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There will always be a need for our services!





Chain of Responsibility

- Chain of Responsibility is all about SAFETY
- Control = accountability
- 10 key elements
 - Legal compliance
 - OH&S/WHS Risk assessment and compliance
 - Fatigue management
 - Communication
 - Safe loads (preparation, restraint/containment, mass & dimensions)
 - Speed management
 - Equipment
 - Driver health – drug/alcohol free workplace
 - Subcontractor assessment
 - Operational infrastructure



Chain of Responsibility

New laws come into play in July 2018

Changes:

- Positive Duties approach
- Tiered level of sanctions based on breach classification/severity
- Aligned with OH&S sanction model
- Roadworthiness now included in scope of C.o.R.



Case Study 1



Company 1 – Part 1

- Waste management company - 2014
- Multiple locations – Location of interest one site eastern suburbs. (one workshop – central)
- Intelligence reports indicated substantial roadworthy issues
- WorkSafe involved - verifying systems not working
- Whole fleet inspected at that site – all defected, major issues identified.
- Other sites drawn into the process



Company 1 – Part 1

- Management issues identified where work paid for but not done, seen as underlying problem.
- Focus by VicRoads on **prosecution**
- Considerable resources focussed on evidence gathering, brief preparation, categorisation of charges
- Considerable time and effort with legal council on both sides during brief preparation stage
- Court case was scheduled over two days with barristers and attending solicitors, leading to extended costs.



Company 1 – Part 1

What did this process achieve?

- Company conviction
- Fine - \$8,000
- Because of inspection process and roadworthy clearance process, all vehicles were returned to service in a roadworthy condition



Company 1 – Part 1

What did this process **NOT** achieve?

- Culture within organisation to have a roadworthy fleet
 - Accountability & responsibility
- Systems to manage process
- Costs to VicRoads – Legal \$3,000
- Complacency within organisation – vehicles now OK at this point in time.

**In retrospect - Did not achieve long term
Compliance**



Case Study 2



Company 2

- Waste management company - 2015
- Primary locations – east and west of Melbourne
- Two workshops
- Company involved in workplace deaths caused by an unroadworthy vehicle in another state (brake failure)
- Work Place Health and Safety organisation instigated action
- Initial fleet inspection found numerous faults and major defects on vehicles at both sites
- Inspection's led to removal of fleet from network – Voluntarily by company on our request.



Company 2

What was the outcome we were looking for, long term?

Compliance!

Questions that need to be considered.

What did we do before? Did it work? Do we need to change our thinking?

Have companies in the previous paradigm changed their behaviour? Or do they continue to re offend...



Company 2

Answer – YES → so we needed to re-assess.

- re-occurring issues in various forms from a range of companies that we have dealt with over the years.



Company 2

- Discussions with company regarding a formal process to decide how they were going to manage their fleet.
- Issued company a 6 month Improvement Notice with monthly catch up meetings to monitor progress and to provide assistance if required.



Company 2

First Month

1. Priority listing of their fleet – what was the extent of un-roadworthy issues
2. Return to service, schedule
3. Overview of management issues they found
 - Vehicles they did not know they had
 - Break down report – Excessive call outs for breakdowns
 - Customer satisfaction report
 - Many different systems that would not inter relate
4. Company schedule on roll out of new fleet management system



Company 2

Second Month

1. Resources schedule for development and rollout of new system Vic and Eastern seaboard
2. Ongoing report on current fleet
3. Projected savings long term and 'brand' implications



Company 2

Sixth Month

1. Fleet fully operational
2. Fleet management system implemented across all workshops nation wide
3. Culture improvement in the workshops (staff and workshop layout)
4. Push back to dealerships on outsourced work standards – audit regime.
5. Set themselves up for CoR in 2018



Case Study 3



Company 1- Part 2

Revisit of company one from case study one.



Company 1- Part 2

- Intelligence reports on new issues received
- Targeted intercepts to validate information received
- Verified results from on road officers and mechanics.
- Vehicles were traced through the roadworthy system and reinspected two weeks later after being cleared – still with the same defects
- Roadworthy tester visited and has now been removed from accreditation as an LVT (*2 mechanics prohibited, senior company executive prohibited from holding accreditation and the company removed from holding a licence*)
- Company one visited at their offices in regards to their fleet.



Company 1- Part 2

- Heavy vehicles previously inspected removed from service as a group
- Concern raised in regards to the remainder of their fleet in Victoria and in other jurisdictions.
- Improvement notice raised to address failed maintenance system – 6 months with monthly ‘up date’ meetings
- Within first month
 - Plan of action determined
 - Recruiting of person to oversee implementation
 - Additional resource obtained to support recruitment



Company 1- Part 2

- **Ongoing monthly improvement actions on the following topics:**
 - Fleet maintenance management procedures
 - Responsibility and accountabilities
 - Daily checks
 - Fault recording and reporting
 - Maintenance service providers
 - Records and documentation
 - Training and education
 - Outside influences



Company 1- Part 2

- **Outside influences**

Because of the nature of the work they were doing they were able to identify external influences that attributed to damage and un road worthy vehicles – Tipping sites

- **Haul routes** – mud, slush, rubbish, debris, bogged vehicles, damage caused through pulling and pushing combinations out of a bogged situation
- **Tipping areas** – Backing over debris, damaging undercarriage, body work, tyres

All areas concreted and managed now, cleaner vehicles, easier to maintain.



Company 1- Part 2

- Improvement notice concludes in October 2017
- Systems now producing desired outcomes – roadworthy fleet
- Responsibility and accountability matrix in place for overall system and individual actions
- Audit process verifying processes
- Outside influences now addressed resulting in cleaner vehicles easier to work on, less unintended damage by external processes, contented drivers operating in better conditions
- Ongoing positive relationship between operator and VicRoads
- Long term compliance – goal for both organisations



Case Study 4



Company 3

- Concrete company
- Intelligence received and verified by mechanics
- Visit to premises to inspect a sample
- Owner invited us in to inspect rest of fleet
- Considerable issues detected
- Problem identified in company with mechanic
- Voluntary full inspection of fleet with roadworthy certificates
- New mechanic in place - \$100k invested in fleet
- Drivers, operations and mechanic all in tune
- Major cultural change in company



Chain of Responsibility

Summary

1. Chain of Responsibility (CoR) is active NOW for Speed, Fatigue, Mass & Dimension and Load Restraint, with Roadworthiness added in 2018
2. Operators have responsibilities NOW along with drivers under HVNL in the roadworthiness space – This will be enhanced under new CoR laws with Director responsibilities, accountabilities and a new sanction model.
3. If you have the right systems in place, manage accountabilities and independently review your operations you will not have a CoR issue.



Questions?

Section of rear
brake drum

