

Hines Refrigerated Transport
Commitment Statement
To comply with
Heavy Vehicle National Law
And
Chain of Responsibility Duties

Our intent is to achieve



Along the supply chain

Heavy Vehicle National Law (HVNL) and chain of Responsibility (CoR)

Chain of Responsibility (CoR) is a **concept**.

CoR is about being responsible and liable for your actions and/or inactions (acts or omissions) that affect other persons.

The concept is not new and has been applicable in the Occupational Health Safety (OHS) and Work Place Health Safety legislations for some time.

The concept started its transition into state transport laws with the implementation of the Compliance and Enforcement bill (C&E) 2003. So CoR is not new.

CoR is commonly expressed as:

Control or influence = Responsibility = Legal Liability

The National Heavy Vehicle Regulator (NHVR) has been responsible for HVNL since the transition in 2014.

The **HVNL 2016 amendment** is forecasted for implementation from 1st October 2018.

The amendment introduces the **Primary Duty of Care** approach and aligns HVNL much closer the WHS laws. For many companies, this is allowing an ***integration of compliance and safety systems***.

The following is a quote from the NHVR on managing the amendment

- ***“CoR laws will focus on managing risk, however, they will give you more flexibility to install measures tailored specifically to your business and to prevent breaches of transport law.*”**
- ***The basis for the new law is a primary duty: an obligation to eliminate and minimise public risks by doing everything reasonable to ensure transport-related activities are safe.***
- ***In order to align with national workplace health and safety law, the primary duty obligation will be assessed against the “so far as is reasonably practicable” test, rather than the “reasonable steps” standard.”***

End of quote

As we can all see the focus and requirement for compliant risk assessments clearly matched to achievable outcomes is paramount in verifying a *Reasonably Practicable* test

Therefore, our first commitment is Risk based

An overview of what our compliance system encompasses

Our compliance system is electronic based and has the following folders

- Master control
- Company commitments and policies
 - Company operating standards that include Quality system operations
 - HV fatigue
 - HV speed
 - HV loading
 - HV maintenance
- Risk assessments that include
 - HV fatigue
 - HV speed
 - HV loading
 - HV maintenance
- Records and registers to support the standards including Non-conformance management
- Templates
- Compliance library
- Archive documents

We verify compliance by reviewing and addressing each cell in the CoR Assurance matrix

CoR hazards as per HVNL and supporting regulations	QA Systems with * Hazard ID * Risk Assessment & Procedures	Clear Responsibilities & Authorities	Documented Training for all risks and VoC completion	Documents to demonstrate, recording, review and monitoring	Non-conformance system for all CoR risks and incidents
Fatigue Chapter 6					
Speed Chapter 1					
Mass Chapter 4					
Dimension Chapter 4					
Load Restraint Chapter 4					
HV maintenance					
Commercial arrangements chapter 1 and 6					
Load site safety (WHS)					

Each **standard** contains

- A commitment statement, which is policy for what we will do
- Purpose
- Scope
- Definitions
- Responsibility overview
- Operational processes
- Non-conformance process
- References and review

The **quality system standard** scope includes all compliance standards.

This standard includes processes for:

- Training and competency
- Responsibilities
- Internal review and executive reporting
- Record keeping
- Non-conformance and incident management

All standards are supported by records and registers

All commitments and standards are aligned with HVNL which achieves CoR compliance along the chain.

Our risk-based approach commitment includes

- Detailed risk assessments completed in align with AS/NZS 4360
- Performed in context of
 - Prime Contractor
 - Operator of the vehicle
 - Scheduler
 - Employer of the driver
- Actions based on HVNL duties and reflected in our standards
- Quarterly review or if there is a law/task change
- Major annual review
- Internal stakeholder involvement and communication

Commitments in our Fatigue and Speed standard include

- Compliant rosters which forecast the drivers work
- Compliant schedules for 100+k work as defined by HVNL
- Verifying drivers work and rest
- Only engaging in commercial terms that are compliant and place no pressure or incentives on drivers to speed, drive fatigued or breach any other road rule
- Providing drivers with a “stop the job” authority
- Use of telematics
- Supply chain consultation
- Clear consequence and frequency matrix for speed monitoring and discipline

Commitments in our loading standard include

- Driver induction and Verification of Competency to perform tasks
- Mass controls and load plans
- Defining the following for each combination
 - Tare weight
 - GCM
 - Allowable GCM
 - Axle mass compliance (including FUPS)
 - Operational tare weight (tare weight with fuel, driver etc)
 - Legal pay-load
- Load containment and restraint processes

Commitments in our maintenance standard include

- Pre-start checks
- Fault recording, report and repair
- Defines serious and safety faults
- Scheduled servicing as per manufacturers recommendation
- ADR65 compliance in service schedules
- Providing drivers with a “stop the job” authority

Commitments in our quality system standard include

- Responsibilities recorded in all standards and in the responsibility and authority matrix
- Training processes and maintenance of the Training needs Analysis
- Internal reviews and executive reporting including;
 - Quarterly compliance reports
 - Quarterly and annual risk assessment reviews
 - External CoR assurance due Diligence by qualified third party
- Record keeping processes
- Incident and non-conformance management
- Legislation amendment register

Our commitment is:

- To be a responsible corporate citizen that manages transport risks to As Low as Reasonably Practical
- Operate as a low supply chain risk and public risk
- Continually review and improve
- Realize compliance and safety is a constant improvement process

Robert's quote

We started our compliance and safety journey based on good attitude but lacked documentation. It is a long journey involving upskilling and resourcing. We still have more to do, but we now have a sound base to continue. Put simply, we do not want to harm anyone.

Robert Hines