

Role Description

Investigator, Critical Incident & Investigations Monitoring



Cluster	Premier and Cabinet
Department/Agency	Law Enforcement Conduct Commission
Division/Branch/Team	Oversight, Critical Incidents Monitoring
Classification/Grade/Band	Clerk Grade 7/8
ANZSCO Code	224900
PCAT Code	1559192
Date of Approval	September 2018

Agency overview

The Law Enforcement Conduct Commission (LECC) is an independent body exercising Royal Commission powers to detect, investigate and expose serious misconduct within the NSW Police Force and the NSW Crime Commission. The LECC also independently monitors and reviews the investigation of complaints by the NSW Police Force and the NSW Crime Commission about the conduct of their officers. In doing so the LECC recognises the primary responsibility of those agencies to investigate and prevent officer misconduct and corruption within those agencies, while providing for oversight of those functions.

The LECC works collaboratively with the NSW Police Force and the NSW Crime Commission to educate and promote the prevention and elimination of officer misconduct, particularly through the identification of systemic issues that are likely to be conducive to the occurrence of officer misconduct and corruption. The LECC also undertakes independent, real-time monitoring of critical incident investigations undertaken by the NSW Police Force and can make reports on the conduct of critical incident investigations by the NSW Police Force.

The LECC plays a key role in strengthening the integrity of law enforcement in NSW.

Primary purpose of the role

The **Oversight Division** consists of four teams:

- Assessments
- Inspections
- Misconduct Review & Monitoring
- Critical Incident & Investigations Monitoring.

The Oversight Division works together to independently assess, review and monitor NSW Police Force & NSW Crime Commission misconduct matter investigations and NSW Police Force critical incident investigations. The Division is responsible for the efficient and effective conduct of the LECC's core oversight functions.

The Investigator, Critical Incident & Investigations Monitoring is part of the team with the responsibility for real time monitoring of NSW Police Force critical incident investigations and misconduct matter investigations conducted by the NSW Police Force and the NSW Crime Commission.

Key accountabilities

- Professionally monitor sensitive NSW Police Force critical incident investigations and NSW Police Force and NSW Crime Commission misconduct matter investigations, in accordance with relevant policies, procedures and MOUs.
- Carry a caseload of critical incident and misconduct matter monitoring investigations.
- Professionally execute individual and team responsibilities in accordance with legislation, policy and procedures.
- Provide advice and recommendations to the Team Leader, Senior Investigator on matters relating to the monitoring of critical incident investigations and misconduct matter investigations.
- Conduct research and analysis and provide information in support of the preparation of high level monitoring reports and briefs.
- Provide assistance to the Team Leader, Senior Investigator in the design of presentations to the NSW Police relevant on matters relating to the monitoring of critical incidents investigations and misconduct matter investigations.

Critical Incident Investigation Monitoring

- Attend and monitor critical incidents when they occur, as an on-call Investigator, on a 24/7 basis, and in accordance with a rotating roster.
- In accordance with Part 8 of the *Law Enforcement Conduct Commission Act 2016*, monitor and review the NSW Police Force critical incident investigation from the beginning to the end, in effort to form a view as to whether the investigation has been fully and properly conducted and has considered:
 - Lawfulness and reasonableness of actions of the NSW Police Force.
 - Compliance with legislation and policies, practices and procedures of the NSW Police Force.
 - Evidence of misconduct.
 - The need for changes to relevant policies, practices and procedures of the NSW Police Force.
 - Systemic, safety or procedural issues arising.
- Liaise with police officers from the Critical Incident Investigation Team and the Professional Standards Command in relation to the critical incident investigation as the investigation progresses and as issues arise.

Misconduct Matter Investigation Monitoring

- Monitor a caseload of misconduct matter investigations, as the investigation progresses from the start to the end of the investigation, in accordance with Part 7 of the *Law Enforcement Conduct Commission Act 2016* and in accordance with Guidelines for monitoring misconduct matters.
- Liaise with police misconduct matter investigators in relation to issues arising in, and the progress of, the investigation.
- Assume responsibility for overseeing investigations in the broader context of the functions of the Oversight Division as and when required to do so.

Key challenges

- Providing advice on significant matters underpinned by multiple pieces of legislation, policies and procedures, to assist in ensuring recommendations and decisions relating to Oversight investigations are correct, legally defensible and deliver fair outcomes.
- Engaging with various internal and external parties in the face of sometimes conflicting expectations, goals and perspectives.
- Providing professional services in a high-pressure environment, often with tight resource constraints and timeframes, to assist the Oversight Division to achieve results.

Key relationships

Who	Why
Internal	
Manager Oversight Investigations	<ul style="list-style-type: none"> • Provide strategic advice and direction • Assessing cases, case direction and broad priorities
Team Leader, Senior Investigator, Critical Incident & Investigations Monitoring	<ul style="list-style-type: none"> • Provide strategic advice and direction • Assessing cases, case direction and broad priorities • Oversight and supervise day to day work • Provide mentoring, advice and support • Share oversight monitoring related information
Other Oversight Division members	<ul style="list-style-type: none"> • Collaborate and share case and other work related information • Provide and receive advice and support
Other LECC Colleagues	<ul style="list-style-type: none"> • Collaborate and share project and other relevant work related information • Provide and receive advice and support
External – Key Interested parties	
NSW Police	<ul style="list-style-type: none"> • Follow up issues arising out of misconduct and critical incident investigations • Share and exchange information
NSW Crime Commission	<ul style="list-style-type: none"> • Follow up issues arising out of misconduct investigations • Share and exchange information
Other like Agencies (ICAC)	<ul style="list-style-type: none"> • Project and research related purposes • Share and exchange information
Non-government entities	<ul style="list-style-type: none"> • Investigation and research related purposes
Other Key Interested parties /general public	<ul style="list-style-type: none"> • Information and evidence gathering purposes

Role dimensions

Decision Making

The role of Investigator, Critical Incident & Investigations Monitoring is essentially advisory in nature and is required to make timely, sound decisions based on legislation, knowledge, experience, and judgment on matters relating to their day-to-day oversight monitoring functions. The Investigator, Critical Incident & Investigations Monitoring works closely with the Team Leader, Senior Investigator, Critical Incident & Investigations Monitoring to seek expertise and knowledge when high level, complex and sensitive investigative decisions need to be made.

Reporting line

This role reports directly to the Team Leader, Senior Investigator, Critical Incident & Investigations Monitoring.

Direct reports

- Nil

Budget/Expenditure

- Nil

Essential requirements





- Working knowledge of legislation, policies, procedures, and practices used in the oversight monitoring of police investigations.
- Demonstrated attention to detail skills and an understanding of how legislative and policy frameworks relate to real world situations.
- Demonstrated high level oral and written English communication skills.
- The proven ability to work collaboratively in a team environment in the pursuit of organisational goals.
- A probity assessment to establish reliability, trustworthiness, integrity, and suitability of employment. In addition, LECC officers are also required to obtain and retain a commonwealth security clearance. The Investigator, Critical Incident & Investigations Monitoring requires a security clearance at NV1 level. The LECC will facilitate the process to obtain this clearance level for the role holder within six months of appointment.
- Possession of a current Australian driver's license.
- The role requires availability for regular attendance outside of normal working hours and on weekends.

Capabilities for the role

The NSW Public Sector Capability Framework applies to all NSW public sector employees. The Capability Framework is available at www.psc.nsw.gov.au/capabilityframework

Capability summary

Below is the full list of capabilities and the level required for this role. The capabilities in bold are the focus capabilities for this role. Refer to the next section for further information about the focus capabilities.

NSW Public Sector Capability Framework		
Capability Group	Capability Name	Level
 Personal Attributes	Display Resilience and Courage	Adept
	Act with Integrity	Adept
	Manage Self	Intermediate
	Value Diversity	Intermediate
 Relationships	Communicate Effectively	Intermediate
	Commit to Customer Service	Intermediate
	Work Collaboratively	Adept
	Influence and Negotiate	Intermediate
 Results	Deliver Results	Intermediate
	Plan and Prioritise	Intermediate
	Think and Solve Problems	Adept
	Demonstrate Accountability	Intermediate
 Business Enablers	Finance	Foundational
	Technology	Intermediate
	Procurement and Contract Management	Foundational
	Project Management	Intermediate

Focus capabilities

The focus capabilities for the role are the capabilities in which occupants must demonstrate immediate competence. The behavioural indicators provide examples of the types of behaviours that would be expected at that level and should be reviewed in conjunction with the role's key accountabilities.

NSW Public Sector Capability Framework		
Group and Capability	Level	Behavioural Indicators
Personal Attributes Act with Integrity	Adept	<ul style="list-style-type: none"> • Represent the organisation in an honest, ethical and professional way and encourage others to do so • Demonstrate professionalism to support a culture of integrity within the team/unit • Set an example for others to follow and identify and explain ethical issues • Ensure that others understand the legislation and policy framework within which they operate • Act to prevent and report misconduct, illegal and inappropriate behaviour
Relationships Communicate Effectively	Intermediate	<ul style="list-style-type: none"> • Focus on key points and speak in 'Plain English' • Clearly explain and present ideas and arguments • Listen to others when they are speaking and ask appropriate, respectful questions • Monitor own and others' non-verbal cues and adapt where necessary

NSW Public Sector Capability Framework

Group and Capability	Level	Behavioural Indicators
Relationships Work Collaboratively	Adept	<ul style="list-style-type: none"> • Prepare written material that is well structured and easy to follow by the intended audience • Communicate routine technical information clearly • Encourage a culture of recognising the value of collaboration • Build co-operation and overcome barriers to information sharing and communication across teams/units • Share lessons learned across teams/units • Identify opportunities to work collaboratively with other teams/units to solve issues and develop better processes and approaches to work
Results Think and Solve Problems	Intermediate	<ul style="list-style-type: none"> • Research and analyse information, identify interrelationships and make recommendations based on relevant evidence • Anticipate, identify and address issues and potential problems and select the most effective solutions from a range of options • Participate in and contribute to team/unit initiatives to resolve common issues or barriers to effectiveness • Identify and share business process improvements to enhance effectiveness
Results Demonstrate Accountability	Intermediate	<ul style="list-style-type: none"> • Take responsibility and be accountable for own actions • Understand delegations and act within authority levels • Identify and follow safe work practices, and be vigilant about their application by self and others • Be alert to risks that might impact the completion of an activity and escalate these when identified • Use financial and other resources responsibly
Business Enablers Project Management	Intermediate	<ul style="list-style-type: none"> • Perform basic research and analysis which others will use to inform project directions • Understand project goals, steps to be undertaken and expected outcomes • Prepare accurate documentation to support cost or resource estimates • Participate and contribute to reviews of progress, outcomes and future improvements • Identify and escalate any possible variance from project plans