

# Attachment 13

ACT Public Service

# WORK LEVEL STANDARDS

Classification: Legal



**ACT**  
Government

## INTRODUCTION TO ACTPS WORK LEVEL STANDARDS

---

Work level standards (WLS) describe the distinctive elements of work at each classification level. They are a statement of the broad job requirements and operating context, the typical duties, and the qualifications, skills and experience required of each classification level.

WLS are not supposed to be a comprehensive list of responsibilities and duties for each classification level. Roles will not necessarily involve all of the examples listed in the WLS.

The current WLS have been developed using multiple sources of information to ensure they suitably reflect and are relevant to the operating context within which the classification group is currently operating within.

The descriptions of the functions and characteristics consider the wide-ranging nature of work that occurs within the ACTPS. They should be considered as general in nature and will require some interpretation based on the broad job context and conditions within which the functions and characteristics are performed.

The WLS consist of the following three elements:

- 1. Characteristics** contain general statements about the broad job requirements and operating context for each classification level. They are described in *work value* terms, using the four key elements of the ACTPS Work Value Framework:
  - Responsibility and accountability
  - Physical nature of work (where applicable)
  - Cognitive nature of work
  - Social nature of work
- 2. Functions** detail the typical duties and provides examples of the types of tasks and/or functions performed at each classification level.
- 3. Qualifications, skills, and experience** detail the general type and extent of the qualifications, skills and experience expected at each classification level.

## HOW ARE WORK LEVEL STANDARDS RELEVANT?

The ACTPS WLS:

- Provide a common language across work areas and Directorates within the ACTPS.
- Support sound decision-making for role design and classifications.
- Help employees understand what is expected of them in their role.

The main uses for WLS include:

- **Role classification** – for example, a new role is being created and the WLS are used to determine what classification the role should be.
- **Role design or re-design** – for example, the operating context a role is working within has changed and the role needs to be re-designed to reflect the changes.
- **Evaluation of work value** – for example, when the requirements of a role have changed they should be assessed using the *ACTPS Work Value Assessment Framework* to determine the most suitable classification level.
- **Developing a position description or job advertisement** – for example, when advertising to recruit for a role, the WLS can be used to describe the key requirements associated with the role.

- **Learning and development** – for example, an employee who wants to progress to a higher classification level can use the WLS to identify the areas where they need to gain more experience.
- **Performance management** – for example, a manager can use the WLS to set performance expectations related to the role and classification level with their team members.

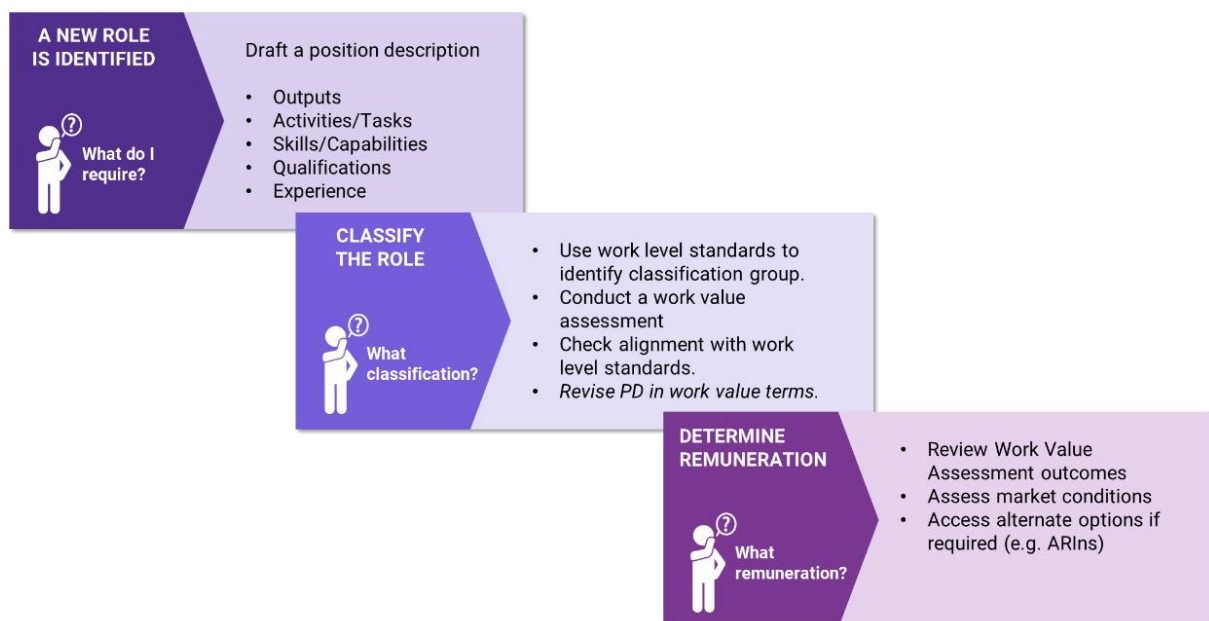
## USING WORK LEVEL STANDARDS AND WORK VALUE ASSESSMENT TOOL FOR CLASSIFYING A ROLE

Assessing a role for the purposes of classification involves objectively evaluating a role based on information and evidence gathering and mapping against the ACTPS Work Value Assessment framework features which can be found in the *ACTPS Work Value Assessment Tool*. Information and evidence gathering includes activities such as reviewing position descriptions and interviewing or surveying individuals within a role and those supervising the role.

It is important to note the *ACTPS Work Value Assessment Tool* provides an assessment of work value only. To determine what classification a role best fits within, a review of relevant work level standards will also need to be undertaken. Work level standards capture the way in which tasks, responsibilities, skills, and experience differ across classifications.

There are also additional considerations, such as market conditions, that are important when it comes to determining remuneration for a role.

An example of how the work value assessment, work level standards, and other considerations all form part of determining the classification for a role is depicted below.



Appendix A of this document provides a set of recommended work value scores for this classification group that should be used in line with the guidance provided in the *ACTPS Work Value Assessment Tool*.

## SUMMARY

---

### Characteristics

The following table outlines the differences between the Legal Classification levels in terms of the work value factors (*refer to the ACTPS Work Value Assessment Framework for further details*).

WORK VALUE FACTORS	LEGAL 1	LEGAL 2
Organisation of work	Limited responsibility	↑ Moderate responsibility
Implications of failure	Minor	↑ Moderate
Autonomy and decision making	Limited supervision	↑ Limited direction
Accountability	Limited	↑ Moderate
Cognitive complexity	Moderate complexity to complex	↑ Complex to highly complex
Application of knowledge and skills	Substantial	↑ Highly developed
Mental Stress	Low exposure	→ Low exposure
Team environment	Moderate interaction	→ Moderate interaction
Customer and client relationships	Moderately complex and sensitive	↑ Complex and sensitive

↑ Higher work value than the lower Classification level → Equivalent work value than the lower Classification level

### Functions

There are many typical duties which are similar across the levels with the key differences relating to the additional supervisory, advisory, and representational activities for a Legal 2 role.

Note, whilst many of the duties are the same description, the differences are evident when overlaid with the characteristics of the classification level i.e. both levels are required to draft legislation however a Legal 2 role would draft more complex or sensitive legislation compared to a Legal 1 role.

### Qualification, skills, and experience

Both classification levels require the same qualifications, skills, and experience with the addition of the following qualification for the Legal 2 classification: *admission as a practitioner, however described, of the high court or the Supreme Court of an Australian State or Territory.*

# LEGAL 1

---

## CHARACTERISTICS

### Responsibility and accountability

A role at this level would typically:

- Have limited supervisory responsibilities. There may be a requirement to provide advice and guidance on procedural matters.
- Have some direct responsibility for resource management in-line with established procedures and practices.
- Work under limited supervision.
- Follow well defined and detailed policies, technical or professional guidelines and accepted practice or precedents to achieve specific end results.
- Incur minor consequences arising from their failure to effectively undertake the required work because there are a range of mitigations in place.
- Make decisions and achieve results based on evaluative judgement and the tailoring of work methods, interpreting, and adapting existing procedures and practices.
- Make decisions on a variety of matters and in some cases handle complex or escalated issues that have a medium to high impact on the work area.
- In some circumstances, be accountable for setting priorities for the work area, monitoring workflow, and reviewing work of less experienced employees.
- Be accountable to an immediate supervisor for personal and team outcomes to some extent.
- Be accountable for monitoring emerging issues, identifying their impact on tasks and identifying and mitigating risks that will impact on personal and team outcomes.
- Be responsible for managing competing requests, demands, and priorities.
- Be responsible for planning for the achievement of personal or team results.

### Cognitive nature of the work

Work at this level would typically:

- Be moderately complex to complex in nature and relate to a range of activities.
- Be mostly stable in effort with occasional exposure to high pressure or extreme demands.
- Require interpretation, analysis, and some judgement to select an appropriate course of action. There may be occasions where unfamiliar circumstances may require some judgement or technical assistance to be sought.

### Social nature of the work

Work at this level would typically involve:

- Operating within a team where some interaction with and reliance on other team members is required to undertake the work.
- Occasional reliance on other team members to complete simple and straightforward tasks.
- Interaction with other teams within the organisation.
- Communication with and provision of advice and recommendations to a wide variety of customers and external stakeholders to achieve work area goals.
- Liaising with a range of stakeholders in relation to difficult or sensitive issues, and on moderately complex to complex policy, project, or operational issues.

- Consulting and advising internal and external stakeholders, anticipating, and responding to their needs and expectations.
- Representing the agency by promoting its interest at community and cross-agency levels and undertaking a representative or presentational role on behalf of the immediate work area.
- Providing customer or client service on routine matters and more complex issues.

## FUNCTIONS

Typical duties for this work level include:

- Preparing drafts of bills or legislation.
- Drafting instruments of delegation, statutory appointments, and statutory instruments.
- Preparation of drafting instructions for amendments to regulations and Acts, including ministerial briefs.
- Providing advice to policy areas of the Directorate/Agency concerning legal implications of new policy proposals and options for implementation, including the need, if any, for legislative amendment.
- Drafting or providing advice on contracts, leases, and agreements.
- Providing advice on legal questions and on legal aspects of policy proposals.
- Preparing or conducting civil litigation or prosecutions. Brief counsel as appropriate.
- Representing the Directorate/Agency at preliminary conferences, directions hearings and hearings.
- Preparing reports on decisions of courts and tribunals involving the Directorate/Agency including advice on their legal implications.
- Analysing legal opinions and other legal material, conducting legal research and providing reports and papers on points of law and legal issues.

## QUALIFICATIONS, SKILLS AND EXPERIENCE

A person in a role at this level is expected to have:

- a substantial level of knowledge and experience in the development of legislative proposals and interpreting and advising on legal policy.
- a well-developed understanding of relevant legal statutory, regulatory and policy frameworks.
- a substantial level of knowledge and experience in one of the following areas:
  - Criminal Law
  - Public Law
  - General Law
  - Crime prevention and justice administration
  - Human Rights Law
- A degree in Laws of an Australian tertiary institution, or a comparable overseas qualification, which, in the opinion of the Director-General, is appropriate to the duties of the office.

## LEGAL 2

---

### CHARACTERISTICS

#### Responsibility and accountability

A role at this level would typically:

- Supervise and organise the day-to-day work of a small number of employees or a small team who carry out similar types of work or have team members undertaking similar tasks or who possess similar skill sets.
- Have direct responsibility for resource management including administering, monitoring, and reporting.
- Incur moderate consequences arising from their failure to effectively undertake the required work because there are some mitigations in place to prevent major consequences occurring.
- Work under limited direction, using discretion and initiative over a broad area of activity with autonomy in interpreting policy and applying practices and procedures.
- Make decisions based on professional judgement and evaluating risk in the context of a complex and changing environment.
- Make decisions on a broad variety of matters with a significant impact on own work area and may affect other parts of the agency.
- Be accountable for developing plans and objectives for short-term tasks and contributing to business improvement strategies.
- Be accountable to immediate supervisor and for team outcomes.
- Be accountable for monitoring related emerging issues, identifying their impact, and conducting risk management activities within a sphere of responsibility.
- Contribute to strategic planning for longer-term initiatives.
- Provide expertise and technical knowledge across a range of activities, providing technical advice, and ensuring knowledge of and compliance with relevant legislation and policy frameworks.
- Be responsible for setting priorities and ensuring quality of outputs for the work area.

#### Cognitive nature of the work

Work at this level would typically:

- Be complex and involve various activities with different, unrelated processes/methods.
- Be mostly stable in effort with occasional exposure to high pressure or extreme demands.
- Deal with unfamiliar circumstances, variations in approach and/or sudden changes. Circumstances or data involved with work at this level must be analysed to identify inter-relationships. Determining what needs to be done depends on analysis of the issues and the selection of an appropriate course of action from a number of options requires sound and evaluative judgement.

#### Social nature of the work

Work at this level would typically involve:

- Working within a team where some interaction with and reliance on other team members is required to undertake the work.
- Some interaction with other teams within the organisation.
- Developing and managing relationships with stakeholders, engaging and collaborating to achieve outcomes and facilitate cooperation.

- Presenting the agency's position in the context of very complex or sensitive issues to key stakeholders within and outside the agency.
- Representing and explaining the views of the agency at cross-agency meetings and other forums.
- Providing a direct customer or client service and support on complex matters and handle customer complaints and problems.

## FUNCTIONS

Typical duties for this work level include:

- Supervising, and where required undertaking the preparation of drafts of bills or legislation.
- Directing, and where required undertaking the drafting of instruments of delegation, statutory appointments, and statutory instruments.
- Preparing drafting instructions for amendments to regulations and Acts, including ministerial briefs.
- Providing advice to policy areas of the Directorate/Agency concerning legal implications of new policy proposals and options for implementation, including the need, if any, for legislative amendment.
- Drafting or providing advice on contracts, leases, and agreements.
- Providing advice and reports to Ministers and senior management on decisions of courts and tribunals involving the Directorate/Agency.
- Providing legal advice to policy areas of the Directorate/Agency and the Minister on legal implications of new policy proposals and options for implementation, and on legislative amendments.
- Providing advice on legal questions and preparing or directing the preparation of discussion papers on legal aspects of policy proposals for submission to the Minister/Cabinet, other areas of the portfolio and other Directorates/Agencies.
- Representing the Directorate/Agency at preliminary conferences, directions hearings and hearings.
- Preparing or conducting civil litigation or prosecutions and brief counsel as appropriate.
- Providing advice and reports to Ministers and senior management on decisions of courts and tribunals involving the Directorate/Agency.
- Initiating, planning, and conducting legal research projects.
- As appropriate, directing legal and other staff involved in legal research.
- Directing and training legal officers who are engaged in a significant function or group of activities and generally act as a consultant or mentor to less experienced legal staff.

## QUALIFICATIONS, SKILLS AND EXPERIENCE

A role at this level is expected to have the same qualifications, skills and experienced listed for a Legal 1 classification with the addition of:

- Admission as a practitioner, however described, of the High Court or the Supreme Court of an Australian State or Territory.



## APPENDIX A – RECOMMENDED WORK VALUE SCORES

The following graph shows the recommended range of work value scores for the classification group. The vertical axis indicates the work value score range (with the minimum work value score being 22 and maximum 110). The horizontal axis displays each classification level, with the table specifying the minimum and maximum work value score for each classification level. Note these scores should be used in conjunction with the guidance provided in the *ACTPS Work Value Assessment Tool*.

