

Position Description

Senior Counsel / Senior Independent Review Officer



Classification band:	Executive Officer
Position number:	33695
Business unit:	Independent Review Division
Division:	Legal & Governance
Direct Reports:	Nil
Employment type:	Full time/ Fixed term 12 months
Position reports to:	Lead Counsel – Workers Compensation Independent Review Service
Work location:	Melbourne 567 Collins Street, Melbourne

At **WorkSafe** we're dedicated to supporting all Victorians to be healthy and safe at work and to recover from any workplace injury or illness as quickly as possible. Our Passion for safety and wellbeing is what unites us.

Our organisation is focussed on the delivery of our **Strategy**, as we build the WorkSafe of the future we're committed to delivering value to our people and to Victorian employers, workers and the wider community through continuing to focus on our **Customers** and putting **Prevention First**.

Agile and curious, our people come from a wide range of professions and with no two days being the same, diverse thinking comes naturally to us. We work closely with employers, workers and the community to prevent workplace injury and illness and to improve outcomes and the client experience. **We make WorkSafe.**

Our Values

The work we do is important because we impact upon many people's lives, everyday. We have responsibility to ensure that our values guide us in everything we do.



Purpose

The Workers Compensation Independent Review Service (WCIRS) provides a non-statutory review framework for decisions made by claims agents under the *Workplace Injury Rehabilitation and Compensation Act (Vic) 2013* on behalf of WorkSafe. The primary purpose of WCIRS is to review disputed decisions relating to workers' compensation claims and entitlements in a manner that ensures fair, reasonable and sustainable decision-making outcomes that assist WorkSafe to encourage, promote and support workers through their recovery and provide effective occupational rehabilitation and early return to work through suitable employment opportunities.

WCIRS supports WorkSafe's work in the Victorian community and aims to be connected, persistent and dynamic.

The Senior Independent Review Officer is expected to undertake a high level of complex investigative and analytical work that has significant implications across WorkSafe Victoria operations while working within clear and established management systems, legislative/regulatory provisions and professional standards.

Key accountabilities

- ✦ Supports Lead Counsel of WCIRS in sustainable decision-making relating to workers' compensation claims and entitlements.
- ✦ Engages and consults with relevant internal and external stakeholders in the operation of the independent review function, including the development of processes, precedents and training of relevant non-statutory independent review staff and associated internal stakeholders.
- ✦ Gather and analyse information relating to quality decision making frameworks, procedures, processes and policies which will facilitate the design and implementation of the non-statutory review function.
- ✦ Investigate and determine applications for review of disputed WorkSafe agent decisions and other WorkSafe decisions in a fair, reasonable and timely manner.
- ✦ Build and maintain collaborative working relationships with internal stakeholders and provide support and learning opportunities relating to or arising out of a non-statutory review.
- ✦ Write clear and logical decisions setting out the basis for decision, relevant findings of fact and the material on which those findings were based.
- ✦ Communicate decision outcomes of reviews and the reasons for those outcomes to workers, agents or other authorised decision-makers and relevant WorkSafe staff in a timely and professional manner.
- ✦ In a continuous improvement dynamic –
 - provide guidance to WorkSafe staff and agents on matters relating to the review process, including trends, issues or feedback identified during reviews that support fair, reasonable, consistent and sustainable decision-making objective; and
 - continuously review and, where necessary, provide feedback to the Lead Counsel in the revision and update of procedures, processes and policies within the independent review team.
 - mentor and assist other decision-makers within the Independent Review function
- ✦ Accountable for creating and capturing accurate and complete records of the business activities related to this position, in accordance with approved policy and procedures. This is applicable to both hardcopy and electronic information, including email communications.
- ✦ Adhere to all WorkSafe's policies and procedures and any legislative requirements relevant to this position.
- ✦ Any other reasonable and related duties as required to meet the ongoing needs of WorkSafe.

Key relationships

- ✦ General Counsel
- ✦ Managing Special Counsel – Independent Review Division
- ✦ Lead Counsel – Workers Compensation Independent Review Service
- ✦ WorkSafe's Insurance Business Unit

- ✦ Workers
- ✦ Claim Agents
- ✦ Employers
- ✦ Legislation, Policy and Information Services
- ✦ External Affairs & Government Relations

Requirements of the position

Skills and experience

- ✦ Demonstrated experience as a technical expert or a complex specialist as a legal advocate or policy specialist in the Victorian workers' compensation framework.
- ✦ Highly developed and demonstrated knowledge of the *Workplace Injury Rehabilitation and Compensation Act* (Vic) 2013 and the Victorian workers' compensation statutory framework.
- ✦ Highly developed alternative dispute resolution, conflict resolution and facilitation skills.
- ✦ Demonstrated ability to provide solutions for defined functional objectives to improve current practices.
- ✦ Demonstrated capacity to deal with a wide range of stakeholders effectively, empathetically and tactfully in the review context, including workers, employers, decision-makers, the legal profession and other external stakeholder representatives.
- ✦ Demonstrated ability to assess competing and complex evidence and to reach logical and sustainable conclusions based on relevant material.
- ✦ Demonstrated ability to write sound logical and sustainable decisions capable of withstanding internal and external review, including scrutiny by Courts and Tribunals.
- ✦ Demonstrated ability to work independently with minimal supervision in an environment of internal and stakeholder pressure, and strict statutory deadlines.
- ✦ A high level of personal integrity.

Capability Criteria

Stakeholder Engagement – Communicate and engage effectively with all stakeholders and develop strong relationships

Client Centricity – Hold the client at the core of all activities and decisions to deliver quality services, experiences and outcomes

Emotional Awareness – Demonstrate empathy and integrity towards others and make effective judgements in complex situations

Adapting to Change – Identify and understand the value of change. Demonstrate resilience and a positive and proactive attitude towards change

Problem Solving - Apply critical thinking to solve problems, explain root causes and evaluate solutions

Innovative Thinking - Encourage creativity in others, continuously learn and share new ideas and promote innovation techniques in order to maximise the value of new opportunities.

Regulatory - Understand the regulatory operating environment and align this knowledge to decision making.

Influencing Others - Understand and influence compliance with relevant laws, policies and regulations.

Project/Program/Portfolio Management - Demonstrates key project planning, management and evaluation skills that are critical to effective project delivery.

Preventative Law - Preventing legal risks from becoming legal problems.