

POSITION DESCRIPTION

POSITION DETAILS

Title:	Board member
Work location:	Level 5, 555 Bourke Street, Melbourne
Employment type:	Governor-in-Council appointment for up to four years, pursuant to s35 of <i>Legal Profession Uniform Law Application Act 2014</i> (the Application Act)
Reports to:	Chair of Victorian Legal Services Board

ORGANISATIONAL ENVIRONMENT

The Victorian Legal Services Board and Commissioner (VLSB+C) is the independent regulator of the legal profession in Victoria. We operate under and administer the Legal Profession Uniform Law (LPUL). We license lawyers and oversee service standards and conduct. This includes handling complaints about lawyers, considering suitability to practice, investigating poor conduct and overseeing management of trust accounts. We are also the stewards of the Public Purpose and Fidelity Funds and administer these to support legal regulation and access to justice in Victoria.

The VLSB is an independent statutory body and the Victorian Legal Services Commissioner is an independent statutory office. The Commissioner is responsible for responding to complaints about lawyers. The Commissioner is also the CEO of the VLSB. In this capacity, she reports to the VLSB, however the Commissioner and her activities are not under the supervision of the VLSB.

Our [strategy](#) sets out our key goals: to protect and empower consumers of legal services; to improve legal practice and ethics and to improve access to justice. Our corporate plan aligns our work across our four divisions and details what we plan to do to achieve these goals over the next three years. We aim to be a best practice and leading edge regulator and are embarking on an ambitious IT and digital transformation agenda over the next three years to support this. Our corporate plan also outlines the ways we will continue to adapt and respond to the impact of the Covid-19 pandemic on the profession and our operations. We are committed to monitoring, reporting on, evaluating and learning from all aspects of our work.

As a modern regulator, we focus on responding to behaviour that causes the greatest harm to the community, as detailed in our [Regulatory Approach Statement](#). We try to prevent or mitigate this, including by educating lawyers on compliance and harm reduction and improving the public's understanding of the legal sector, to help ensure all Victorians have access to effective and high-quality justice. Our people are passionate about ensuring the integrity of the legal profession and supporting public trust and confidence in the legal profession.

Appointment as a member of the VLSB is an opportunity to be part of a dynamic, flexible and agile organisation where you will make a real impact on the public's experience of legal services and help improve lawyer's ethics. As a member of the Board, you will have the opportunity to

help shape the direction, performance and culture of the VLSB through oversight of strategy development and execution, and of the Board CEO.

POSITION CONTEXT

The Board has a dual role:

- as a regulator with decision making powers; and
- as the governing board of the VLSB, with the normal governance roles and responsibilities of the board of a statutory entity.

The objectives of the Board are set out in s30 of the Application Act and are summarised as:

- ensuring the effective regulation of the legal profession
- responding to complaints and protecting consumers
- ensuring appropriate management of trust accounts
- cooperation with other participants in the Legal Profession Uniform Law framework.

The Board's governance roles and responsibilities are set out in the Board Charter.

Board appointments are made by the Governor in Council on the recommendation of the Attorney-General for a term of up to four years and may be renewed in line with the appointment process. The lawyer members are selected by the Attorney-General from nominations made by the Law Institute of Victoria and the Victorian Bar.

The Board has seven members - a chairperson, three members of the legal profession, and three who are not lawyers. One non-lawyer member must represent the interests of consumers and one must have experience in financial or prudential management.

The Board meets approximately seven times per year, for about two to two and a half hours during business hours. In addition, there are currently three committees – Finance and Investment, Audit and Risk and Grants. All board members are expected to sit on at least one committee. Committees meet between three and five times per year. Additional meetings may also be convened as required.

ORGANISATIONAL VALUES AND COMMITMENTS

The VLSB+C is a professional and friendly environment that focusses on delivering high-quality services. Our work is underpinned by our organisational commitments and behaviours. These form an important part of our values and ways of working and are embedded in our corporate and operational plans. All Board members and staff are expected to live these through their behaviour and engagement with one another.



We collaborate

We collaborate to achieve our purpose and vision. We rely on each other. We recognise that we benefit from each other's strengths and are generous with our skills and expertise.



We value relationships

We respect and trust each other and understand perspective of all individuals and teams.



We are courageous and authentic

We speak up, listen actively and contribute constructively and with a positive intention.



We are
professional

We share a commitment to providing high quality work to serve and engage with the Victorian community and the profession. We recognise, value and trust each other's experience, knowledge and expertise.



We
adapt

We learn, develop and innovate to lead and embrace a changing environment.

Our Commitments are underpinned by the VPS Code of Conduct and the VPS values of Integrity, Accountability, Responsiveness, Impartiality, Respect, Leadership and Human Rights.

REGULATORY RESPONSIBILITIES

The Board's regulatory responsibilities, as detailed in the Application Act, include:

- registration of lawyers
- variation, suspension or cancellation of practising certificates;
- management of the Public Purpose Fund, Fidelity fund and Grants program;
- prosecution of unqualified legal practice;
- oversight of professional indemnity insurance;
- law firm assistance and interventions; and
- oversight of audit of lawyers' trust accounts.

Most regulatory functions are delegated to the CEO or to professional bodies, with oversight from the Board.

GOVERNANCE RESPONSIBILITIES

The Board's governance roles and responsibilities are set out in the Board Charter and include:

1. Strategy – approval of and monitoring performance against, the VLSB's strategy and corporate plan
2. Finance – oversight of budgets and financial statements and controls and management of the Public Purpose Fund and Fidelity Fund
3. Risk management – approving and monitoring the VLSB's risk and compliance frameworks
4. Board governance – ensuring the VLSB operates in accordance with and fulfils its obligations under the Application Act and Uniform Law and as a government entity.
5. Culture – modelling and fostering a culture that is aligned with the VLSB+C Commitments and Behaviours and the VPS Values.

QUALIFICATIONS and KEY SELECTION CRITERIA

Specialist requirements and experience (technical competency)

In accordance with the Application Act, lawyer members:

- must be Australian legal practitioners with current practising certificates;
- home jurisdiction must be Victoria;
- must have no less than five years' experience post admission; and
- must not be listed on the Register of Disciplinary Actions (RODA)

<https://lsbc.vic.gov.au/register-of-lawyers>

Requirements for the role include:

- a broad understanding of the operation and regulatory environment of the legal profession in Victoria;
- an appreciation of the needs of consumers of legal services;
- good standing in the community and high standards of integrity and ethical behaviour; and
- willingness and ability to devote the appropriate time and energy to the role.

Previous board or governance experience is preferred.

Capability Requirements (behavioural competency)

1. Demonstrate the highest standards of ethics and professional and personal integrity.
2. The ability to think strategically, and to pay attention to details when required.
3. Self-awareness, respect for others, listening skills and intellectual capacity
4. Willing to embrace the VPS values and VLSB's commitments and behaviours.
5. Able to bring a balanced and independent mind to Board deliberations.
6. Be collaborative and a team player but able to have robust conversations at the Board table.

OTHER RELEVANT INFORMATION

1. Remuneration for this position (including any relevant allowances) is fixed by the Governor-in-Council pursuant to s36 of the Application Act. Currently this is \$35,860 Please refer to the Victorian government website (<https://www.vic.gov.au/guidelines-appointment-remuneration>) for further information.
2. This position description is an overview of the position; changes to the position should be expected reflecting changes in VLSB goals and priorities, activities or position focus.
3. The successful applicant will be subject to pre-appointment probity and declaration of private interests conducted by the Department of Justice and Community Safety, which will include police checks and checking all relevant regulatory information in accordance with the Application Act and relevant Victorian government guidelines.
4. The VLSB+C is an equal employment opportunity employer and a physically and psychologically healthy and safe work environment is promoted.
5. Board members are required to comply with the provisions of the Victorian Public Sector, Code of Conduct (VPS values) and other policies issued from time to time by the VLSB+C.

OTHER INFORMATION ABOUT GOVERNMENT BOARD APPOINTMENTS

6. **Representation of women** It is Victorian Government policy that no less than 50 per cent of all new appointees to paid Government board and Victorian courts will be women.
7. **Encouraging diversity** Appointments to Victorian Government entities should, as far as practicable, reflect the diversity of the Victorian community. Women, Indigenous Australians, people with a disability, people from culturally and linguistically diverse backgrounds and lesbian, gay, bisexual, transgender and intersex people are encouraged to apply.

8. **Multiple boards** An individual should not hold positions on more than three public sector boards at any one time.
 9. **Reappointment** *Candidates being considered for reappointment undergo the same open and competitive selection process as candidates who have not previously served on the board.*
 10. **Victorian residents** *It is preferred that appointees reside in Victoria, so that they act in the best interests of the State.*
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PRIVACY STATEMENT

The collection and handling of information will be consistent with the requirements of the *Privacy and Data Protection Act 2014*.

The VLSB+C is committed to the Victorian Data Protection Security Framework (VDPSF) and to good electronic recordkeeping. VLSB+C requires all Board members and staff to ensure the information/records generated or received by the organisation is treated in accordance with the VDPSF framework. This will ensure that proper confidentiality, integrity, availability safeguards are applied and to keep full and accurate records of their work-related activities, transactions and decisions, using authorised electronic systems.

The **Information Owner** is accountable to ensure that information in their charge is protected and is responsible for ensuring that information assets is treated in accordance with the VDPSF framework.
