

Position Description

Position Title	Legal Services Manager
Group	Legal
Location	Wellington
Reports to	General Counsel
Last Review Date	January 2018

About REA

The Real Estate Authority (REA) is the independent government agency that regulates the New Zealand Real Estate Industry. Our job is to promote a high standard of service and professionalism in the real estate industry and help protect buyers and sellers of property. We provide information for buyers and sellers, provide guidance for agents and deal with complaints about agents' behaviour.

The REA is a Crown entity, established under the Real Estate Agents Act 2008. We:

- Deal with complaints about the behaviour of real estate agents.
 - Provide comprehensive accessible information for people who are buying or selling property.
 - License people and companies working in the real estate industry and maintain a Code of Professional Conduct and Client Care setting out the professional standards they must follow.
 - Maintain a public register of real estate agents which includes information about any upheld complaints.
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Role Purpose

This position is responsible for supporting the General Counsel to meet the legal needs of the Board, Chief Executive, REA staff and independent Complaint Assessment Committees. They will be responsible for ensuring the legal team is competent to deliver expert litigation and operational advice and for managing the day to day litigation and operational work of the REA's legal team. Currently that team consists of the Legal Services Manager, Senior Solicitor and Solicitor.

Delegations

HR delegations required to manage team of up to 4 solicitors.

Relationships

The position is required to build and maintain the following relationships:

Internal (within REA) General Counsel, Legal team, Senior Solicitor Legal & Policy, all other REA staff and managers.

External (outside REA) Consumers and Licensees, Complaints Assessment Committee members, external legal providers, Board members and other stakeholders.

Priorities

The Legal Services Manager is expected to:

- Manage the provision by the legal team of the REA's day to day legal requirements. The services that team provides include:
 - the provision of effective, timely and accurate operational legal advice to support those staff responsible for managing the licensing, disciplinary and other activities of the REA
 - the provision of training and advice to Complaint Assessment Committees
 - the effective management of litigation relating to REA's activities. This involves the engagement and coordination of external legal providers but may also involve some Real Estate Agents Disciplinary Tribunal and District Court appearances
 - identifying, reviewing and developing possible amendments to the Real Estate Agents Act 2008 and its associated Regulations and Codes
- Manage their own litigation portfolio involving all complex, District or High Court litigation
- Assess and make recommendations to General Counsel, Senior Leadership Team and the Board on the approach to litigation matters
- Work closely with General Counsel to ensure the delivery of quality legal advice that is customer-focused, meets the needs of the REA and promotes a culture of excellence.

Key accountabilities

The following key accountabilities of this role assist in promoting the values of the REA and delivering its vision and strategic priorities:

- Effectively managing the provision of legal services by the Legal Team
- Providing high quality operational legal advice to REA managers, staff and Complaint Assessment Committees
- Demonstrating subject matter expertise in relation to the Real Estate Agents Act 2008 and any relevant legislation, regulations and codes
- Effective litigation management including the engagement and liaison with external legal advisers

- Developing and providing training to Complaints Assessment Committees and REA staff on legislative compliance and legal issues that relate to the REA's regulatory environment
 - Contributing to an on-going process of identifying reviewing and developing possible amendments to the Real Estate Agents Act 2008 and its associated Regulations and Codes
 - Assisting the General Counsel in the minimisation of legal risk and exposure to the REA
 - Assisting the General Counsel to ensure that the policies and practices underpinning REA's activities meet the highest possible standards, and are rigorous, fair, and able to stand up to in depth professional and judicial scrutiny
Assisting the REA to comply with its statutory obligations including the Official Information and Privacy Acts.
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Qualifications, skills, knowledge and experience

We want a person who is well organised, has a high degree of initiative and drive, and excellent interpersonal, analytical and communication skills.

You must have the following qualifications, skills and experience:

- LLB and current practising certificate
 - 7+ years post admission work experience
 - Proven effective team leadership and the ability to motivate and maintain a high performing legal team
 - Knowledge of or an understanding of legal/regulatory/compliance functions and environments
 - Knowledge of the Real Estate Agents Act and its related regulations and codes (or an ability to gain such knowledge quickly).
 - Experienced in providing high quality operational legal advice.
 - Proven effective litigation management including the management of external legal providers
 - Integrity and sound judgement
 - Ability to prioritise effectively under pressure, meet deadlines and process work in a timely fashion.
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Core Competencies

Strategic Agility and Planning

- ✓ Sees ahead clearly
- ✓ Can anticipate future consequences and trends
- ✓ Has broad knowledge and perspective
- ✓ Is future oriented
- ✓ Can create breakthrough strategies and plans
- ✓ Sets objectives and goals
- ✓ Anticipates and adjusts for problems and roadblocks
- ✓ Measures performance against goals
- ✓ Evaluates results

Managing Vision and Purpose

- ✓ Communicates a compelling and inspired vision or sense of core purpose
- ✓ Talks beyond today
- ✓ Talks about possibilities
- ✓ Is optimistic
- ✓ Creates mileposts and symbols to rally support behind the vision
- ✓ Makes the vision shareable by everyone
- ✓ Can inspire and motivate entire units or organisations

Motivating Others

- ✓ Creates a climate in which people want to do their best
- ✓ Can motivate direct reports and team or project members
- ✓ Creates strong morale and spirit in his/her team
- ✓ Shares wins and successes
- ✓ Fosters open dialogue, empowers others
- ✓ Invites input from each person and shares ownership and visibility
- ✓ Makes each individual feel his/her work is important
- ✓ Is someone people like working for

Integrity Trust and Intuition

- ✓ Is widely trusted
- ✓ Is seen as a direct, truthful individual
- ✓ Can present the unvarnished truth in an appropriate and helpful manner
- ✓ Keeps confidences
- ✓ Admits mistakes
- ✓ Doesn't misrepresent him/herself for personal gain
- ✓ Will do the right thing when no one is looking
- ✓ Intuitively knows what is right

Managerial Courage

- ✓ Doesn't hold back anything that needs to be said
- ✓ Provides current, direct and "actionable" positive and corrective feedback to others
- ✓ Lets people know where they stand
- ✓ Faces up to people problems on any person or situation quickly and directly
- ✓ Is not afraid to take negative action when necessary
- ✓ Will stand up and be counted
- ✓ Doesn't shirk personal responsibility

Customer Focus (Trusted Advisor)

- ✓ Is dedicated to meeting the expectations and requirements of internal and external customers;
- ✓ Gets first hand customer information and uses it for improvements in services
- ✓ Acts with customers in mind
- ✓ Establishes and maintains effective relationships with customers and gains their trust and respect quickly

Drive For results

- ✓ Enjoys working hard
- ✓ Is action oriented and full of energy for the things he or she sees as challenging
- ✓ Not fearful of acting with a minimum of planning
- ✓ Seizes more opportunities than others
- ✓ Can be counted on to exceed goals successfully
- ✓ Is constantly and consistently one of the top performers
- ✓ Very bottom line oriented
- ✓ Steadfastly pushes self and others for results

Team Work and Strong Relationships

- ✓ Relates well to all kinds of people up, down and sideways inside and outside the organisation
- ✓ Builds appropriate rapport
- ✓ Builds constructive and effective relationships
- ✓ Is seen as a team player and is cooperative
- ✓ Easily gains trust and support of peers
- ✓ Encourages collaboration
- ✓ Develops good relationships with internal and external colleagues

Technical Expertise

- ✓ Has the functional and technical knowledge and skills to do the job at a high level of accomplishment
- ✓ Picks up on technical things quickly
- ✓ Can learn new skills and knowledge
- ✓ Is good at learning new industry technical knowledge
- ✓ Does well in technical courses and seminars

Self- Directed

- ✓ Is positive, flexible, adaptable and responsive
- ✓ Looks for ways to improve things and does not rest on their laurels
- ✓ Is committed to and actively works to continuously improve him/herself
- ✓ Knows personal strengths, weaknesses and opportunities and limits
- ✓ Seeks feedback
- ✓ Gains insight from mistakes
- ✓ Is open to criticism and committed to personal learning
- ✓ High standard of integrity and ethical conduct
- ✓ Sophisticated understanding conflict of interest obligations and manages those effectively
- ✓ Strong commitment to public service

Approved: February 2018



Kevin Lampen-Smith
Chief Executive