

# POSITION DESCRIPTION

## Legal Counsel (Research)



Position Description Classification Approved	Date
Human Resources Branch	

POSITION DETAILS	
<b>Position Title:</b>	<b>Legal Counsel – Research and Commercialisation</b>
<b>Position Number:</b>	00020035
<b>Classification:</b>	HEO9
<b>Faculty/Division:</b>	University Operations
<b>School/Branch:</b>	Legal Services
<b>Reports to (position title):</b>	Manager, Legal Services (Research and Commercialisation)
<b>Delegations:</b>	As per the Delegations Table
<b>Special Conditions:</b>	<ul style="list-style-type: none"> <li>• Some work out of standard hours and interstate travel may be required</li> <li>• Some travel between campuses may be required</li> <li>• Reasonable workplace adjustments will be made for people with a disability</li> </ul>
<b>Significant Working Relationships:</b>	<ul style="list-style-type: none"> <li>• Deputy Vice-Chancellor &amp; Vice President (Research)</li> <li>• Pro-Vice-Chancellors</li> <li>• Executive Directors, Directors and staff in the Division of Research and Innovation</li> <li>• Legal representatives for clients</li> <li>• Institute Directors and Centre Business Managers and leaders</li> <li>• External professional service providers</li> <li>• Society of University Lawyers</li> </ul>

POSITION SUMMARY
<p>The University's legal function is part of the Legal Services Branch within the Division of University Operations. The Branch provides services and advice across a range of disciplines including legal, compliance, contracts, governance, privacy, , FOI, misconduct (staff, student, research) copyright, trusts and bequests. The Legal Services Branch also manages University-wide frameworks Contract Management, and Trust and Bequest Management.</p> <p>The Branch is committed to Strengthening, Advancing and Enhancing the University to achieve its objectives by:</p> <ul style="list-style-type: none"> <li>- Promoting sound and prudent decision-making to help meet the University's legal obligations</li> <li>- Protecting and defending the University's interests and rights</li> <li>- Supporting the University to maximise the value of teaching, research and commercial arrangements</li> <li>- Contributing to and influencing the University's capability in governance, management and engagement with stakeholders.</li> </ul> <p>Working under broad direction from the Manager, Legal Services (Research and Commercialisation), this position provides legal services to the University on matters such as: strategic partnerships and collaborations; consulting and contract research; intellectual property management and commercialisation, joint ventures, new spinout entity creation, taking of equity by the University in existing companies, corporate governance; Commonwealth and State Government funding arrangements; University and multiparty research centres and institutes; policy implementation and interpretation; risk management and compliance.</p> <p>This position is responsible for providing legal services for the Divisions of Research and Innovation on research related matters to the University including in particular to Innovation and Commercialisation Services, Research Services, the University's controlled entities, and the Adelaide Graduate Research School.</p>

<b>KEY RESPONSIBILITIES</b>	
<b>Provision of practical and prompt legal advice and transactional documents</b>	<ul style="list-style-type: none"> <li>• Advise, support, and assist University stakeholders in negotiations with third parties on complex research-related matters.</li> <li>• Review, draft, amend, and where appropriate negotiate and settle a broad range of agreements with third parties in accordance with University policies and requirements.</li> <li>• Adopt a commercial focus and orientation, directed at securing a fair and balanced business outcome in an expeditious manner.</li> <li>• Contribute to developing, maintaining and reviewing the Research Legal register of standard form template agreements including updating documents as required to align with changes in objectives, University policy and the law.</li> <li>• Liaise with and/or represent the University at meetings with outside legal counsel or otherwise as required.</li> <li>• Assist with the preparation of briefing papers and research into matters as required.</li> <li>• Advise on compliance obligations under law and regulation.</li> <li>• Provide solution focused and relevant legal advice and professional support to University stakeholders as required.</li> </ul>
<b>Strategic consulting and specialist executive support</b>	<ul style="list-style-type: none"> <li>• Provide high quality strategic advice and support to senior managers on major projects.</li> <li>• Advise on and manage increasingly complex legal transactions.</li> <li>• Provide advice on policy interpretation and application.</li> <li>• Act as a sounding board for senior leaders on matters which may have legal implications.</li> <li>• Establish strong working relationships with the different areas of the University.</li> <li>• Provide guidance and support to the University's controlled and non-controlled entities on legal and compliance matters relating to research engagement and commercialisation.</li> <li>• Seek opportunities to contribute to identifying new tools and methods to facilitate improvements to workflows.</li> <li>• Seek opportunities to contribute to Legal Services Branch projects.</li> <li>• Provide advice, guidance and support to directors on University controlled entities and spin out entities in relation to director's duties and corporate matters.</li> <li>• Provide links between different units within the University to ensure all relevant stakeholders are across matters.</li> </ul>
<b>Training</b>	<ul style="list-style-type: none"> <li>• Prepare and deliver education and training to University staff on legal aspects of research related funding and other University activities.</li> <li>• Contribute to induction and training of new members of the Legal Services, Research and Commercialisation team.</li> <li>• Maintain currency of developments in relevant legislation, case law, government initiatives and policies.</li> <li>• Complete each year the continuing professional development courses required for South Australian legal practitioners.</li> </ul>
<b>Identification of Risks and Management of External Providers</b>	<ul style="list-style-type: none"> <li>• Identify changes in law and make recommendations to senior management.</li> <li>• Ensure identified risks are escalated and appropriately assessed by authorised delegates.</li> <li>• Provide analysis and advice on issues arising from actual or anticipated dispute resolution and litigation, and working with external legal counsel as required.</li> </ul>
<b>Independent and Professional Conduct</b>	<ul style="list-style-type: none"> <li>• At all times act in an independent, ethical and professional manner consistent with duties as an officer of the court and with relevant codes of legal professional conduct.</li> <li>• Maintain and further develop professional skills and qualifications in corporate, commercial and intellectual property law.</li> </ul>
<b>Relationship Management</b>	<ul style="list-style-type: none"> <li>• A respected member of and contributor to broader professional legal groups.</li> <li>• Work co-operatively and collaboratively with Legal Services Branch staff.</li> <li>• Develop and maintain relationships across various units within the University to provide advice and support and enable collaboration between the relevant units.</li> <li>• Provide support to junior lawyers in the Legal Services Branch.</li> </ul>

Other reasonable duties commensurate with classification level.

#### PEOPLE MANAGEMENT RESPONSIBILITIES

- N/A

#### CAPABILITIES AND BEHAVIOURS

Use the [Capability Dictionary](#) to identify the capabilities associated with the classification of this position. Staff are required to read and understand the capabilities and associated behaviours that align with the classification of this position.

#### UNIVERSITY EXPECTATIONS

Staff are required to read, understand and comply with all University policies, procedures and reasonable direction, whilst demonstrating professional workplace behaviours in accordance with the University's Code of Conduct

#### STAFF VALUES AND BEHAVIOUR FRAMEWORK

Our culture is one that welcomes all and embraces diversity consistent with our [Staff Values and Behaviours Framework](#) and our Core Values of integrity, respect, collegiality, excellence and discovery. We firmly believe that our people are our most valuable asset, so we work to grow and diversify the skills knowledge and capability of all our staff. [Learn more at: https://www.adelaide.edu.au/hr/ua/media/5268/staff-values-and-behaviour-framework\\_0.pdf](https://www.adelaide.edu.au/hr/ua/media/5268/staff-values-and-behaviour-framework_0.pdf)

#### SELECTION CRITERIA

##### Knowledge and Experience:

##### Essential:

1. Demonstrated post qualification experience handling complex commercial matters under minimal supervision at a level equivalent to a Senior Associate in a law firm. Excellent understanding of commercial law and intellectual property issues, experience with a variety of commercial contracts
2. Ability to provide comprehensive legal analysis and advice in relation to complex contractual and intellectual property matters
3. Demonstrated high level negotiation and engagement skills
4. Demonstrated ability to work effectively within a complex and changing environment
5. Demonstrated high level communication skills, in particular written, verbal, interpersonal and presenting to groups
6. Demonstrated ability to deal with confidential and sensitive matters

##### Desirable:

7. Previous transactional or Mergers & Acquisitions experience
8. Demonstrated dispute handling experience
9. An understanding of and empathy with University culture and environment and/or experience in the R&D sector
10. Sound knowledge of the Australian Higher Education sector

##### Qualification/s:

- Degree in Law
- Current unrestricted South Australian Practising Certificate (or ability to acquire same upon commencement)