words and phrases regularly and in appropriate formal work place activities</p> <p>Communicate appropriately and accurately in te reo Māori with external parties in the course of formal work place events</p> <p>Encourage others to use and learn new te reo Māori words and phrases</p>	<p>Engage with subject matter experts and consider the University's Māori Strategic Framework principles when undertaking work planning activity.</p> <p>Model good practices and encourage others to adopt work place practices that show sensitivity for tikanga Māori.</p> <p>Has good knowledge of the Articles and Principles of Te Tiriti o Waitangi and encourages understanding in others.</p> <p>Encourage others to extend their understanding and knowledge of tikanga Māori.</p>