

UNIVERSITY OF NEW ENGLAND

DUTY STATEMENT

Equity principles underpin all UNE policies and procedures. The University is committed to EEO principles and values cultural diversity, and recognises that all its employees have a contribution to make in ensuring an equitable and harmonious working environment.

DEPARTMENT: LEGAL OFFICE

POSITION TITLE: DIRECTOR LEGAL SERVICES

REPORTS TO: UNIVERSITY SECRETARY & LEGAL COUNSEL

DIMENSIONS OF POSITION

The Legal Office is responsible for the provision of legal services to the University. These services include advising all levels of University management on all general legal, commercial, contractual, intellectual property and related policy issues. Litigation and specialist advice may be referred by the Director Legal Services to external legal service providers and patent attorneys in consultation and with the approval of the University Secretary and Legal Counsel.

The incumbent will work closely with senior staff, the University Secretary and Legal Counsel Directorate, the Vice-Chancellor's Unit, Financial Services Directorate, Research Services, Human Resource Services, Office of Advancement, and International Precinct as well as organisations external to the University.

This is a senior position which reports to the University Secretary & Legal Counsel, who reports directly to the Chancellor and Vice-Chancellor of the University.

POSITION OBJECTIVE

The Director Legal Services will be responsible for providing high level in-house legal advice to senior management and staff of the University on a variety of legal issues, as detailed below.

DUTIES

Under the general direction of the University Secretary & Legal Counsel:

1. Provide legal advice to senior management, academic staff and to the University's controlled and related entities on contractual issues and disputes, interpretation of contracts, intellectual property, university policies and Commonwealth and NSW legislation.
2. Provide advice and prepare documents for International Marketing and Pathways in relation to the University's relationships with international partner universities or institutions, specifically MoUs, partner and cooperation agreements, cooperative teaching, advanced standing, student and staff exchanges.

3. Provide advice and prepare documents in relation to national partnerships.
4. Prepare consultancy agreements and subcontracts in relation to specific research projects.
5. Prepare documents in relation to the protection and development of University intellectual property.
6. Check and negotiate changes to documents associated with the incorporation of and the University's participation in cooperative research centres (CRCs).
7. Participate in the risk management processes of the University to identify exposure to significant legal risks and devise methods of ameliorating those risks.
8. Provide general legal advice in relation to insurance and indemnities.
9. Prepare and update Constitutions for the University's controlled entities and the student associations.
10. Advise and settle show cause or discipline letters to students in relation to student academic and behavioural misconduct.
11. Develop standard documents and maintain precedent bank for use by the Legal Office in relation to all legal matters.
12. Examine the terms of all arrangements with outside bodies, including joint ventures, research grants, contracts and consultancies, negotiating changes as necessary and recommending on their acceptance or otherwise.
13. Provide advice and recommendations on the legal aspects of policy issues emanating from AVCC, CRCs and funding agencies on research contracts, intellectual property, confidentiality, commercialisation and advise on appropriate UNE responses.
14. Assist the University's commercialisation operations including co-ordinating the patent applications process, assessing possibilities of the commercial exploitation of intellectual property and making recommendations on action to protect intellectual property.
15. Devise systems and processes to manage the workflow of contracts, consultancies, research grants and other legal services.
16. Provide contract outlines to the Financial Services Directorate and researchers for research contracts.

17. Monitor and manage all Protected Disclosures pursuant to the *Protected Disclosures Act 1994* when required and at the request of the University Secretary and Legal Counsel.
18. Supervise and check contracts prepared by the Contracts Officer.
19. Check and approve all University contracts for signature by the University.
20. Be aware of and apply the University's policies and procedures relating to equal opportunity, risk management, occupational health and safety, records management and quality assurance as they apply to this position.
21. Manage the budget and staff of the University's Legal Office.

QUALIFICATIONS AND SELECTION CRITERIA

1. Admission as a legal practitioner and possession of a current practising certificate.
2. Demonstrated ability to interpret the law, technical and scientific reports.
3. Experience in the application of common law and equitable principles.
4. Extensive experience in the drafting of agreements and contracts.
5. Superior level oral and written communication and negotiating skills.
6. Superior analytical and research skills.
7. Strong computer literacy and keyboard skills.
8. Demonstrated experience in the leadership and management of a small team working towards agreed objectives and maintaining team budgets.
9. Awareness of OHS, risk management, quality assurance, records management and EEO principles as they relate to this position.