CoR and Safety Management Systems

May 2019

Agenda

1. Safety obligations under the HVNL
2. Safety Management Systems (SMS)
3. SMS - Guides, Templates and Examples
4. Other support material

Safety obligations under the HVNL

1

Safety duties

The safety of transport activities relating to a heavy vehicle is the shared responsibility of each party in the Chain of Responsibility for the vehicle.

The responsibility depends on the function the person performs, the nature of the risk and the person's capacity to control, eliminate or minimise the risk.

Primary duty

Each party in the Chain of Responsibility (CoR) must ensure, so far as is reasonably practicable, the safety of their transport activities.

Employer	Prime Contractor
Operator	Scheduler
Consignor	Consignee
Packer	Loading Manager
Loader	Unloader

Primary Duty - So far as is reasonably practicable

Reasonably practicable means something that is, or was at the time, reasonably able to be done to ensure health and safety.

Duty of executive of legal entity

Executives of legal entities must exercise due diligence to ensure the safety of the legal entity's transport activities.

- ✓ Understand the hazards and risks associated with your transport activities
- ✓ Have appropriate resources to eliminate/minimise hazards and risks
- ✓ Respond to information received about your hazards and risks in a timely manner and verify that your resources are provided, used and implemented

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Prohibited requests and contracts

A person must not enter into contracts or arrangements that encourage, reward or give incentives to the driver or other parties in the supply chain to breach the law.

Common breaches of safety obligations

- X Applying business practices or demands that cause a driver to breach fatigue management requirements, or speed limits
- X Setting schedules with unrealistic timeframes
- X Causing unreasonable delays in loading and unloading
- X Entering terms in contracts and arrangements that encourage, reward or give incentives to the driver or other parties in the CoR to breach the law
- X Failing to fill out a work diary as required

3rd Party Interactions

When you work with third parties, (clients, contractors etc.) new risks may arise that are beyond the scope of your existing safety system.

Examples of possible questions to ask clients/contractors:

- Does your business have relevant accreditation/certification?
- What is your system to ensure your buses are maintained/roadworthy?
- What is your system for scheduling and rostering drivers and vehicles?
- How does your business ensure drivers are fit for duty?

Safety Management Systems

2

What is a Safety Management System (SMS)?

An SMS is a documented systematic approach to managing safety, including the necessary organisational structures, accountabilities, policies and procedures – integrated throughout the business.

SMS | SAFETY MANAGEMENT SYSTEMS

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Why have an SMS?

- Manage your safety responsibilities under the HVNL
- Demonstrate your ability to manage risk and ensure safety
- Reduce costs associated with incidents and accidents
- Become an employer of choice and preferred supplier

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Components and Elements of an SMS

- Management commitment
- Safety responsibilities
- Key safety personnel
- Documentation
- Third party interactions

- Hazard identification
- Risk assessment and mitigation/treatment
- Risk monitoring and review
- Incident reporting

- Safety training and education
- Safety communication
- Positive safety culture

- Internal safety investigations
- Safety performance monitoring and measurement
- Change management
- Continuous improvement

SMS - Guides Templates and Examples

3

SMS Checklist

Helps you identify any safety management system elements you may already have in place and enable you to focus on those SMS elements you need to develop.

SMS Checklist

Use this checklist to help you identify which SMS elements you may already have in place.

When you're completing the checklist, it's important to keep in mind the size and complexity of your business. Some of the items may not be applicable to your operations. Additionally, some items may already be partially in place or carried out informally.

Yes – This item is implemented in the business
Partially – Only parts of this item are implemented in the business (perhaps as an informal process)
No – This item is not implemented in the business
Not applicable (N/A) – Not appropriate given the size and complexity of the business

SMS components and elements	Yes	Partially	No	N/A
Safety policy and documentation				
Management commitment				
Does your business have a safety policy that documents the commitment to safety and is supported and signed by the accountable executive officer?	☐	☐	☐	☐
Is the safety policy readily visible to all employees?	☐	☐	☐	☐
Is there a statement in the policy regarding 'just culture' which discourages the business from blaming an individual following an incident and states that disciplinary action is only considered when there is deliberate violation, intentional recklessness, negligent behaviour or wilful misconduct?	☐	☐	☐	☐
Does your business have sufficient resources (financial, human, material) to support the SMS?	☐	☐	☐	☐
Has your business identified and documented safety objectives which support the safety policy?	☐	☐	☐	☐
Are the safety objectives measurable?	☐	☐	☐	☐
Are the safety objectives periodically reviewed to ensure ongoing relevance?	☐	☐	☐	☐
Safety responsibilities				
Are the roles and responsibilities of managers relating to the SMS documented (e.g. safety manager, transport manager, training manager)?	☐	☐	☐	☐
Are roles and responsibilities relating to the SMS for all employees in the business clearly documented in position descriptions?	☐	☐	☐	☐
Is everyone in your business clear about their safety duty obligations as a party in the Chain of Responsibility (CoR) under the Heavy Vehicle National Law (HVNL)?	☐	☐	☐	☐

Quick Guides

Short, easy to read format, answering:

- **What?**
- **Why?**
- **How?**

Topics include risk registers, hazard and incident reporting

Step 1. Identify hazards

Identify anything that could potentially cause harm or loss.

What is a hazard?

A hazard is anything with the potential to cause harm or loss.

How do I identify hazards?

An effective way to identify hazards is to look for them continually, and to get people both inside and outside your business to tell you when they come across one.

Hazards can include a wide range of things, such as:

- physical objects that are clearly visible, like bald tyres
- behaviours, like rushing to load a vehicle
- a management practice, such as not providing employees with proper training.

Record in the risk register

Every time you identify a hazard, record it in the **Identify hazards** column of your risk register.

Step 2. Assess risk

Consider how the hazard or risk could cause harm or loss.

What is risk?

Risk is the possibility that harm or loss might occur when someone or something is exposed to a hazard. When you assess a risk, you're trying to determine how the hazard could create harm or loss.

How do I assess risks?

Think about the following questions:

- Who could be harmed by the hazard?
- What situation could the hazard cause harm or loss in?
- Where could the hazard cause harm or loss?
- When could the hazard cause harm or loss?
- Why would the hazard cause harm or loss?

The worked examples in the *Risk Register – Worked Examples (Basic)* illustrate how various hazards could cause harm or loss.

Record in the risk register

Record the risk(s) created by the hazard in the **Assess risk** column of your risk register. You can also comment on how much of a risk you think the hazard presents.

Templates

Insert Logo Here

- Editable Microsoft Word documents
- Insert your own logo
- Modify to meet your business needs

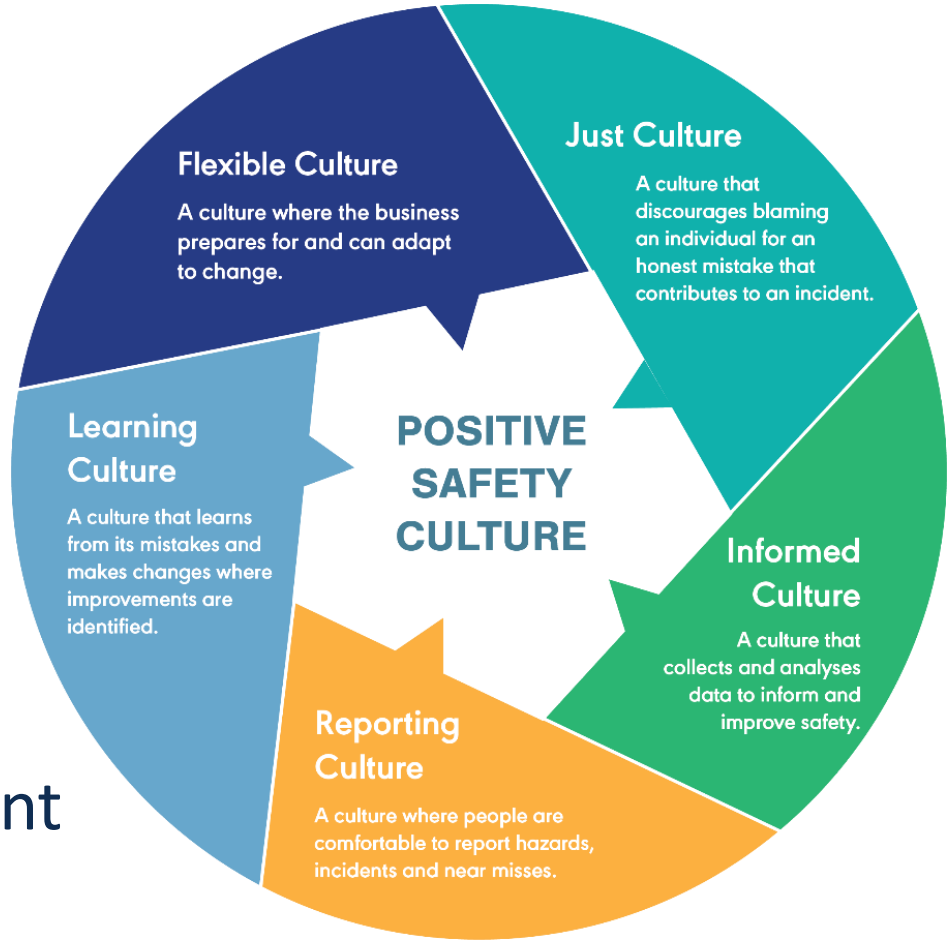
Step 1. Identify hazards	Step 2. Assess risk
Identify anything that could potentially cause **harm** or **loss**.	Consider how the hazard or risk could cause **harm** or **loss**.
< Identify hazards and record them in this column. >	< Record the risk(s) created by the hazard in this column. You can also make notes of how much of a risk you think something is. >
Transport activities	
Fatigue	
Speed	
Mass	
Dimension	
Loading	

Worked examples

Step 1. Identify hazards	Step 2. Assess risk	Step 3. Identify existing controls	Step 4. Treat risk	Step 5. Monitor and review
Identify anything that could potentially cause **harm** or **loss**.	Consider how the hazard or risk could cause **harm** or **loss**.	Look at your existing controls to **eliminate** or **minimise** the risk so far as is reasonably practicable.	Try to eliminate the risk first but, if that's not possible, put **additional controls** in place to minimise the risk so far as is reasonably practicable.	**Regularly** monitor and review the controls you've put in place to make sure they're working as planned.
Dimension				
Vehicle load is over dimension.	• The load could hit another road user, pedestrian or piece of infrastructure (e.g. bridge, street sign or building).	• Loads are carried on appropriate vehicles with necessary permits. • Load dimension is inspected before journey departure.	• Drivers and loaders are trained in dimension limits.	• Check annually that all driver and loader inductions and training are up-to-date. • Investigate any instances where a vehicle or load is over dimension.
Loading				
Incorrect load restraint	• The load could fall from the vehicle and hit another road user or pedestrian or fall on the driver or person unloading.	• The load restraint procedure reflects standards in the *Load Restraint Guide*. • Drivers and loaders are trained in correct load restraint procedure at induction and at regular toolbox talks.	• Load restraint is checked prior to departure and during the journey.	• Check annually that all driver and loader inductions and training are up-to-date. • Check a sample of loads once a fortnight to make sure they are properly restrained.
Vehicle standards				
Operating an unroadworthy vehicle	• The vehicle could cause an accident or be unable to avoid an accident.	• Vehicles are serviced and components replaced within manufacturer specifications, or sooner if a fault is found.	• Drivers complete a daily check on their vehicle before starting a journey. • Drivers report identified faults on their vehicle before starting or during a journey.	• Check records every week to make sure all daily checks are being completed. • Check vehicle maintenance records every quarter to make sure all vehicle servicing is up-to-date.

Latest releases

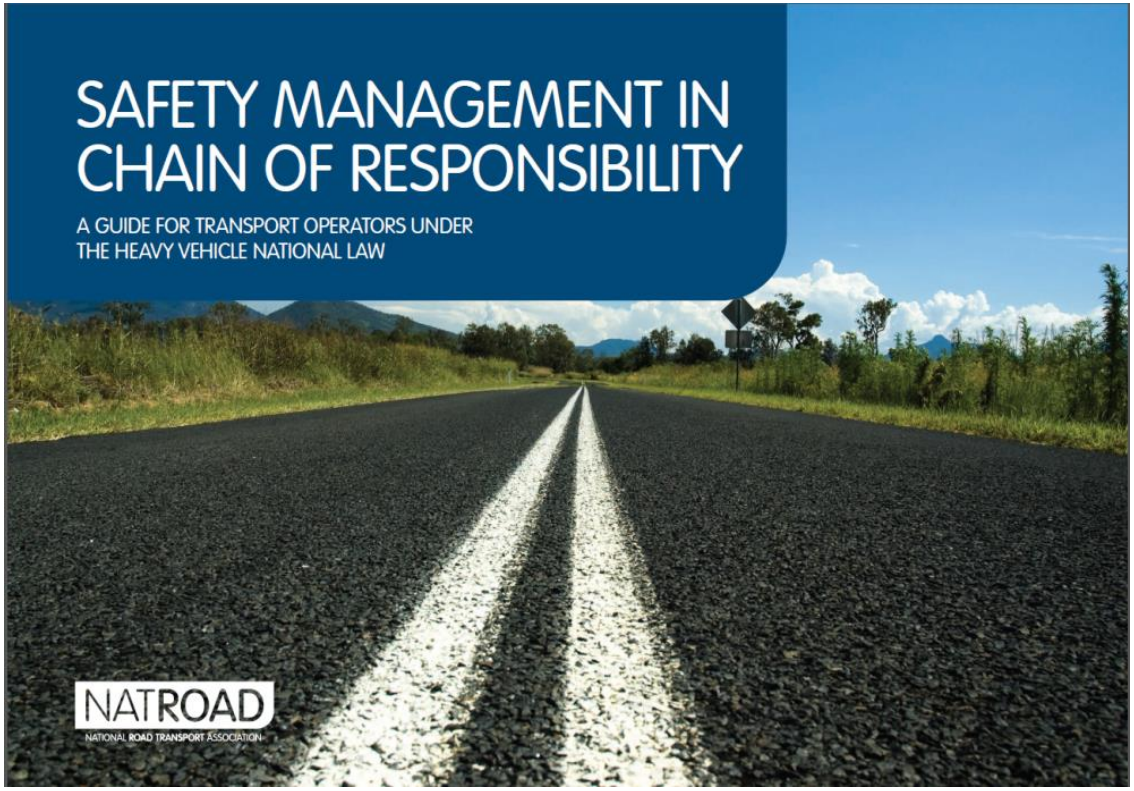
- Positive Safety Culture
- Developing Procedures
- Third Party Engagement
- Monitoring & Measurement
- Safety Alerts & Bulletins



Other support material

5

Other sources of information and support



Where can I get more information?

For information and tools to help you develop a Safety Management System for your business, visit www.nhvr.gov.au/sms

For additional information on the Chain of Responsibility visit www.nhvr.gov.au/cor

QUESTIONS?

brett.staker@nhvr.gov.au