POSITION DESCRIPTION

Position Number: 6019

Position Title: Solicitor

Division: Advocacy & Legal, University of Melbourne Student Union Inc. (UMSU)

Department: Legal Service

Employment Status: Part time (0.8 FTE), Continuing

Classification Level: Professional Level 8

Reports to: Principal Solicitor

Reported to: N/A

Incumbent: Vacant

Date Effective: May 2016

Background:

The University of Melbourne Student Union Inc (UMSU) is an incorporated association and is recognised by the University of Melbourne as the representative body for all students. UMSU is governed by an elected Students’ Council and twelve committees elected by and from students. UMSU is responsible for a broad range of student representative, student engagement and student support activities.

UMSU operates under the principles of Student Unionism which are broadly defined as student control of student affairs.

UMSU staff are organised within four Divisions:

- Advocacy & Legal;
- Arts & Entertainment;
- Communications and Marketing;
- Clubs and Volunteering.

Each Division is supported by a Student Advisory Group that is comprised of elected student representatives and designed to support ongoing collaboration between UMSU staff and elected student representatives. Student Advisory Groups provide feedback and advice from a student perspective to enhance participation in UMSU operated programmes and services.

The MU Student Union Ltd (MUSUL Services) is a wholly owned subsidiary of the University of Melbourne. The organisation’s objectives are to provide facilities and corporate services to support student representative organisations.
MUSUL Services employs, but does not direct, the staff working for UMSU.

The UMSU Constitution establishes that UMSU will:

1. advance the welfare and interests of Students;
2. represent students of the University within the University and to the community;
3. provide amenities and services, principally for Students and other members of the University community, and incidentally to the public;
4. provide an independent framework for student social and political activity;
5. develop, maintain and support student clubs, societies and associational life generally;
6. promote and defend the rights of students to education on the basis of equality, without regard to race, colour, sex, sexuality, gender identity, age, physical disability, mental illness, economic circumstances, political religious or ideological conviction, or national or social origin;
7. oppose violence and/or hatred through militarism, nationalism, or discrimination on the basis of race, colour, sex, sexuality, gender identity, age, physical disability, mental illness, economic circumstances, religion, or national or social origin;
8. provide a democratic and transparent forum in which students’ affairs and interests can be governed in an effective and accountable manner; and
9. To promote free and accessible government-funded education.

In order to support these objectives UMSU staff observe the following principles:

Alignment
- All services and programs are aligned with UMSU’s Constitutional objectives
- Responsiveness
- Provide frank, impartial and timely advice to students and student representatives
- Provide high quality services to students
- Identify and promote best practice
- Ensure that services and programs are subject to continuous improvement and respond to stakeholder feedback
- Ensure that services and programs are delivered consistently and reliably, and are available when and where they are needed

Integrity
- Are honest, open and transparent in our dealings
- Use powers responsibly
- Report improper conduct
- Avoid real or apparent conflicts of interest
- Strive to earn and sustain trust at the highest level

Impartiality
- Make decisions and provide advice on merit without bias, favouritism or self-interest
- Act fairly by objectively considering all relevant facts and applying fair criteria
- Ensure decision-making is evidence based
- Implement UMSU policies and programs equitably

Accountability
- Work to clear objectives in a transparent manner
- Accept responsibility for their decisions and actions
- Seek to achieve best use of resources
- Submit themselves to appropriate scrutiny
- Commit to working with each other, students and student representatives

Respect
• Services and programs are delivered in an environment of respect for colleagues, students and student representatives
• Contribute to a workplace that is free from discrimination, harassment and bullying

Leadership
• Actively implement, promote and support these values
• Use their views to improve outcomes on an ongoing basis

Divisional Overview:
The Advocacy & Legal Division encompasses a co-located Community Legal Centre and Advocacy Service available to all students of the University of Melbourne.

The University of Melbourne Student Union Legal Service provides free legal advice to all students at the University of Melbourne, as well as running volunteer programmes and providing community legal education.

The Advocacy Service provides an advisory and advocacy service to students of the University of Melbourne in relation to formal and informal University procedures.

Staff in the Advocacy & Legal Division are also responsible for providing information and other forms of support to the elected student representatives of UMSU, including UMSU International.

Position Summary:
The legal service solicitor is primarily responsible for providing high level support and advice, and limited legal representation to the students of the University of Melbourne. The position will also actively contribute to the development and delivery of the Legal Service’s Community Legal Education and Volunteer Program and for the coordination of volunteers engaged in the operation of the Legal Service.

Key Responsibility Areas (KRAs):

KRA1: Legal Advice and Casework
• Conduct and progress legal matters on behalf of students on an advisory basis (excluding litigation matters) in a manner that is consistent with the National Association of Community Legal Centre’s (NACLC) Risk Management Guide, the terms and conditions of the Service’s professional indemnity insurance (PII) and in compliance with the legal obligations under the Legal Profession Uniform Law (Victoria);
• Provide referral to external agencies where appropriate;
• Ensure all records of the Legal Service are prepared, reviewed, maintained and destroyed in an accurate and professional manner; and
• Provide reports to the Advocacy and Legal Student Advisory Group on issues relating to the provision of legal services and significant emerging occurrences or trends.

KRA2: Liaison, Community Legal Education (CLE) and Law Reform
• Deliver CLE, including conducting workshops and disseminating educational materials;
• Support paralegal volunteers to develop and disseminate fact sheets and articles relevant to students’ legal concerns;
• Under the guidance of the Principal Solicitor, contribute to the identification of law reform issues and strategies to advance student rights;
• Work cooperatively with Principal Solicitor and other staff to develop and deliver legal projects, community legal education and law reform work;
• Under the guidance of the Principal Solicitor, prepare law reform and policy submissions to government and other bodies as required.

KRA3: Volunteer programmes
• Work closely with the Coordinator, Volunteering to ensure that Legal Service Volunteer Program complies with volunteering legal requirements and the terms of the UMSU Volunteer Program Policy;
• Develop and co-ordinate training opportunities for paralegal volunteers; and
• Participate in the UMSU Coordination of Volunteers Reference Group.

**JOB COMPLEXITY, SKILLS & KNOWLEDGE**

**Level of Supervision, Accountability & Extent of Authority:**

The Solicitor operates with a degree of autonomy under the broad direction of the Principal Solicitor. The role is responsible for the provision of sound, thoroughly researched legal advice within the framework of legal rules and precedents and in compliance with the requirements of the *Legal Profession Uniform Law* (Victoria).

**Judgement, Independence & Problem Solving:**

The incumbent is required to work cooperatively and collaboratively with other staff in UMSU, and in accordance with feedback and advice of the Advocacy & Legal Service Student Advisory Group, and will exercise judgement and interpretation in determining the day-to-day priorities of the position.

To exercise independent judgement (on the basis of own knowledge, experience and legal precedent) in providing legal advice to students and suggesting appropriate courses of action.

The incumbent is required to coordinate and manage a significant caseload of legal cases and ensure that the most appropriate outcome is achieved.

**Professional & Organisational Knowledge:**

A good working knowledge of the relevant legislation, applicable common law rules and precedents and the requirements of the *Legal Profession Uniform Law* (Victoria) is required.

The incumbent requires some casework experience in areas of law impacting on students.

**Health & Safety and Environmental Responsibilities of Managers and Supervisors**

**General Responsibilities**

Staff shall be responsible for:
• the reasonable care for their own health and safety and that of other personnel who may be affected by their conduct;
• cooperating with others in relation to actions taken by MU Student Union Ltd to comply with Occupational Health and Safety legislation;
• not wilfully placing at risk the health or safety of any personnel;
• not wilfully or recklessly interfering or misusing anything provided in the interest of health and safety or welfare of any personnel;
• undertaking tasks in accordance with relevant standard operating procedures or work instructions;
• wearing correct personal protective equipment specified in standard operating procedures or working instructions;
• seeking supervision and guidance from the relevant supervisor for all new or modified work procedures;
• using University and/or MU Student Union Ltd divisional procedures to report hazards and incidents;
• where required, participating in health and safety consultative arrangements, including meetings;
• where required, participating in health and safety information, training and induction procedures;
• following MU Student Union Ltd and divisional procedures for emergencies;
• implementation of relevant specific responsibilities described in the University’s and or MU Student Union Ltd’s health and safety policies and procedures.

Authority to Act
Staff have the authority to act to:
• commence an emergency response in accordance with emergency procedures;
• report workplace hazards and incidents to the local manager or supervisor;
• raise health and safety issues in accordance with the Issue Resolution Procedure;
• after consultation with the local manager or supervisor, cease a task and seek alternate duties where the nature and degree of the health and safety risk results in an immediate and serious threat to the health and safety of the staff member.

SELECTION CRITERIA

Essential Skills and Qualifications:
• A current Victorian practising certificate or eligibility to obtain one;
• Experience as a graduate solicitor in general practice, community legal service or a legal aid setting;
• Demonstrated understanding of and commitment to social justice;
• Excellent written and verbal communication skills, including an ability to to develop plain-language reports and correspondence to communicate clearly with diverse groups including people for whom English is not a first language;
• Well-developed interpersonal skills, including conflict resolution skills and the ability to work well within a team environment under supervision of the Principal Solicitor;
• Well-developed organisational, time management and file management skills ; and
• A commitment to the principles of student unionism.

Desirable Skills and Qualifications:
• Experience in student legal matters, consumer affairs, intellectual property (IP) or similar fields;
• Experience developing and conducting community legal education;
• Experience in working in a higher education environment;
• Experience in working with student organisations.

Conditions of Employment:
Terms and conditions are in accordance with the MU Student Union Ltd Collective Agreement 2013 or any replacement agreement.

I have read, understood and agree to comply with the position description.

Signed: ___________________________________________  Date: __________
   (Incumbent)

Signed: ___________________________________________  Date: __________
(Supervisor)

Signed: ________________________________  Date: _________  
(General Manager, UMSU)

Signed: ________________________________  Date: _________  
(Human Resources Manager, MU Student Union Ltd)