

Eastern Health

Position Title:	Executive General Counsel
Award Classification:	Executive employment contract
Award / Agreement Name:	Health Executive Employment and Remuneration (HEER) Policy
Position Reports to:	Chief Executive
Directorate / Function:	Office of the Chief Executive
Direct Reports:	TBC

EASTERN HEALTH – HEALTHIER TOGETHER

Eastern Health is one of Melbourne's largest public health services. We provide acute, subacute, mental health, community and residential care, alongside specialist and statewide services, to diverse communities across Melbourne's east and beyond. Our promise—Healthier Together—reflects our commitment to improving health outcomes through partnership, excellent care and empowered people.

Value	How it shows up in this role
Respect for All	Engages candidly and respectfully, listens to different perspectives and maintains dignity and fairness in difficult matters.
Safe and Welcoming	Contributes to physical and psychological safety, supports speaking up and ensures legal processes are fair, clear and trauma-aware.
Partnering in Care	Works with leaders, clinicians, staff, patients, consumers and partners to shape practical solutions and better outcomes.
Innovate, Learn and Lead	Anticipates change, tests better approaches, learns from matters and enables others to exercise sound judgement and accountability.

1. POSITION PURPOSE

The Executive General Counsel is Eastern Health's most senior legal adviser and a trusted strategic partner to the Chief Executive and Board, and a senior adviser to the Executive Leadership Team. The role attends Executive meetings where legal, governance or enterprise matters require their contribution and provides independent, clear and commercially astute advice on the organisation's most significant legal, governance, regulatory and reputational matters, enabling sound decisions in a complex public health environment.

Beyond the provision of technical legal services, the Executive General Counsel brings enterprise-wide judgement: identifying emerging issues early; testing assumptions and options; integrating legal, clinical, commercial, government and stakeholder considerations; and helping leaders make defensible decisions where the path is uncertain, sensitive or contested.

The Executive General Counsel leads Eastern Health's legal function and establishes a contemporary operating model that delivers consistent, timely and practical support across the organisation. The role is accountable for legal strategy, legal risk and assurance, major commercial and transformation matters, disputes and litigation, occupational Health and safety matters, human resource matters, medico-legal services, privacy and information access matters, insurance and the effective use of external legal providers.

The role operates with a high degree of independence and discretion while maintaining constructive, trusted relationships. It is expected to influence at the most senior levels, exercise courage and sound judgement, and contribute to organisational leadership beyond matters that are narrowly legal.

Role context and scope

- The role leads Legal Services within the Office of the Chief Executive
- The role reports directly to the Chief Executive and provides independent advice to the Board and its Committees through agreed governance, reporting and escalation protocols.

2. MAJOR DUTIES AND/OR RESPONSIBILITIES

Organisational leadership contribution

- Act as a trusted adviser and constructive thought partner to the Chief Executive, Board Chair, Board Directors and Executive leaders, providing frank, balanced and solutions-focused counsel.
- Contribute an enterprise perspective to strategy, transformation, service development and major organisational decisions—not solely a legal interpretation of the issue.
- Build confidence through sound judgement, discretion, emotional intelligence and an ability to navigate ambiguity, competing interests and high-pressure circumstances.
- Identify material legal, governance and reputational risks, and ensure they are framed clearly, escalated appropriately and accompanied by practical options.
- Influence outcomes without relying on positional authority; create alignment across clinical, operational and corporate leaders and engage constructively when views differ.
- Model public sector integrity, independence and accountability, while understanding the practical realities of delivering safe, sustainable public health services. Build effective, credible relationships with the Department of Health, other government agencies, regulators and public health partners, and recognise when legal issues require broader government, system or stakeholder engagement.

Strategic legal counsel and executive decision support

- Provide authoritative, independent and pragmatic legal advice to the Chief Executive, Board, Board Committees, Executive leaders and the Eastern Health Foundation.
- Translate complex legal issues into clear choices, consequences and recommendations that support timely and well-informed decision-making, including a clear enterprise recommendation on significant matters rather than limiting advice to a statement of legal risk. Explain the assumptions, trade-offs and consequences supporting that recommendation.
- Advise on sensitive and high-impact matters involving clinical services, public administration, employment, commercial arrangements, government, investigations, integrity, reputation and organisational change.
- Challenge constructively where decisions, proposed actions or assumptions expose Eastern Health to unacceptable legal, governance or reputational risk.
- Maintain appropriate professional independence and privilege, while ensuring advice is integrated with operational, clinical, financial and people considerations.
- Uphold legal professional obligations, ethical standards, confidentiality, privilege and conflict management, ensuring the Legal Services function maintains independence, integrity and trust while remaining practically connected to organisational decision-making.

Governance, assurance and statutory stewardship

- Advise the Board and Chief Executive on statutory powers, duties, delegations, governance arrangements, conflicts of interest, probity and public sector obligations.
- Establish and maintain a contemporary legal risk and regulatory assurance framework, clearly defining the matters owned by Legal Services and the responsibilities retained by operational and assurance functions, including clear accountabilities, escalation thresholds, assurance mechanisms and reporting.
- Monitor legislation, regulation, government policy, directions and material judicial or regulatory developments; anticipate impact and lead coordinated organisational responses.
- Provide high-quality, succinct and decision-oriented reports to the Board, relevant Board Committees and Executive forums.
- Partner with Risk, Internal Audit, Clinical Governance, People & Culture, Privacy and other assurance functions to minimise gaps, duplication and ambiguity in accountability.

Major transactions, transformation and commercial matters

- Lead legal strategy and advice for major organisational transformation, structural reform, partnerships, service integrations, capital projects, digital initiatives and other strategic transactions.
- Advise on complex procurement, tenders, contracts, leases, funding agreements, research arrangements, intellectual property, data sharing and commercial disputes.
- Structure and negotiate material arrangements so that legal protection, commercial value, operational feasibility and public sector probity are appropriately balanced.
- Engage early in material initiatives to shape the approach, rather than providing legal review only after decisions have substantially been made.
- Ensure significant contractual commitments, authorities, variations and obligations are supported by appropriate governance and contract management disciplines.

Employment matters

- Partner with People & Culture to provide legal advice on complex or high-risk employment matters.
- Support People & Culture, the Chief Executive and Executive leaders with legal advice where an employment matter raises material legal, regulatory or reputational risk, while People & Culture continues to coordinate the organisational response and decision-making process.
- Advise on employment-related litigation, adverse action, discrimination, protected disclosure and other formal legal proceedings, and manage external legal providers in consultation with People & Culture.
- Contribute legal input to employment policies, governance arrangements and decision-making frameworks where material legal issues arise, supporting clear accountabilities between Legal Services, People & Culture and operational leaders.
- Provide legal advice on significant occupational health and safety matters, including regulator engagement and enforcement action. Health Safety & Wellbeing and operational leaders retain primary responsibility for OHS risk management, workplace investigations, prevention and organisational response.

Disputes, investigations, medico-legal and regulatory matters

- Set legal strategy for significant disputes, litigation, coronial matters, inquiries, investigations, regulatory actions and other contested matters.
- Ensure legal responses are coordinated, evidence-based, timely and sensitive to the interests of patients, consumers, staff and the organisation.
- Oversee engagement with courts, tribunals, regulators, integrity bodies, government departments, law enforcement agencies and external investigators, as required.
- Provide legal leadership during critical incidents, major adverse events, emergency management responses and other high-profile or time-sensitive matters, supporting coordinated decision-making, appropriate escalation, regulatory engagement and protection of patient, staff and organisational interests.
- Work closely with clinical and operational leaders to derive organisational learning from claims, investigations, complaints, inquests and adverse events.
- Initiate or defend proceedings where appropriate and authorised, ensuring strategic oversight, clear instructions and proportionate use of resources.

Privacy, information, insurance and claims

- Provide strategic oversight of privacy, confidentiality, freedom of information, subpoenas, information sharing and related legal obligations, in partnership with accountable operational functions.
- Maintain a senior organisational relationship with the Victorian Managed Insurance Authority and ensure material claims and insurance issues are managed strategically.
- Advise on the scope of insurance cover, emerging exposures and risk treatment, and ensure relevant notifications and claims are timely and complete.
- Promote consistent, lawful and proportionate approaches to the management and disclosure of sensitive information.

Legal function leadership and capability

- Lead, develop and hold accountable a high-performing legal team with clear priorities, service standards, role clarity and a strong client and enterprise orientation.
- Establish and lead a proactive, enterprise-focused Legal Services function with defined service priorities, effective matter triage, transparent performance information, systematic organisational learning, contemporary knowledge management and appropriate use of technology.
- Build legal literacy and decision-making capability across Eastern Health through targeted education, practical guidance and proactive engagement with leaders.
- Create a culture in which legal advice is accessible, timely, proportionate and focused on enabling safe and effective outcomes.
- Select, brief and manage external legal providers strategically; ensure quality, value, consistency and disciplined control of legal expenditure.
- Maintain appropriate succession, development and workforce plans for the function and personally model reflective, contemporary professional practice.

Decision-making authority and accountability

- The Executive General Counsel has direct access to the Chief Executive and provides independent advice to the Board and its Committees through agreed governance, reporting and escalation protocols. The role exercises professional independence while maintaining appropriate accountability to the Chief Executive and respecting the respective governance roles of management and the Board.
- The role determines the legal strategy and allocation of legal resources for Eastern Health, within approved delegations, budgets and organisational policy.
- The role is accountable for ensuring material issues are escalated promptly and candidly, including where advice is unwelcome or where legal, ethical, governance and operational considerations are in tension.
- The role is expected to distinguish between matters requiring legal control, matters requiring enterprise decision-making and matters best owned by operational leaders—with clear advice about accountability in each case.

Key working relationships

- Internal: Chief Executive; Board Chair and Directors; Board Committees; Executive Leadership Team; senior clinical, operational and corporate leaders; Eastern Health Foundation; Legal Services; Risk, Audit, Clinical Governance, People & Culture, Finance, Procurement, Digital and Privacy functions.
- External: Department of Health and other government agencies; VMIA; regulators, integrity bodies, courts and tribunals; external legal advisers and counsel; partner health services, universities, research bodies, suppliers and strategic partners.

Success measures

- The Chief Executive and Board receive timely, independent, clear and trusted advice that improves the quality and defensibility of significant decisions.
- Material legal and governance risks are identified early, clearly owned, appropriately escalated and actively treated.
- Legal Services operates as a strategic, responsive and enabling partner, with documented priorities, service standards, matter triage and performance information. Major initiatives receive legal and governance input at the design stage.
- Major transactions, transformation initiatives and contentious matters are supported by coherent legal strategy and achieve sound organisational outcomes.
- Board and Executive reports are concise, risk-based and identify decisions required, options, material risks and recommended action. Material legal risks are recorded, allocated and reviewed through established governance arrangements.
- External legal expenditure and provider performance are regularly reviewed and demonstrate disciplined, proportionate use of resources, quality and value.
- The legal team demonstrates stronger capability, engagement, accountability, collaboration and succession depth.
- Leaders across Eastern Health show improved legal literacy and confidence in identifying, escalating and managing legal and governance issues.

3. SAFE PRACTICE AND ENVIRONMENT

Eastern Health is a child safe organisation, committed to promoting the wellbeing and cultural safety of Aboriginal children, children with disabilities and all children in their diversity. Further information is available on Eastern Health's Child Safety webpage.

Occupational Health and Safety

Eastern Health is committed to providing and maintaining a working environment for all staff that is safe and without risk to health. All staff must take reasonable care of their own health and safety and the health and safety of any other person who may be affected by their acts or omissions in the workplace. Staff must understand their responsibilities and accountabilities to themselves and others in accordance with occupational health and safety legislation and Eastern Health policies, and promote a working environment consistent with these requirements. This includes reporting all clinical and OHS incidents and near misses, particularly those related to occupational violence, manual handling, slips, trips and falls.

Staff are required to comply with all applicable Victorian legislative requirements, including the Occupational Health and Safety Act 2004 and the Workplace Injury Rehabilitation and Compensation Act 2013.

4. TRAINING AND DEVELOPMENT

Relevant, practical and timely education should direct, facilitate, enhance and support the professional growth and practice of employees in a health environment characterised by change. All programs should endeavour to promote evidence-based practice, a problem solving approach and to be competency based.

You are expected to participate in the personal development process on an annual basis.

5. QUALITY

As a staff member of Eastern Health staff are required to comply with Eastern Health performance standards and participate in continuous monitoring and improvement as part of your role. You are also required to comply with legislation, professional standards and accreditation standards.

As a staff member employed by Eastern Health services you must have and maintain the appropriate skills and knowledge required to fulfil your role and responsibilities within the organisation. In addition, you must ensure that you practice within the specifications of this position description, and where applicable within the agreed scope of practice.

You are responsible for ensuring safe, high-quality care in your work. This includes complying with best-practice standards, identifying and reporting any variance from expected standards, and minimising the risk of adverse outcomes and patient harm. You must also ensure that service and care is consistent with Eastern Health's approach to patient- and family-centred care.

6. CONFIDENTIALITY

Any information obtained in the course of employment is confidential and must not be used for any purpose other than the performance of the duties for which the person was employed. Staff must comply with applicable privacy and health-records legislation, including the Privacy and Data Protection Act 2014 and the Health Records Act 2001.

7. EQUAL EMPLOYMENT OPPORTUNITY

You agree to adhere to the Equal Employment Opportunity policies and practices of the Health Service. Discriminatory practices, including sexual harassment, are unlawful. The Health Service will not tolerate discriminatory behaviour, and any such conduct may lead to the invoking of the Disciplinary Policy and Procedure, which may result in termination of employment.

Our commitment to Diversity, Equity & Inclusion

Eastern Health is committed to creating a diverse and inclusive environment that welcomes and values all people. We recognise that diversity is essential in ensuring Eastern Health provides the best service to its consumers.

Aboriginal and/or Torres Strait Islander peoples, people from the LGBTIQ+ community, people living with disability and those from a culturally and linguistically diverse background, are strongly encouraged to apply.

Further information is available on Eastern Health's Diversity, Equity and Inclusion webpage.

8. PERFORMANCE DEVELOPMENT

A Performance Review, that includes agreed targets, will occur three (3) months from commencement and then annually on the basis of the duties and responsibilities outlined in this position description. This is an opportunity to review personal and the allocated work unit's service performance, facilitated by the setting of objectives/goals and ongoing evaluation of performance and achievement. Objectives will be developed annually, documented, discussed and agreed with the immediate line manager, who will act as the assessor. The incumbent is expected to demonstrate and show evidence annually of on-going self and allocated work unit's service development.

9. EASTERN HEALTH'S PROMISE

Our promise to our communities, patients, consumers and staff is that we will be **HEALTHIER TOGETHER**. Bolder than a vision for the future, our promise calls us to action. We know that working together is the only way we can achieve what is necessary for a healthier future.

Our values are ones in action and are the behaviours that matter most.

- Respect for All: Engages candidly and respectfully, listens to different perspectives and maintains dignity and fairness in difficult matters.
- Safe and Welcoming: Contributes to physical and psychological safety, supports speaking up and ensures legal processes are fair, clear and trauma-aware.
- Partnering in Care: Works with leaders, clinicians, staff, patients, consumers and partners to shape practical solutions and better outcomes.
- Innovate, Learn and Lead: Anticipates change, tests better approaches, learns from matters and enables others to exercise sound judgement and accountability.

Learning from the challenges of the past and looking to the future, we understand that we are building towards a more engaged, more reliable, always safe health service in partnership with our people to improve every day.

10. ATTACHMENTS

- Attachment 1 Key Selection Criteria

11. NOTE

This position description describes the general nature and level of the role. It is not an exhaustive list of all duties. Accountabilities may be adjusted following consultation to reflect organisational requirements, provided they remain consistent with the purpose and level of the position.

The role's priorities and measurable objectives will be agreed with the Chief Executive through the annual performance and development process.

Prior to accepting any offer of employment, prospective employees will be required to read and commit to the Eastern Health Code of Conduct, including (but not limited to) issues of Occupational Health and Safety, Equal Opportunity and Confidentiality.

Healthcare workers are strongly recommended to follow COVID vaccination recommendations provided in the [Australian Immunisation handbook \(based on ATAGI advice\)](#). Seasonal vaccination against influenza is a mandatory requirement of this role and employment is conditional on this being up to date prior to employment.

Position description version: August 2026

Signed: _____

Date: ____/____/____

Manager

INCUMBENT STATEMENT

I _____ (Incumbent Name) have read, understood and accepted the above Position Description and associated Attachments.

Signed: _____

Date: ____/____/____

ATTACHMENT 1

KEY SELECTION CRITERIA

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Essential

Mandatory qualifications and professional standing

- Tertiary qualification in law and admission as an Australian legal practitioner.
- Current Victorian practising certificate, or eligibility to obtain one, appropriate to the requirements of the role.
- Substantial senior-level post-admission experience, including demonstrated experience advising a Board, Chief Executive and senior executives on matters of significant enterprise impact at Executive General Counsel, senior in-house, partner or equivalent level.
- Demonstrated record of professional integrity, independence and sound ethical judgement.

Experience and professional capability

- Extensive experience providing strategic legal and governance advice to a Board, Chief Executive and senior executives in a large, complex and highly regulated organisation.
- Demonstrated breadth across the legal, governance, regulatory and organisational issues relevant to a large, complex public health service, with the capacity to integrate specialist advice into coherent enterprise-level recommendations.
- Demonstrated leadership of significant organisational, commercial, regulatory, contentious or transformation matters with material enterprise impact.
- Strong understanding of corporate and public sector governance, statutory decision-making, probity, delegations, assurance and the operating environment of government-funded services.
- Demonstrated ability to build and lead an effective legal function, develop people, improve service delivery and manage external providers and expenditure.

Leadership capabilities

- Enterprise judgement: Makes sound decisions in ambiguous and high-stakes circumstances; sees beyond the immediate legal question and weighs legal, clinical, commercial, ethical, government, stakeholder and reputational consequences.
- Executive influence: Builds credibility quickly, communicates with clarity and brevity, and can persuade, challenge and gain commitment at Board and executive level.
- Emotional intelligence: Demonstrates self-awareness, composure and relational judgement; reads organisational context, listens carefully and adapts their approach while maintaining integrity and candour.
- Courage and independence: Raises difficult issues early, provides frank advice and maintains professional independence, including when under pressure or when views are contested.
- Strategic partnership: Works alongside leaders to shape solutions and enable outcomes; balances protection of the organisation with practical progress and service delivery.
- Systems leadership: Connects issues across organisational boundaries, creates shared ownership and builds sustainable governance and capability rather than relying on individual intervention.
- People leadership: Sets a clear direction, develops capability, creates accountability and fosters an inclusive, respectful and high-performing team environment.
- Communication: Distils complexity into clear recommendations and tailors communication appropriately for directors, executives, clinicians, staff, government and external stakeholders.

Desirable

- Experience in health, government or another comparably complex regulated environment is highly desirable.

Aboriginal & Torres Strait Islander Candidates

Eastern Health's Aboriginal Workforce Plan 2023 – 2026 was released in February 2023. With a strong focus on cultural safety and belonging, actions included in the Workforce Plan provide practical supports for all Aboriginal and/or Torres Strait Islander staff.

An Aboriginal Employment Coordinator is available to ensure each person has culturally safe and positive employee experiences which foster belonging and access to diverse experiences and career pathways. Should you require further information regarding this position or support to complete an application, please contact the Recruitment Manager for this position or Eastern Health's Aboriginal Employment Coordinator at Aboriginal.Workforce@easternhealth.org.au