Frequently Asked Questions

HVCBA Scheme:
Changes from 1 December 2014 and other Scheme Questions
Version 1.0
15/09/2014
1. Introduction

The purpose of the below questions and answers is to assist HVCBA Registered Training Organisations (RTOs) and their Assessors to implement changes that will come into effect from 1 December 2014 and to address other scheme questions that were raised at the recent Roads and Maritime Road Shows and ADTA Big Day Out.

2. In-cabin cameras

2.1 Why are all RTOs and assessors being penalised because one assessor operated illegally?

The introduction of in-cabin cameras is a recommendation of the ICAC. It aims to improve the integrity of the scheme by mitigating the risk of fraud and corruption.

2.2 Will Roads and Maritime contribute financial help?

No. RTOs and/or assessors are responsible for purchasing, maintaining and installing in-cabin video cameras. Roads and Maritime are not responsible for these activities or any associated costs.

2.3 Will Roads and Maritime provide camera specifications?

Yes. Roads and Maritime has piloted its requirements with two participating RTOs. The final requirements are included in a specification (Monitoring Heavy Vehicle Assessments Using In-Cabin Cameras) published on 2 September 2014.

2.4 Will Roads and Maritime recommend cameras?

No. Roads and Maritime does not recommend or prefer certain camera providers.

The requirements are standard of quality cameras and industry should source cameras that meet these requirements.

2.5 Will Roads and Maritime provide training?

No. Cameras generally come with a training manual. Some providers also provide online tutorials and face-to-face training. RTOs are responsible for ensuring their assessors are trained on the use of in-cabin cameras, downloading the video footage and transmission of the video recordings.

2.6 How long do recordings need to be stored?

The initial requirement will be 2.5 years, however this will be monitored and may be revised at a later stage.

2.7 How do recordings need to be stored?

RTOs will own video recordings and be responsible for secure collection, integrity, management, archiving and transmission to Roads and Maritime in accordance with scheme policies, guidelines, procedures and relevant legislation, and any associated costs.

The back-up of video recordings should be secure, for example virtual / cloud storage off-site server, hard disk drive stored in a fire/flood resistant safe. RTOS should choose a storage solution that best meets their business.

2.8 How will we know what to do during the FCA/CT?

Roads and Maritime has developed a new set of guides to support the HVCBA Scheme. Please refer to the HVCBA Guides published on 15 September 2014.

The camera requirements are also detailed in a specification - Monitoring Heavy Vehicle Assessments Using In-Cabin Cameras, published on 2 September 2014.

2.9 What if the camera breaks down or doesn’t work?

Roads and Maritime has established a process for this scenario which has been set out in the specification - Monitoring Heavy Vehicle Assessments Using In-Cabin Cameras, published on 2 September 2014.
In the event that a camera is identified as being not fully functional during the first 20 minutes of the FCA/CT, the FCA/CT must be rescheduled/repeated once the issue is fixed. Subsequent bookings must be made within a minimum of one hour before commencement. The subsequent FCA/CT must be conducted by the same Assessor or 48 hours notice will be required for a change of Assessor.

In the event that a camera is identified as being not fully functional after the first 20 minutes of the FCA/CT, the FCA/CT can be continued. however a Self-Disclosure of Non-Compliance with In-Cabin Camera Requirements form must be completed by the assessor and RTO and submitted to Roads and Maritime by the RTO. The assessor must also include a comment regarding the camera non-compliance in the comments section of HVCORS when entering the assessment results.

2.10 We already use cameras as per requirements of Vic Roads licensing. Will we be required to purchase other cameras to be compliant with NSW requirements? Will the downloading and storage of the information be in line with Vic Roads requirements?

Roads and Maritime has consulted Vic Roads on the implementation of in-cabin cameras in the Victorian scheme. Roads and Maritime considered Vic Roads’ camera requirements and data storage solution.

NSW scheme camera specifications and requirements are similar to Victoria. However the storage solution is different.

All participants under the NSW scheme will need to comply with Roads and Maritime requirements.

2.11 When the camera/GPS system comes into operation, will the 48 hour notice for FCA be retired?

The introduction of in-cabin cameras is one of several audit methods. The requirement for 48 hour notice when booking FCAs is required to enable these strategies to be implemented.

2.12 The introductory assessment script may make applicants nervous and is time consuming. Has Roads and Maritime taken this into consideration?

The scripts have been tested with applicants in real-time FCAs/CTs as part of the pilot recently conducted by Roads and Maritime and the outcome was successful. The introductory assessment script should not take more than three minutes.

2.13 Can the camera requirement be included in the applicant guide and log book so that the applicant knows it is a requirement?

Roads and Maritime is currently reviewing all scheme documents and will be including, where relevant, messages about the scheme changes including the in-cabin cameras and what it means for applicants.

2.14 What should providers or assessors do about applicants that refuse to be filmed?

Providers/Assessors are to advise applicants that their FCA/CT will be filmed and obtain their consent prior to the commencement of the assessment. The FCA/CT must not proceed if the applicant does not provide consent to be filmed.

2.15 What if an applicant does not want to be filmed due to cultural reasons?

Providers/Assessors are to advise applicants that their FCA/CT will be filmed and obtain their consent before starting the assessment. If an applicant can demonstrate that they have bona fide cultural or religious grounds that prohibit them from being filmed, then the Provider/Assessor must refer the matter to Roads and Maritime for consideration which will be on a case by case basis and the FCA/CT must only proceed if Roads and Maritime notifies the Provider/Assessor that the FCA/CT may proceed unfilmed.

2.16 Downloading and sending data of FCA/CT video recording via insecure line within 2 days is difficult. Can Roads and Maritime suggest a solution?

The requirement is that assessors despatch within two days from completion of the FCA/CT, a copy of video recordings to RTOs.

Roads and Maritime recommends use of DVD/USB for transmission of video recordings to RTOs and Roads and Maritime as opposed to electronic transmission via online file upload as this could be time consuming considering the file size.

2.17 The in-cabin cameras are an ICAC recommendation only; there are privacy issues unless it is a law. Can Roads and Maritime provide a response on this?

The in-cabin cameras are an ICAC recommendation and Privacy and other laws apply.
Following an ICAC recommendation, assessments undertaken for heavy vehicle competency are required to be recorded via in-cabin video and GPS technology.

There are privacy and other laws (including the Surveillance Devices Act 2007 (NSW) (notably sections 8 & 9); Workplace Surveillance Act 2005 (NSW) (notably Part 2); and Privacy Act 1998 (Commonwealth) (notably Australian Privacy Principle 5)) governing monitoring and recording of individuals, which is why all Providers/Assessors are responsible for obtaining their own legal advice in relation to ensuring they comply with all relevant laws in relation to the monitoring and recording activities that are required under the Accreditation Agreement.

2.18 In-cabin cameras in a bus - how would it capture both parties where the assessor is sitting on a passenger seat?
You should inform your camera provider of this scenario to ensure the cameras are positioned in such a way that they meet the specifications provided by Roads and Maritime.

2.19 Requirement of CT requiring three seats - Will this be removed with the introduction of camera requirement?
No. There is no change at this stage.

2.20 Will in-house assessors within Roads and Maritime be subject to the camera requirement?
No. The in-cabin camera requirement only applies to RTOs under a HVCBA Scheme Accreditation Agreement.

There are other audit methods in place for Roads and Maritime assessors.

2.21 Can the video footage be 'zipped' and emailed given size?
Roads and Maritime recently conducted a pilot and the size of video recordings captured were around 0.5 GB - 1 GB (colour recordings). DVD and USB were used for transmission. Zipping did not seem to reduce the file size to the extent required for the purpose of email transmission.

The file size is dependent on the compression techniques used during the video file generation process. Roads and Maritime recommends that RTOs and assessors speak to their camera provider and/or an IT solution provider for advice and guidance on this matter.

2.22 If whilst undertaking an FCA/CT, an Assessor notices that the camera has not been working after 12 minutes, can he/she drive to the station and simply start the FCA again?
The procedure as stated in the specification (Monitoring Heavy Vehicle Assessments Using In-Cabin Cameras) stands.

2.23 Whilst undertaking an FCA/CT using an in-cabin camera, what do I do if the GPS signal drops out? This is a likely scenario in Regional NSW.
Roads and Maritime recommends that RTOs and assessors speak to their camera provider to ensure the GPS technology being used is sophisticated enough and is capable of picking up signals in the location (regional or remote) where it is intended for use.

Roads and Maritime understands that the GPS may drop out from time to time and is more likely in metro areas with tall buildings. Roads and Maritime will accept video footage where there are occasional drop outs.
3. New audit approach

3.1 Will in person audits still happen?
Yes. In person audits may happen where our intelligence tells us that it needs to occur.

3.2 How often will Roads and Maritime audit?
Roads and Maritime will undertake scheduled audits of RTOs once every three years at a minimum. Triggered audits can occur at any time.

3.3 How often will Roads and Maritime view video footage?
Roads and Maritime will review video footage during random, triggered and scheduled audits; the frequency of these is yet to be determined.

3.4 Can you explain more about the RTO self-assessment process?
- Self assessments must be submitted on an annual basis by RTOs.
- A notification letter is generated and sent to the RTO six weeks prior to their due date, accompanied by a form.
- If the self assessment is not returned by the due date, a reminder letter is sent the following day allowing the RTO a further three weeks to comply.
- If the self assessment is not received by the date stipulated on the reminder, the RTO accreditation is automatically suspended and a Notice of Suspension is sent and recorded in HVCORS.

3.5 What training will be provided to Registered Training Organisations to ensure effective auditing is carried out?
Roads and Maritime is reviewing auditing requirements to understand the best training approach to be adopted.

3.6 Will things like mischanged gears be looked at when Roads and Maritime audit a video recording?
The purpose of viewing and auditing in-cabin camera footage is primarily to ensure that the FCA was conducted in accordance with all requirements. However, if an audit of video recording identified any obvious areas of possible non-compliance by either Assessor or Applicant this may trigger further audits.

3.7 What are the outcomes of audits conducted recently?
Recent RTO audits conducted have identified several deficiencies and room for improvement.

3.8 Is the yearly internal audit being replaced by six monthly audits?
Yes.

3.9 When Roads and Maritime audit video recordings, will use of colourful language be subject to prosecution?
An Assessor found to have breached the Code of Conduct may be subject to penalties and/or suitability to remain in the industry will be reviewed.

3.10 Can I start an FCA/CT at 11:15am, if it has been booked on HVCORS at 11:10?
FCAs/CTs should start at the designated time as per item 8.3 of the Conducting HVCBA Assessments document.

4. New accreditation agreement

4.1 Do RTOs have to sign a new agreement?
Yes. If RTOs wish to continue to operate under the scheme on or after 1 December 2014, they will need to sign a new agreement.

4.2 In relation to the RTO requirement not to subcontract its obligations to a third party, does this mean assessors need to be full time employees of their affiliated RTO?
No. This requirement means that RTO obligations as specified in the Accreditation Agreement must be delivered by the RTO personnel. This does not include the conducting of Assessments.
5. Scheme changes (other)

5.1 What if we are not ready for 1 December?
Roa
des and Maritime will consider self disclosed non-compliance on a case by case basis. From its consultation with stakeholders, Roads and Maritime has determined that three months is adequate time to be ready.

5.2 What is Roads and Maritime’s aim of the scheme changes? Pulling up RTOs that are not doing the right thing?
The changes aim to improve the integrity of the scheme by mitigating the risk of fraud and corruption.

6. Business as Usual / Other Scheme Questions

6.1 Is it possible to reduce duplication when completing HVCBA documentation?
When delivering HVCBA, Assessors are required to conduct the necessary checks on HVCORS, complete the Learners Logbook, Assessors Logbook and FCA /CT scoresheet as per Business Procedures. These are requirements under the NSW Roads and Maritime HVCBA scheme. Applicant details that are required to be retained under the Driving Instructors Act 1992 are captured in the assessors and applicants logbook. It is the responsibility of individual instructors to determine what methods they utilise to ensure they retain the necessary records, as per the Driving Instructors Act. Any additional documentation or training aids requested by RTOs are considered to be optional. Ref: HVCBA Business Procedures Manual, Driving Instructors Regulation 2009.

6.2 Could arrangements be made so that Licence applicants not sufficiently skilled can change from HR to a lower class without having to obtain a new written test or log book, and keep their FCA booking?
If an applicant wants to change the class of licence sought after being issued with a log book, and criteria have been recorded in it, a further participation fee will be payable. The original Log Book will be cancelled, but can be kept by the applicant. The cancelled logbook book can be used for training records only. There is only one heavy vehicle knowledge test that is required to be completed which covers rigid licence classes LR-HR. Ref: HVCBA Business Procedures Manual.

6.3 No mention is made about Navigation in the Licence Applicants’ HV guide, their Log Books or Assessor Log Books. The HVCORS requires Navigation to be completed for the FCA to be conducted. How is this resolved?
Current HVCORS procedure requires that this criterion be recorded. Navigation (map reading) was originally included in National HVCBA criteria, but was removed prior to implementation of HVCBA in January 2013. Assessors should follow existing procedures.

6.4 When and must Bus Stop criteria be trained and assessed? That is, must it be done in a truck as part of the FCA? The HVCORS system requires it to be completed before the FCA can be conducted.
Criteria 15 – Bus Stop Procedure is required to be completed when assessments are conducted in a BUS ONLY. Current HVCORS procedure requires that this criterion be recorded.

6.5 When designing an FCA route, why are we not able to use roundabouts as: Single to Multi, or Multi to Multi. Roundabouts are sign posted Give Way. The Roads and Maritime wording says they may be conducted at intersections controlled by either traffic lights, Stop Signs, Give Way Signs or Uncontrolled. If we were able to conduct the single to multi and multi to multi at roundabouts I would be able to bring my FCA time and distance back considerably?
Roundabouts are able to be utilised for single to multi and multi to multi right and left hand turns. Roundabouts are controlled by Give Way signs so therefore meet the minimum task requirements, as documented in the Route Development Guide. Ref: HVCBA Route Development Guide, 2012 workshop handout.

6.6 What is happening to reduce errors caused by manual processes, and HVCORS system errors?
Roa
des and Maritime is currently assessing upgrades to HVCORS in order to reduce manual processes and improve system performance.
6.7 Why must we contact our RTO when we would like to contact Roads and Maritime directly when problems occur?

Roads and Maritime has a contract with RTOs. It is the responsibility of RTOs to manage business procedures as per the requirements of their Accreditation Agreement.

6.8 What are the business rules relating to HVCORS account expiration?

The HVCORS account is set to expire six months from the time of extension/creation. Any account that is unused for 30 days is automatically expired by the system. If the account is extended the user must log in on that same day otherwise it will be deemed to be expired. New accounts have 30 days for the user to access before it expires. HVCORS accounts are set to expire 12 months from time of extension. *(This procedure is stated on the DRIVES External Account Request)*.

On your current agreement with your established RTO it is your responsibility to manage your HVCORS account information and password expiration dates in order to keep your profile active. In accordance with this procedure, once your HVCORS Account is set to expire please inform hvtraining@rms.nsw.gov.au to extend your account. *It is vital that you do not share your password.*

6.9 My concern is that I seem to spend less time on road than I did under the previous system?

Minimum assessment times under National Heavy Vehicle Competency Based Assessment scheme remain the same as the previous system. (See page 7 of HVCBA Business Procedures Manual) Ref: HVCBA Business Procedures Manual.

6.10 How soon will the gear box issue (Synchromesh/Manual) be fixed? Is it part of the current HVCORS project?

This is currently being assessed as part of a HVCORS upgrade project. If funding is approved, changes will be implemented early to mid next year.

6.11 Interstate issue - HVCORS is unable to check the validity of licenses issued outside NSW. What is the progress thus far on this?

This is currently being assessed as part of a HVCORS upgrade project and is possible. If funding is approved, changes will be implemented early to mid next year.

6.12 How do I assess secure load if I conduct assessments in a bus?

HVCBA Assessment Criteria 13: Load Securing, is required to be completed when assessing licence applicants for licence classes LR-MC. If assessments are conducted in a bus, load securing should be assessed using another complying vehicle, or a simulated vehicle tray.

6.13 Roads and Maritime and Services NSW frontline staff require training in the scheme requirements prior to issuing log books. There have been instances where Service NSW have issued log books without checking medical test requirements being fulfilled. What steps does Roads and Maritime plan to undertake to resolve these issues?

Roads and Maritime is taking all necessary steps to ensure frontline staff are trained and aware of procedures and processes.

6.14 Could you explain the procedure to follow when an applicant wants to upgrade from HR to MC?

A detailed explanation of the procedure, when conducting assessments for an applicant upgrading from HR-MC is contained in the document HVCBA – Standards and Requirements.

6.15 Can an applicant transfer a QLD licence to NSW after completing HVCBA?

An interstate/external territory licensee who has resided in NSW for a continuous period of more than three months must get a NSW licence if they want to drive on public roads in NSW. To transfer to NSW driver licences, holders of interstate/external territory licences must present their interstate/external territory driver licence, or a confirmation of licence details/status letter from the interstate/external territory driver licence issuing authority.

6.16 There is lack of clarity in the procedure to obtain a heavy vehicle licence under ASQA QLD jurisdiction. Can Roads and Maritime provide direction?

Roads and Maritime acknowledge the fact that there are currently variations relating to the heavy vehicle assessment process across various states. Unfortunately, Roads and Maritime do not have any advice to provide in this regard.
6.17 When and how will Load Securing be audited?
During a targeted audit, Roads and Maritime may request the applicant to demonstrate Criteria 13: Load Securing. This may require the Assessor and applicant travelling to an alternative location (Assessors depot etc) to have the criteria completed.

6.18 What type of vehicle can I use to assess Load Securing?
HVCBA Assessment Criteria 13: Load Securing, is required to be completed when assessing licence applicants for licence classes LR-MC. Load securing should be assessed using a complying vehicle, or a simulated vehicle tray.

6.19 What if I want to conduct assessments in remote areas with no infrastructure?
All FCA/CT routes must comply with the minimum requirements including suggested substitutes, as detailed in the Austroads Route Development Guide.

6.20 Can Roads and Maritime provide any solution to difficulties associated with conducting assessments for regional areas where it could take longer involving travel and accommodation?
All FCA/CT routes must comply with the minimum requirements, including suggested substitutes as detailed in the Austroads Route Development Guide. As a result some locations do not meet these requirements. This may involve both assessors and applicants having to travel to locations that have both the infrastructure and conditions and this is inevitable in order to enable valid and complying assessments to be conducted.

6.21 Regarding registry processes, will Roads and Maritime ensure that registry staff are trained to understand what documents to provide HVCBA applicants? For example, when applicants cancel a test for a HR License and decide to pursue an LR instead, registry staff need to know to cancel the HR Log Book - so as to ensure the LR can be registered on HVCORS
Roads and Maritime is taking all necessary steps to ensure frontline staff are trained and aware of procedures and processes.

6.22 If a booking is cancelled by an Applicant, can an Assessor book another Applicant into that same position in accord with the 48 hour FCA booking requirement?
Once the booking has been cancelled in HVCORS, the new booking should be made in accordance with the HVCORS user guide.

6.23 I think that HV DART and HVCBA need to be amalgamated, particularly with regard to the Regions. We think it is unfair for business.
This comment is noted.

6.24 What are the requirements for 'Condition B'?
The policy and procedures relating to Automatic/Synchromesh (Condition B) are included in the document HVCBA Assessment Standards and Requirements, Item 10.

6.25 Will Roads and Maritime consider creating forums for Assessors and RTOs on the website?
Roads and Maritime will be creating a webpage for third party providers to communicate scheme information, however this will not include a forum for interaction between scheme participants.

6.26 Would Roads and Maritime consider using message alerts/emails/text messages to RTOs when either HVCORS or DRIVES is down?
Roads and Maritime will take this suggestion on board and consider options.