



National Student Financial Aid Scheme

Job Specification & Recruiting Profile of Vacancy

22 April 2022

The following vacancy exists at NSFAS in Cape Town.

Position	Legal Lead	Type & Grade	Market Related (Permanent)
Vacancy No	03 of 2022/23	Department & Unit	Office of the Chief Executive Officer

POSITION OVERVIEW:

The main purpose of the job is to manage the legal services and provision of legal advisory services in support of NSFAS' operations. The job is secondly responsible for the effective management of all legal and contractual risks. The job is lastly responsible for all governance related matters in terms of the efficient and lawful administration, including the drafting of regulations where necessary.

RESPONSIBILITIES:

Contribute to Strategic Development for the Department

- Develop and maintain the legal strategy and work plan.
- Collaborate with the risk and compliance to define and maintain the compliance universe, compliance management processes and drive implementation
- Manage the legal service budget

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- Work across the GRC unit to strengthen the unit overall and contribute to its overall success (not just that of legal services).
 - Provide input into budget and ensure budget management.

Legal Services Operations

- Develop, implement and maintain all policies and processes for all legal services
- Support the core operations within the entity from a legal perspective, including the assistance with the drafting of relevant policies (such as the student funding policy), and MOUs with institutions and third parties to enable the work of the operations unit
- Provide labour law advice and compliance where required
- Oversee compliance to PAJA, PFMA, NCA, POPI and NSFAS Act
- Assist with contract enforcement
- Assist and manage contract dispute management
- Drafting of regulations where required
- Handling responses to the media, Parliament or other oversight type bodies
- Providing legal opinions and advice
- Providing legal support to the forensic team
- Providing legal support to the entity generally
- Overseeing and managing the ethics hotline
- Review and provide legal advice on tender documents.
- Participate on the bid evaluation committee to ensure practices followed are in line with legislation.
- Manage ongoing litigation matters and advise management accordingly.
- Liaise with relevant departments, in collaboration with the compliance officer, to ensure that where legal risks have been identified, appropriate courses of action have been taken.
- Provide legal protection and risk management advice to management
- Review and draft contracts, MOUs, and agreements in line with all statutory and/or legal requirements.
- Provide and interpret legal information.
- Conduct training and disseminate appropriate legal requirements to staff.
- Conduct legal research where needed.
- Write the terms of reference when specialist advice from external legal firms is required and manage the relationship with the legal firms to ensure performance. On an ad-hoc basis.

Ensure Compliance, Monitoring, Evaluation and Sound Reporting.

- Use of approved reporting templates and tools and make recommendations for improvements over time.
 - Submit legal reports timeously and to required standards.
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Leading High-Performance Teams

- Set, control and report on key performance areas and performance contracts.
- Coach, mentor and train the team and develop reports for performance improvement, career progression and recognition purposes.
- Maintain compliance, consistency, and take corrective action when needed.
- Participate in HR and organisational recruitment processes.

Legal Services Impact and Reporting

- Report on all legal services activity at agreed intervals
- Report on legal outcomes
- Collaborate with other units in order to bring about recommended changes to the legal compliance landscape, such that line one and two are strengthened
- Provide input and advice as follows (this is not exhaustive and is to be used as a guide:
 - Business improvements opportunities
 - Risk and compliance matters
 - Regulatory matters
 - Forensic matters
 - Governance matters
 - General legal compliance improvements

DESIRED SKILLS AND EXPERIENCE

Minimum requirements:

- LLB
 - Admitted Attorney or Advocate
 - At least 10 years' experience in the legal profession, of which at least 5 at a management level
 - Must demonstrate a multi-disciplinary legal experience across some or all of the following:
 - Sound understanding of PAJA and its application and compliance thereto
 - Contract drafting and management
 - Sound understanding of government supply chain regulations and requirements
 - Labour law advice and compliance
 - Compliance management
 - PFMA compliance
 - Contract enforcement
 - Dispute management
 - Drafting of regulations
 - Handling responses to the media, Parliament or other oversight type bodies
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- Litigation
 - Track record of having provided legal opinions

Preferred:

- MBA
- LLM qualification
- 12 years' experience in a similar role.
- In addition to the above:
- In depth understanding of development finance, credit, contract and labour legislations
- Consumer Credit Act
- In depth understanding of the King Code on Governance particularly in a public entity context
- Good network with other financial services providers and structures
- Exposure to Higher Education
- Understanding of management processes in higher education institutions
- In depth knowledge of relevant legislation applicable to Public Entities
- Exposure to union negotiations

Skill and Competencies:

- Stress tolerance
- Multitasking
- Planning skills
- Problem solving
- Innovation
- Analytical thinking
- Integrity
- Change management skills
- Written and verbal communication skills
- Management skills
- Resilience
- Time management
- Commercial acumen
- Negotiation and persuasion skills

Computer skills required:

- MS Word – Advanced
 - MS Excel – Advanced
 - MS Power Point – Advanced
 - MS Outlook – Advanced
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REMUNERATION & BENEFITS

Remuneration Package: NSFAS offer a Competitive Remuneration Package.

Total Cost to Company per annum inclusive of all benefits and company contributions.

PLEASE NOTE

Closing date: 06 May 2022

Interested applicants must complete an **Employment Application Form** available on the NSFAS website together with a detailed Curriculum Vitae, copies of academic qualifications, and names of three contactable referees to Ms. Fayroes Sherry via email jobs@nsfas.org.za. NSFAS does not consider late applications. Staff on Leave must ensure that they check the NSFAS portals for advertised vacancies and familiarize themselves with the respective closing dates. NSFAS only corresponds with Shortlisted Candidates. If you do not hear from NSFAS within 2 months of the closing date, please consider your application unsuccessful.

Please note the following contact details are for enquiries about **JOB CONTENT ONLY** and **NOT** for application purposes.

Enquiries: Email: fayroess@nsfas.org.za

**** NSFAS committed to employment equity. Preference will be given to candidates who improve employment equity considerations ****

“NSFAS is committed to providing equal opportunities and practicing affirmative action employment. It is our intention to promote representivity (race, gender, disability) in the organisation through filling of this position and candidates whose appointment will promote representivity will receive preference.”
