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| --- | --- |
| **Cluster** |  |
| **Agency** |  |
| **Division/Branch/Unit** |  |
| **Classification/Grade/Band** | Clerk Grade 11/12 |
| **Role number** |  |
| **ANZSCO Code** |  |
| **PCAT Code** |  |
| **Date of Approval** |  |
| **Agency website** |  |

Agency overview

Primary purpose of the role

The Manager Contracts manages commercial contracts from award to completion, including supplier relationship development, contract performance and risk management, to achieve value for money and meet stakeholder expectations and business outcomes.

Key accountabilities

* Research, develop and implement frameworks, strategies, systems and solutions to improve the efficiency of the contract management function and enhance supplier relationships and outcomes
* Develop and execute detailed Contract Management Plans, including establishing KPIs and governance structures, risk identification and mitigation, monitoring performance benefits tracking and outcomes reporting, and intervening, where necessary, to achieve the objectives of the contract
* Provide sound advice to procurement professionals and stakeholders on the formulation of contract clauses, as well as strategies to manage supplier performance and development, improve future contract outcomes and build the overall effectiveness of the procurement function
* Establish and maintain stakeholder and strategic supplier relationships to identify and minimise risk, resolve issues as they arise and maximise value from the contract
* Prepare and lead complex and sensitive negotiations for contract variations, contract renewals and claims/disputes to deliver better procurement outcomes and mitigate commercial risks
* Provide leadership, direction and effective management of the Contract Management team to deliver high quality contract management services to the organisation and to build the overall effectiveness of the procurement function

Key challenges

* Ensuring that the highest levels of probity are applied throughout the organisation in developing and managing contracts given the significant value of many contracts and public accountability requirements
* Proactively addressing commercial, contractual, operational, financial, reputational, ethical and supply chain risks associated with the contract, given their potentially high cost to the organization

Key relationships

| Who |  Why |
| --- | --- |
| **Internal** |  |
| Business Unit/Agency Head/Chief Procurement Officer | * Provide expert advice on contract development, management, and performance, and contribute to decision making and formulating strategic direction in the procurement function
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| Manager | * Receive advice and report on progress towards business objectives and discuss future directions
* Provide expert advice and contribute to decision making
* Identify emerging contract issues/risks, their implications, and propose solutions
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| Executive | * Provide expert advice and support on contract development and management to address complex business needs and issues
 |
| Direct Reports | * Lead, direct, manage and support performance and development
* Coach and mentor to develop professional capabilities
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| Stakeholders | * Provide expert advice on contract related issues and strategies
* Optimise engagement to achieve defined outcomes
* Manage expectations and resolve issues
 |
| **External** |  |
| Stakeholders | * Consult on and negotiate the development, management and evaluation of contracts
* Manage expectations and resolve issues
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| Vendors/Service Providers and Consultants | * Consult on the terms and conditions of the contract and contract management plan and explore opportunities to improve contract outcomes
* Address disputes and performance issues
* Negotiate and approve contracts and service agreements and variations
* Manage contracts and monitor the provision of service to ensure compliance with contract and service agreements
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| Other NSW Government Agencies | * Consult on contracts, contract management strategies and issues
* Establish networks to enable performance benchmarking and maintain currency in trends and developments in contract management
* Collaborate on cross agency or whole of government contracts
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| Professional and Sector Associations | * Exchange information on contract management, performance benchmarking, innovation and other matters of mutual interest
* Build professional expertise and networks
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Role Dimensions

Decision making

Reporting line

Direct reports

Budget/Expenditure

Key **knowledge and experience**

**Essential requirements**

# Capabilities for the role

The [NSW public sector capability framework](https://www.psc.nsw.gov.au/workforce-management/capability-framework/the-capability-framework) describes the capabilities (knowledge, skills and abilities) needed to perform a role. There are four main groups of capabilities: personal attributes, relationships, results and business enablers, with a fifth people management group of capabilities for roles with managerial responsibilities. These groups, combined with capabilities drawn from occupation-specific capability sets where relevant, work together to provide an understanding of the capabilities needed for the role.

The capabilities are separated into **focus capabilities** and **complementary capabilities**.

# Focus capabilities

*Focus capabilities* are the capabilities considered the most important for effective performance of the role. These capabilities will be assessed at recruitment.

The focus capabilities for this role are shown below with a brief explanation of what each capability covers and the indicators describing the types of behaviours expected at each level.

| FOCUS CAPABILITIES |
| --- |
| **Capability group/sets** | **Capability name** |  | **Behavioural indicators** | **Level**  |
| Personal Attributes | **Act with Integrity**Be ethical and professional, and uphold and promote the public sector values | Model the highest standards of ethical and professional behaviour and reinforce their useRepresent the organisation in an honest, ethical and professional way and set an example for others to followPromote a culture of integrity and professionalism within the organisation and in dealings external to governmentMonitor ethical practices, standards and systems and reinforce their useAct promptly on reported breaches of legislation, policies and guidelines | Advanced |
| Relationships | **Communicate Effectively**Communicate clearly, actively listen to others, and respond with understanding and respect | Present with credibility, engage diverse audiences and test levels of understandingTranslate technical and complex information clearly and concisely for diverse audiencesCreate opportunities for others to contribute to discussion and debateContribute to and promote information sharing across the organisationManage complex communications that involve understanding and responding to multiple and divergent viewpointsExplore creative ways to engage diverse audiences and communicate informationAdjust style and approach to optimise outcomesWrite fluently and persuasively in plain English and in a range of styles and formats | Advanced |
| **Influence and Negotiate**Gain consensus and commitment from others, and resolve issues and conflicts | Influence others with a fair and considered approach and present persuasive counter-argumentsWork towards mutually beneficial ‘win-win’ outcomesShow sensitivity and understanding in resolving acute and complex conflicts and differencesIdentify key stakeholders and gain their support in advanceEstablish a clear negotiation position based on research, a firm grasp of key issues, likely arguments, points of difference and areas for compromiseAnticipate and minimise conflict within the organisation and with external stakeholders | Advanced |
| Results | **Deliver Results**Achieve results through the efficient use of resources and a commitment to quality outcomes | Use own and others’ expertise to achieve outcomes, and take responsibility for delivering intended outcomesMake sure staff understand expected goals and acknowledge staff success in achieving theseIdentify resource needs and ensure goals are achieved within set budgets and deadlinesUse business data to evaluate outcomes and inform continuous improvementIdentify priorities that need to change and ensure the allocation of resources meets new business needsEnsure that the financial implications of changed priorities are explicit and budgeted for | Adept |
| **Think and Solve Problems**Think, analyse and consider the broader context to develop practical solutions | Undertake objective, critical analysis to draw accurate conclusions that recognise and manage contextual issuesWork through issues, weigh up alternatives and identify the most effective solutions in collaboration with othersTake account of the wider business context when considering options to resolve issuesExplore a range of possibilities and creative alternatives to contribute to system, process and business improvementsImplement systems and processes that are underpinned by high-quality research and analysisLook for opportunities to design innovative solutions to meet user needs and service demandsEvaluate the performance and effectiveness of services, policies and programs against clear criteria | Advanced |
| Business Enablers | **Procurement and Contract Management**Understand and apply procurement processes to ensure effective purchasing and contract performance | Ensure that employees and contractors apply government and organisational procurement and contract management policiesMonitor procurement and contract management risks and ensure that this informs contract development, management and procurement decisionsPromote effective risk management in procurementImplement effective governance arrangements to monitor provider, supplier and contractor performance against contracted deliverables and outcomesRepresent the organisation in resolving complex or sensitive disputes with providers, suppliers and contractors | Advanced |
| People Management | **Optimise Business Outcomes**Manage people and resources effectively to achieve public value | Initiate and develop longer-term goals and plans to guide the work of the team in line with organisational objectivesAllocate resources to ensure the achievement of business outcomes and contribute to wider workforce planningWhen planning resources, implement processes that encourage the attraction and retention of people of diverse cultures, backgrounds and experiencesEnsure that team members base their decisions on a sound understanding of business and risk management principles, applied in a public sector contextMonitor performance against standards and take timely corrective actionsKeep others informed about progress and performance outcomes | Adept |
| **Occupation specific capability set** |
| Procurement | **Procurement Risk Management**Identify, assess and mitigate procurement risks | Develop risk mitigation strategies for complex procurement arrangementsProactively keep abreast of risk management processes and effectively use systems and practices to input to project risk logs and opportunity assessment activities within own teamDevelop risk mitigation strategies for complex and large procurement projects, ensure appropriate ownership of risk between the organisation and the supplier (i.e. allocation of risk where it is best managed)Champion compliance as a key procurement risk mitigation strategy | Level 3 |
| **Supplier Relationship Management**Establish constructive and innovative strategic relationships based on driving value through appropriate long term relationships | Consult throughout the organisation to support the development of strategic and high risk contracts and supplier relationshipsEstablish strong supplier relationships with strategic suppliers at a strategic levelIdentify sources of value through the supplier relationshipTake action to realise identified opportunitiesLead supplier development activities for key suppliers and market segments to meet the needs of the organisationDevelop frameworks to identify and track benefits through supplier relationshipsEstablish mechanisms to ensure supplier relationships are effectively governed both within and outside of the procurement function | Level 4 |
| **Contract Management**Effectively manage the performance of suppliers through robust contract frameworks, successfully delivering contractual obligations | Establish mechanisms to ensure contracts are effectively governed both within and outside of the procurement functionManage and adjust complex and strategic contracts to meet the intent of the business need and continue to add valueDevelop the overall plan for contract administration and set priorities and targets for renewal and extensions based on the business needs and market conditionsLead expert reference groups for key areas of spend and effectively work with business partners to support procurement programs and supply chain initiativesLead the development and implementation of innovative performance and measurement metrics and incentive schemesIdentify and mitigate variation and change claims which arise, and resolve conflict with suppliers | Level 4 |

# Complementary capabilities

*Complementary capabilities* are also identified from the Capability Framework and relevant occupation-specific capability sets. They are important to identifying performance required for the role and development opportunities.

| COMPLEMENTARY CAPABILITIES |
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| **Capability group/sets** | **Capability name** |  | **Description** | **Level**  |
| Personal Attributes | Display Resilience and Courage | Be open and honest, prepared to express your views, and willing to accept and commit to change | Adept |
| Manage Self | Show drive and motivation, an ability to self-reflect and a commitment to learning | Adept |
| Value Diversity and Inclusion | Demonstrate inclusive behaviour and show respect for diverse backgrounds, experiences and perspectives | Intermediate |
| Relationships | Commit to Customer Service | Provide customer-focused services in line with public sector and organisational objectives | Adept |
| Work Collaboratively | Collaborate with others and value their contribution | Adept |
| Results | Plan and Prioritise | Plan to achieve priority outcomes and respond flexibly to changing circumstances | Adept |
| Demonstrate Accountability | Be proactive and responsible for own actions, and adhere to legislation, policy and guidelines | Adept |
| Business Enablers | Finance | Understand and apply financial processes to achieve value for money and minimise financial risk | Adept |
| Technology | Understand and use available technologies to maximise efficiencies and effectiveness | Intermediate |
| Project Management | Understand and apply effective planning, coordination and control methods | Adept |
| People Management | Manage and Develop People | Engage and motivate staff, and develop capability and potential in others | Adept |
| Inspire Direction and Purpose | Communicate goals, priorities and vision, and recognise achievements | Intermediate |
| Manage Reform and Change | Support, promote and champion change, and assist others to engage with change | Intermediate |
| **Occupation specific capability set** |
| Procurement | Legislative and Policy Environment | Ensure that the planning, management and delivery of procurement outcomes is fully consistent with all relevant legislative, probity and policy requirements | Level 3 |
| Contract Law | Prepare, confirm and approve concise and complete contractual documentation and protect the organisation’s commercial position in areas such as liabilities, indemnities, insurances and warranties | Level 4 |