

<b>POSITION TITLE:</b>	Chief Legal Advisor		
<b>GROUP:</b>	Corporate Services	<b>SECTION:</b>	Legal, Risk & Compliance
<b>REPORTS TO:</b>	Group Manager Corporate Services		
<b>RESPONSIBLE FOR:</b>	Team Leader Health, Safety & Wellbeing, Team Leader Risk & Compliance, Legal (resource tbc)		
<b>GRADE</b>	23	<b>DATE REVIEWED</b>	May 2024

#### HBRC STRATEGY

##### Our Vision:

We want a healthy environment and a resilient and prosperous community.

##### Our Purpose:

We work with our community to protect and manage the region's precious taonga of rivers, lakes, soils, air, coast and biodiversity for health, wellbeing and connectivity.

##### Our Values:

- **Partnership and Collaboration:** We work with our community in everything we do
- **Accountability:** We hold ourselves to account to deliver results, be responsive to community expectations, and the best use of ratepayers' funds and assets
- **Transparency:** We report on what we do and the value this delivers for our community
- **Excellence:** We set our sights and expectations high, and never stop striving to do better

##### Our Focus:

- **Water quality, safety and climate-resilient security** ~ *Te kounga o te wai, te haumarutanga me te mārohirohi ā-āhuarangi o te whakamarutanga.*
- **Climate-smart and sustainable land use** ~ *Kia koi, kia toitū hoki te whakamahinga o te whenua.*
- **Healthy, functioning and climate-smart biodiversity** ~ *kio ora, kia āhe, kia mārohirohi ā-āhuarangi hoki te rerenga rauropi.*
- **Sustainable and climate-resilient services and infrastructure** ~ *kia toitū, kia mārohirohi ā-āhuarangi hoki ngā ratonga me ngā hanganga ā-whare.*

#### POSITION SUMMARY

The Chief Legal Advisor role provides strategic leadership for Council's legal matters, oversees the Risk & Compliance, and Health, Safety & Wellbeing functions, and ensures alignment between legal strategies and organisational objectives. Responsibilities include managing legal proceedings, facilitating dispute resolution, offering high-level legal advice to safeguard Council's interests and ensure compliance, and instructing and managing instructions to external legal services providers. Collaboration with senior management is crucial to ensure effective decision-making and adherence to legal requirements. Additionally, the role will provide expert advice, guidance, and support to stakeholders, fostering positive relationships and promoting best practices across Council. As a people leader the role will be expected to positively lead the team, offer support, coaching and professional development opportunities to create a positive culture that will ensure the team provides excellent customer service, and efficient and effective service delivery.

#### ORGANISATIONAL CONTEXT



## JOB SPECIFIC ACCOUNTABILITIES

### High-Level Legal Advice:

- Provide strategic and practical legal advice to Council, ensuring alignment with statutory functions, policy objectives, and legal obligations.
- Serve as the primary authority on legal matters, guiding the organisation in mitigating risks and maintaining compliance.
- Facilitate and manage instructions to external legal service providers.

### Strategic Alignment:

- Work closely with the Chief Executive and Group Manager Corporate Services to align legal strategies with organisational goals and priorities.
- Provide legal insight and expertise to support decision-making processes at the highest levels of leadership.
- Go beyond the provision of strict legal advice to bring a practical and commercial perspective that has regard to Council objectives and wider strategies.

### Legal Proceedings and Dispute Resolution:

- Manage legal proceedings as necessary, including the preparation of court documents and ensuring adherence to court deadlines by staff. Occasional court appearances may be required.
- Facilitate, participate in, or conduct negotiations, mediations, and resolutions of legal issues, including overseeing the case management of legal proceedings involving Council in areas of expertise as needed.

### Communication and Advocacy:

- Serve as a spokesperson and advocate for Council on legal matters, both internally and externally.
- Present complex legal concepts and advice in a clear, concise manner to diverse audiences, including senior leadership, staff, and external partners.
- Enhance capability, understanding and awareness of legal and legislative compliance matters across the organisation.

### Policy Development:

- Lead the development of policies, procedures, and protocols related to legal compliance, risk management, procurement, and health & safety.

- Develop and implement policies and procedures for handling LGOIMA requests, including response protocols and record-keeping practices.
- Ensure that these frameworks are comprehensive, up-to-date, and effectively communicated throughout the organisation.

#### Risk Management:

- Identify, assess, and mitigate legal, commercial, and reputational risks facing the organization.
- Develop and implement risk management strategies to safeguard Council's interests and ensure long-term viability.

#### Compliance Oversight:

- Oversee compliance efforts across all areas of Council operations, including regulatory requirements and industry standards.
- Monitor compliance activities, identify areas for improvement, and implement corrective measures as needed.
- Take all appropriate steps to ensure organisational compliance with all legislation, regulations, policies, codes of practice, safe operating procedures, and best practice.
- Provide legal oversight of LGOIMA obligations, ensuring compliance with information disclosure requirements and meeting procedural obligations.

#### Collaborative Partnerships:

- Cultivate strong working relationships with key stakeholders, both internally and externally.
- Collaborate with legal, regulatory, and industry partners to stay abreast of emerging issues and best practices in compliance and legal affairs.
- Collaborate with internal stakeholders to develop procurement strategies that optimise value and mitigate risks.

#### Resource Management:

- Manage resources effectively to support the legal function, including budgets, staff allocation, and external partnerships.
- Ensure that resources are deployed efficiently to address priority areas and meet organisational objectives.

#### Team Leadership

- Manage technical experts in law, risk & compliance, procurement, and health & safety, fostering their professional development and ensuring the provision of sound guidance and advice to relevant stakeholders.
- Facilitate collaboration and knowledge-sharing within the Legal, Risk & Compliance section.
- Manage, lead, and guide the team, ensuring team objectives are met, clear direction is given, and adequate resourcing is provided.
- Actively engage and lead Council's performance development system for the team ensuring key check-ins are met, learning and development needs are discussed, and appropriate development planning is undertaken.
- Maintain staffing resource to ensure that the team is adequately resourced. Undertake recruitment, selection, onboarding, and training of new employees as and when required.
- Create and maintain a positive team culture, which supports and empowers people to work through challenging projects, to produce high quality work and achieve positive environmental outcomes.
- Ensure team objectives and expectations are clear and that they are achieved.

## FUNCTIONAL RELATIONSHIPS

### Internal

- Executive Team
- Elected members
- Team members
- HBRC staff

### External

- Consultants and contractors
- External legal service providers
- Government agencies and departments
- Other regional and local authorities
- Technical and legal professionals
- Iwi and other community groups
- Members of our community
- Media
- Industry groups and community organisations

## COMMUNITY RELATIONSHIPS

Fostering good working relationships is fundamental to the successful achievement of strategic goals for HBRC. We know we can't achieve change without the people (our community) outside our business. As expressed under our purpose statement, "working with our community" is at the heart of everything we do. This is particularly relevant to our relations with Tāngata Whenua in terms of co-governance and co-management. Successful relationships involve building trust. Which in turn enables us to support each other to respond to new challenges as they arise.

This means:

- Professional attitude is projected at all times in dealing with external contacts.
- Information is accurate and is provided in a timely manner.
- Outcomes that are fair and clearly understood by both parties are achieved
- Customers are satisfied with responses to written or verbal requests for information.

## CONTINUOUS IMPROVEMENT

All Hawke's Bay Regional Council (HBRC) staff are expected to actively and enthusiastically promote the concept of continuous improvement in their work for HBRC. This means:

- Maintaining a positive overall attitude in the workplace, including promoting HBRC in a positive manner, as assessed by your peers and Manager
- Taking part in training opportunities provided by HBRC with an open mind, as assessed by pre and post training meetings with your Manager.
- Practicing the skills provided in training offered by HBRC, as assessed by regular feedback meetings with your Manager.
- Showing a strong team commitment, as indicated by peer feedback and your Manager's assessment.
- Practicing the concept of continuous improvement by showing initiative with new ideas and positively acknowledging other ideas.
- Giving honest and open feedback as and when required, aiming to constructively deal with all issues, as assessed by regular feedback meetings with your Manager.
- Deliver on project outcomes: on time and on budget.
- Displaying sound judgment and making responsible decisions.
- Working to high quality standards and where applicable contributes to maintenance of ISO 9001:2015 accreditation of the Quality Management System.

## HEALTH AND SAFETY

All staff are expected to follow established health and safety procedures while working for HBRC, and in accordance with policies developed by HBRC. This means:

- Complying with and adhering to HBRC's accepted standards and procedures.
- Where appropriate, taking responsibility for workplace hazards/risks you identify and communicated to management.
- Undertaking regular reviews of workplace risks/hazards that are present in your work.
- When, and if, necessary, participate in the investigation of accidents/incidents according to HBRC procedures.
- Undertaking appropriate and effective staff training when required or necessary.
- Promoting a healthy and safe workplace.
- Actively supporting health and safety initiatives.
- Comply with any rehabilitation plan designed with you for a return to work after an accident.

## **EMERGENCY MANAGEMENT**

When a Civil Defence event happens, you may be required to assist with carrying out the Council's Civil Defence responsibilities after providing required support for your family and dependants. All HBRC staff are expected to undertake such Emergency Management functions as are determined appropriate to meet HBRC's role and function in this area. This means:

- Undertaking such a role as is allocated for emergency management requirements.
- Participating in such exercises as are required to maintain a state of preparedness in HBRC.
- Responding to such requests to assume an emergency management role as are required by events.
- Understanding the contents of the relevant section of the Business Continuity Plan (BCP) and its implications for your role.
- Where the requirements of the role require it, review the relevance of the BCP for your team, section or Group on a regular basis.

## **PERSON SPECIFICATION**

### **Minimum Qualifications and Experience required**

- Bachelor of Laws (LLB) Degree;
- Admission as a Barrister and Solicitor of the High Court of New Zealand; and
- A current legal practicing certificate from the New Zealand Law Society.
- 10+ years post qualification experience.
- Proven leadership experience and capability.
- Experience in developing corporate frameworks, policies, procedures and processes.
- Excellent technical skills, drafting and negotiation experience.
- In-house legal experience is desirable
- Experience working in public sector law (or advising local government or a central government agency) is desirable
- Experience providing advice to elected members/politicians or governance boards and chief executives is desirable
- Experience supporting policy development is desirable
- Understanding of official information and privacy principles is desirable
- Experience working within co-governance relationships and partnerships with Māori
- Experience working within a political environment
- Valid driver's licence required

### **Knowledge and skills**

The following indicates what would typically be expected for this role at a competent level:

- Knowledge of relevant legislation applicable to a Regional Council and local government
- Understanding of local government legislation, strategic and statutory policy development, planning processes, and regulatory roles and instruments

- Ability to operate in an environment of uncertainty and incomplete information and make well-reasoned decisions
- Problem solving skills are essential in order to identify and define issues, determine the cause, and select alternative solutions, and support implementation of solutions (including recommending appropriate risks).
- Ability to provide timely, pragmatic, strategic and solution-based legal advice
- Research and legal analysis skills
- Planning and organisation skills
- Persuasion and influencing skills
- Relationship management and interpersonal skills
- Negotiation and conflict resolution skills
- Oral and written communication skills and the ability to share information and knowledge with others
- Ability to foresee and avoid problems before they occur wherever possible
- Ensuring appropriate quality assurance and risk management processes and policies are in place and operating effectively
- Competent in Microsoft Office packages, databases and financial systems
- Health and safety legislation and personal HSE obligations

#### **Personal Attributes**

- Prepared to challenge the status quo – displays courage, initiative, sound judgement and innovative thinking
- Collaborative and collegial working style – works towards shared vision and goals
- High level of personal resilience and emotional intelligence – can take and deal with the knocks
- Open-minded approach to learning, development, and collaborative working practices.
- Courteous and professional – displays confidentiality, honesty and integrity.
- Effective co-ordination, influencing, conflict resolution and negotiation skills
- Cultural empathy and awareness
- Strong communication skills including written and oral presentation skills
- Sound decision making skills
- Effective time management, self-motivated and able to work unsupervised
- Ability to cope well with change
- Desire to enhance knowledge and skills

#### **Awareness**

- Demonstrated awareness of Te Tiriti o Waitangi and including Te Reo Māori in relevant and practical ways in interaction and engagement to demonstrate respect and value of Tikanga Māori in appropriate settings.
- Wider socio-economic, political, cultural landscape and environment

#### **CHANGES TO JOB DESCRIPTION**

From time to time it may be necessary to consider changes in the job description in response to the changing nature of our work environment. Such changes, including technological requirements or statutory changes, may be initiated by the manager of this job with due consultation with the position holder. This job description should be reviewed as part of the preparation for performance planning for the annual performance cycle.

#### **ACKNOWLEDGEMENT**

*I have read this job description and fully understand the requirements set forth therein. I understand that this is to be used as a guide and that I will be responsible for performing other duties as assigned. I further understand that this job description does not constitute an employment contract with Hawke's Bay Regional Council.*

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name