

POSITION DESCRIPTION

Position Title:	Senior Legal Counsel
Business Unit/Department:	Legal Services
Division:	Corporate Governance
Award/Agreement:	Health and Allied Services, Managers and Administrative (Victorian Public Sector) (Single Interest Employers) Enterprise Agreement
Classification:	Grade 6 (HS6)
Reports To:	Director - Legal Services
Direct Reports:	N/A
Date Prepared/Updated:	4 May 2026

Position Purpose

The Senior Legal Counsel plays a vital role in supporting the work of Legal Services by providing advice to the Organisation on a wide range of commercial, medico-legal, governance and compliance matters.

While the Senior Legal Counsel will contribute to all areas within the remit of Legal Services as required, the primary focus of this role will be to provide legal support to the Quality and Safety Division (“Best Care”) including the management of claims and clinical incidents, coronial investigations and inquests and the provision of medico-legal advice and support to staff on matters such as consent and capacity.

Reporting to the Director of Legal Services, the role is permanent full time. The role can be substantively performed remotely under an approved hybrid office/work from home arrangement.

Business Unit Overview

Legal Services is an internal corporate support function of Western Health, with its primary role and responsibility being to manage and advise on the legal risks to Western Health. The Legal Services team is based at Footscray Hospital, Footscray, Melbourne.

Legal Services undertakes a range of proactive and responsive services to internal stakeholders including:

- management of the legislative compliance framework for Western Health
- management of litigation involving Western Health (excluding employment related claims)
- provision of advice on public sector governance
- provision of advice on commercial contracting, including procurement, property and research
- provision of advice on legal aspects of clinical governance including management of medico-legal claims
- liaising with the VMIA in relation to insurance indemnity claims and policy cover
- providing training to staff on legal topics

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- responding to requests to Western Health for information and documents received through a range of legal mechanisms.

Key Responsibilities

- Advising on legal aspects and issues involving insurance, confidentiality, privacy, medico legal issues, correctional health, serious complaints and adverse incidents.
- Instructing panel firms appointed by the Victorian Managed Insurance Authority (VMIA) to provide advice in relation to pre-litigated claims and defend litigated claims, including coordinating the provision of information and staff input as required.
- Providing advice and support to staff in the preparation of statements relating to coroner's cases, civil litigation, VCAT actions and other legal proceedings.
- Providing advice to the Freedom of Information team on requests, decisions and reviews.
- Reviewing, drafting and advising on Western Health internal policies and procedures.
- Performing other duties as required to support the effective functioning of Legal Services.

Key Working Relationships

Internal

- Executive Director, Nursing and Midwifery
- Director Safety and Experience, Best Care Division
- Operational and Nursing Leadership Teams
- Legal Services

External

- VMIA
- Law firms
- Courts and tribunals
- Police
- Government Departments

Selection Criteria

Essential

- Tertiary qualification in law
- Admission to legal practice in Victoria
- At least six years post qualification experience (PQE) in a law firm and/or in-house environment
- Eligibility to hold a current corporate or government practising certificate in Victoria
- Demonstrated capability to provide timely, accurate and pragmatic legal advice in an in-house context
- Demonstrated capacity to work autonomously, manage competing priorities and self-direct workload management
- Demonstrated ability to communicate effectively and respectfully with a wide range of internal and external stakeholders
- Working knowledge of public sector privacy, health privacy, freedom of information, health services legislation and the coronial process in Victoria
- Excellent verbal and written communication skills
- Strong attention to detail
- Collaborative and supportive working style, including a willingness to assist junior staff
- Willingness to participate in and deliver internal and external training
- High level of computer literacy

Desirable

- Experience in a public health service environment

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Additional Requirements

All employees are required to:

- Obtain a police / criminal history check prior to employment
- Obtain a working with children check prior to employment (if requested)
- Obtain an Immunisation Health Clearance prior to employment
- Report to management any criminal charges or convictions you receive during the course of your employment
- Comply with relevant Western Health clinical and administrative policies and guidelines.
- Comply with and accept responsibility for ensuring the implementation of health and safety policies and procedures
- Fully co-operate with Western Health in any action it considers necessary to maintain a working environment, which is safe, and without risk to health
- Protect confidential information from unauthorised disclosure and not use, disclose or copy confidential information except for the purpose of and to the extent necessary to perform your employment duties at Western Health
- Safeguard children and young people in our care, by ensuring that your interactions are positive and safe, and report any suspicions or concerns of abuse by any person internal or external to Western Health
- Be aware of and comply with relevant legislation: Public Administration Act 2004 (Vic), Victorian Charter of Human Rights and Responsibilities Act 2006 (Vic), the Victorian Occupational Health and Safety Act 2004 (Vic), the Victorian Occupational Health and Safety Regulations 2017 (Vic) (OHS Regulations 2017), Fair Work Act 2009 (Cth) (as amended), the Privacy and Data Protection Act 2014 (Vic) and responsibilities under the Health Services Act 1988 (Vic) with regard to the sharing of health information
- Be aware of and comply with the Code of Conduct for Victorian Public Sector Employees and other Western Health employment guidelines

General Information

- Redeployment to other services or sites within Western Health may be required.
- Employment terms and conditions are provided according to relevant award/agreement.
- Western Health is an equal opportunity employer and is committed to providing for its employees a work environment which is free of harassment or discrimination. The organisation promotes diversity and awareness in the workplace.
- This position description is intended to describe the general nature and level of work that is to be performed by the person appointed to the role. It is not intended to be an exhaustive list of all responsibilities, duties and skills required. Western Health reserves the right to modify position descriptions as required. Employees will be consulted when this occurs.
- Western Health is a smoke free environment.

I confirm I have read the Position Description, understand its content and agree to work in accordance with the requirements of the position.

Employee's Name: _____

Employee's Signature: _____ Date: _____

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