

NSW Government Legal Services Panel – firm induction

September 2021



Department of Education

Education in NSW

Context

Size and scale

- 2,200 schools
- 823,000 students – kindergarten to Year 12
- 94,067 teachers
- \$17.4B in funding in 2021

See more information [here](#) (*NSW Education in numbers for 2021*).

Cluster structure

- Education
- TAFE
- NESAs

Education in NSW

Department structure

- School Infrastructure NSW
- People Group
- Operations Group
- School Performance
- School Improvement and Education Reform Group
- Learning Improvement
- Education and Skills Reform

Organisational chart (link [here](#))

Education in NSW

In-house legal work

Legal Services

- Commercial
- Litigation and Advocacy
- Policy, Compliance and Administrative Law
- Right to Access

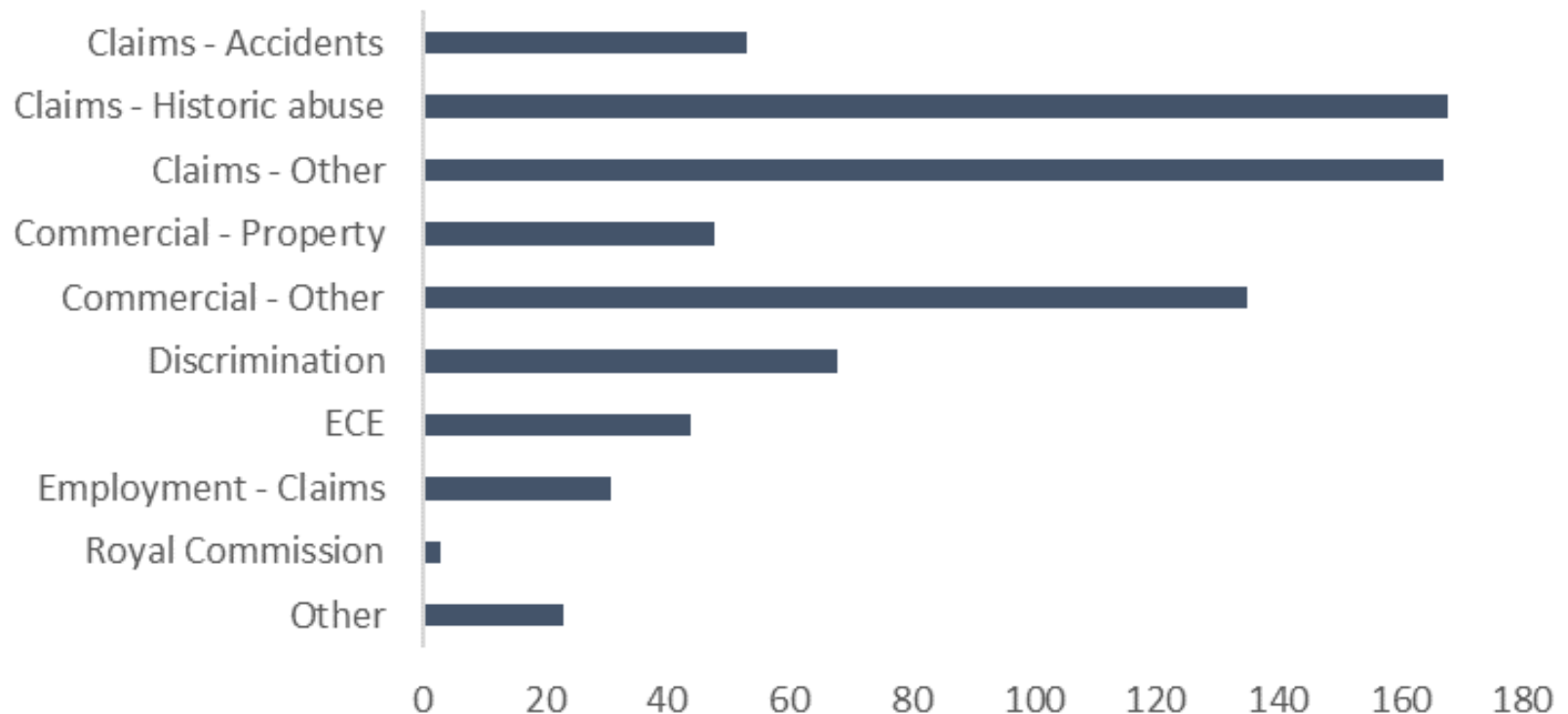
Other departmental legal teams

- Early Childhood Education
- Professional and Ethical Standards
- School Infrastructure

Outsourced legal work

Breakdown of matters

Education - briefed out - past 2 years



Outsourced legal work

Key values and expectations

- **Advising on what the client *needs*, not wants**
- Knowledge of operating context (schools, policy, processes)
- Proactively engage with General Counsel – legal risks, increased costs
- High quality, accurate, relevant, clear advice
- Timeliness and reliability
- Value add: CLEs, client training, secondments

Outsourced legal work

Rules of engagement

- **Instructions through Legal Services (General Counsel)**
- **Communication:** copying Legal Services and copies of final advices
- **LSOs:** LEXIDs, obtaining approval to exceed budget
- **Billing:** fiscal discipline, final bill review, purchase orders

TAFE NSW

TAFE NSW IS THE LEADING PROVIDER OF VOCATIONAL EDUCATION AND TRAINING (VET) IN AUSTRALIA

As the NSW Government's public provider of vocational education and training, we provide education services, consult with industry and the community, provide disadvantaged groups with access to specialised services and help students by co-creating pathways from school to TAFE NSW and university.

TAFE NSW provides access to life-changing education and training for the residents of NSW regardless of region, socio-economic background, race, ethnicity or disability.

430K+

Annual student
enrolments

130+

Study locations
in NSW


TAFE NSW'S LEGAL SERVICES TEAM PROVIDES LEGAL ADVICE TO TAFE NSW

The advice includes support for the TAFE NSW Board and senior executives. The team also assists in policy development and review as part of TAFE NSW's compliance requirements.

The Legal Services team consists of:

- a General Counsel;
- Head of Legal; and
- Five lawyers who advise across all aspects of TAFE NSW's business operations.

THERE ARE THREE MAIN REASONS WHY TAFE NSW USES EXTERNAL LAWYERS...



Internal
resource or
workload
constraints

Need for subject
matter expertise
or technical
knowledge

A need for
independent
legal advice

FIVE KEY LEGAL AREAS FOR EXTERNAL SUPPORT

Typically, briefs to external lawyers from time-to-time include:

- Commercial – contracts and general advice;
- Property and construction – contracts and general advice;
- Employment, work health and safety advice;
- Litigation; and
- Regulatory and administrative advice.

TAFE NSW'S EXPECTATIONS

TAFE NSW expects our external lawyer partners to provide:

- High quality services and advice;
- Accessibility, reliability and promptness;
- Commercially focussed legal advice that's fit-for-purpose;
- Cost efficiency and certainty;
- Knowledge and understanding of TAFE NSW's business and the education sector;
- Delivery within agreed timeframes; and
- Regular updates on progress and costs.

Questions?

