HVCBA scheme guide

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Heavy Vehicle Competency Based Assessment

Code of conduct – Facilitator’s guide
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Bribery is against the law

Most people involved with issuing and obtaining a licence are honest.

You are reminded that you must not offer your assessor money, gifts or other favours and that your assessor must not ask you for money, gifts or favours in order to gain a heavy vehicle driver licence without fully demonstrating your driving ability to the criteria requirements.

These practices are illegal

Penalties are severe and include fines and imprisonment. All cases of corruption will be investigated and strong action will be taken against all those involved. If you know or believe that anyone has got or is about to get a heavy vehicle driver licence by offering or responding to a request for a bribe
– or if you suspect or know of any other corruption involving another applicant, driving instructor or assessor, telephone:

Authority contact details

- The Roads and Maritime Services (Roads and Maritime) on 1800 043 642
- The Independent Commission Against Corruption (ICAC) on (02) 8281 5999.

Code of Conduct

The Code of Conduct for the Heavy Vehicle Competency Based Assessment Industry is a standard issued by Roads and Maritime Services (Roads and Maritime) to Registered Training Organisations (Providers) that have been accredited by Roads and Maritime to conduct assessments of applicants for heavy vehicle licences. It is issued by Roads and Maritime under clause 2.6(a)(i) of the Accreditation Agreement for Heavy Vehicle Competency Assessment (Accreditation Agreement).

Under the Accreditation Agreement, each Provider is required to:
- Comply with the standards of behaviour set out in the Code of Conduct
- Ensure that any Assessors engaged by it also comply with the standards of behaviour set out in the Code of Conduct.

As an Assessor, you are reminded that you are required to comply with the Code of Conduct.

A Provider and/or Assessor found to have breached the Code of Conduct may be subject to penalties and/or suitability to continue to perform Assessments may be reviewed by Roads and Maritime.
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**Facilitator’s role**

The facilitator’s role is to present the information provided in this training package to the target audience. Facilitators will be selected on the basis of their training, experience and current knowledge. Facilitators are provided with guidance notes, as well as the participants’ handouts, to assist in presenting this session. The facilitator is expected to be familiar with this material and all other course materials prior to delivery.

The facilitator will need to remain aware of participants’ involvement throughout the session and clarify any issues, concerns, or areas of interest at the earliest opportunity. If you are unsure of answers to questions raised throughout the session, it would also be useful to note the type of question on the session observation form.

**Attendance** for all sessions is to be recorded by the facilitator at the end of the session and certificates of attendance can be issued by the providing organisation.

**Course timing**

The normal delivery time allocated for this session is one hour. However, given the participatory nature of the session the facilitator may need to allow additional time.

**Administration requirements**

In order to maintain quality and ensure consistency in session delivery the following applies:

- Facilitator’s are to use the power point presentations (PPP) and handouts/notes provided.
- Where a facilitator wishes to include additional material particular to a workplace industry, the material should adhere to the guidelines included in this guide.
- Where there is any doubt, the facilitator should submit the material to a representative of Roads and Maritime for adjudication.

**Note:** It is recognised that this session may be run in situations where the usual training facilities and aids are not available (such as data projector’s etc.) The course can be conducted using the participant’s handouts and facilitator’s notes without the usual training aids.

**Prior to training**

The facilitator is required to:

- Read the Facilitator’s Guide and background references and, where possible, supplement with additional reading and information relevant to the group being trained e.g. union resources, policy and procedures.
- Confirm all course details with the relevant organisation and site the week prior. You may need to pre-arrange for a data projector and other course materials such as blackboards.

**Take the following to course venue**

- Power point presentation
- Course notes and handouts
- Laptop etc depending on the venue.
Handouts

- Ensure that participants complete the attendance form and sign on.
- Provide participants with the session handouts containing:
  - Power point presentation with space for notes
  - Code of Conduct
  - Cover housekeeping issues with participants including breaks, emergencies etc.

During Training

Ensure adequate breaks are taken throughout day; continually monitor individual participation; address any issues at the earliest opportunity; and retain copies of participants work as training samples eg group activities.

At the session completion

Ensure that all participants have signed the attendance sheet. Collect the completed sign on sheet and advise the organisation on whose behalf you are delivering this course of any variations to the course and any significant issues that arose during the delivery.

Return all forms to your course organizer, including the following:

- A copy of sign-on sheets
- Course evaluation sheets.

RTO Requirements

The RTO is to retain a copy of the sign on sheet for their own compliance purposes as well as providing Roads and Maritime Services a copy of the sign on sheet as required.

Please note: RTOs are required to provide all participants with a Certificate of Attendance. Also note that it is a requirement that the Code of Conduct is delivered to all HVCBA Scheme Participants annually. An attendance record is to be provided to the Enrolment Training Unit.

Guidelines for inclusion of additional material

Facilitators may be requested or wish to add in additional material to the existing session material. Material must be approved by Roads and Maritime before in use in this session.

Consider the following in relation to the materials:

- The source is reliable and authoritative
- Currency and relevance to the particular training group
- Content is applicable to the target audience and in a suitable format
- Additional time required during training for review and use
- Consistency with currently available information from Safe Work Australia, WorkCover NSW and union organisations.
PART ONE:
Before you begin
Overview and suggestions

For beginning trainers

As much as possible, we have described and scripted the contents for you, meaning that you have the exact words in regular print of what to say during the session. If you wish, you can present the scripted segments word for word. You can also change the scripted segments to your own words once you are comfortable with the concepts and language of the program.

For experienced trainers

Use the guide as a suggested session plan. Replace the scripted segments with your own words, and make sure that you are teaching the important concepts. Once you are familiar with the material, change it as you see fit.

How to use this facilitator’s guide

Here are some helpful hints to assist you in using this guide:

1. Page setup
   Each scripted pages has two columns. The left column contains the current slide number and image. The right column contains the segment title, description and scripted segments.

2. Instructions
   Instructions are given in one format:
   o Regular Text – This text describes what you are doing or explaining.

3. Timing
   The time estimates are printed for each slide. The time required to facilitate each slide varies with the group size and your experience. Be aware of the suggested timeline for each segment and change it according to your assessment of the learners’ needs. You may also wish to change the timing of the break (longer, shorter, earlier or later in the program) to accommodate the group. You can always ask the group when they wish to take the break.

Materials required

- Facilitator’s guide
- Computer, PowerPoint® slides, cables, projector, remote control
- Back-up CD or thumb drive of slides, handouts, etc.
- Microphone (cordless lavaliere-type for groups of 40+)
- Name tags (blank, one per participant)
- Clock, timer, or wristwatch
- Post-It® notes (medium-size, one or more pads per table group)
- Broad-tipped coloured markers (three plus per table)
- Pens or pencils (one per participant)
- Wall posters (optional)
- Flipchart stand, pad, and markers
- Sign-in and evaluation sheets (mandatory).
PART TWO:
Facilitator’s script
Slide # 1: Code of Conduct

Time: 2 minutes

Notes:
Before starting the presentation:
- Introduce yourself and any other speakers.
- Introduce the topic.
- Thank the participants for coming and for showing an interest in the Code of Conduct.
- Encourage the participants to ask questions along the way.
- Inform them of any logistical or ‘housekeeping’ matters (e.g. where the nearest toilets and fire escapes are located).

Slide # 2: Learning Objectives

Time: 1 minute

Notes:
The Code is divided into sections:
- Your Responsibilities
- About the Code of Conduct
- Professional Conduct
- Reporting procedures.

By the end of this session, attendees will be able to:
- Describe their responsibilities under the Code of Conduct
- Recognise and identify behaviours that are in breach of the Code of Conduct
- Understand the reporting procedures for breaches of the Code of Conduct
Code of Conduct

Introduction

This Code of Conduct is a standard issued by Roads and Maritime Services (Roads and Maritime) to Registered Training Organisations (Providers) that have been accredited by Roads and Maritime to conduct assessments of applicants for heavy vehicle licences. It is issued by Roads and Maritime under clause 2.6(a)(i) of the Accreditation Agreement for Heavy Vehicle Competency Based Assessment.

Under the Accreditation Agreement, each Provider is required to:

- Comply with the standards of behaviour set out in this Code of Conduct; and
- Ensure that any Assessors engaged by it also comply with the standards of behaviour set out in this Code of Conduct.

Set of expected behaviours

Public officials associated with the Roads and Maritime are expected to act in the following manner.

- Treat fairly, with respect and without discrimination.
- Provide open, inclusive and honest communication.
- Provide services in a professional, helpful and courteous manner.
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## Code of Conduct

**Introduction & Overview**

The Code provides a common set of underlying moral values based on:

- **Customer Focus**
  - We place the customer at the centre of everything we do.
- **Safety**
  - We prioritise safety for our people and our customers.
- **Integrity**
  - We take responsibility and communicate openly.
- **Collaboration**
  - We value each other and create better outcomes by working together.
- **Solutions**
  - We deliver sustainable and innovative solutions to NSW’s transport needs.

**Notes:**

This Code reflects the Roads and Maritime core values of customer focus, collaboration, solutions, integrity and safety. These values drive Roads and Maritime decision making processes, behaviours and how RMS works and interacts with its customers, stakeholders, partners and colleagues.

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# 5

## Code of Conduct

**Introduction & Overview**

**It provides commonly agreed business responsibilities and awareness in:**

- Safety
- Diversity & Inclusion
- Responsibilities
- Confidentiality
- Conflict of Interest
- Unprofessional Conduct
- Acceptance of bribes
- Acceptance of gifts or benefits
- Reporting corrupt conduct
- Compliance and Enforcement

**Notes:**

This Code aims to assist Providers and Assessors in solving ethical dilemmas which the heavy vehicle industry may face whilst performing Assessments.

It covers:

- Safety
- Diversity and Inclusion
- Responsibilities
- Confidentiality
- Conflict of Interest
- Unprofessional conduct
- Acceptance of Bribes
- Acceptance of gifts or benefits
- Reporting corrupt conduct
- Compliance and Enforcement
# 6

## Safety

**Time:** 4-5 minutes

**Notes:**

**Safety**

The NSW Work Health and Safety Act 2011 (WHS Act) sets out health and safety responsibilities of any ‘Person Conducting a Business or Undertaking’ (PCBU), including a primary duty of care to ensure, so far as is reasonably practicable, the health and safety of workers (including employees, contractors, volunteers) and others whose work activities are influenced or directed by the PCBU.

The primary duty of care requires duty holders to ensure health and safety by eliminating risks to health and safety. If this is not reasonably practicable, risks must be minimised so far as is reasonably practicable.

It is Roads and Maritime’s expectation that service providers acknowledge their duty of care under the WHS Act, and take proactive steps to meet their responsibility for the health, safety and wellbeing of their workers and others to whom they owe a duty of care.

Notwithstanding the obligations of a service provider under the WHS Act, it is Roads and Maritime’s expectation that service providers implement and maintain a contemporary work health and safety management system (WHSMS) that reflects a systematic, risk-based and outcome-driven approach to meeting obligations under the WHS Act.

In particular, service providers are expected to:

- Ensure the provision of a safe place of work for Assessors, including whilst conducting their work at customer premises
- Proactively identify, and routinely consult with Assessors about, all hazards and risks associated with the work undertaken
- Have processes in place to ensure that risks are eliminated, or minimised so far as is reasonably practicable
- Undertake risk assessment, inspection and incident investigation as necessary to ensure that risk controls are working effectively
- Provide and maintain appropriate plant, structures and systems of work that are safe and without risks to health to workers and others
- Have processes in place to consult, coordinate and cooperate with relevant stakeholders and industry partners when making decisions about health and safety management
- Ensure competency of Assessors to safely undertake the work activities required, including the skills to participate in WHS incident reporting, risk management, and safety leadership initiatives
- Maintain documented policies and procedures to ensure that Assessors understand and comply with WHS legislative requirements in conduct of their work activities
- Have processes in place to facilitate desirable health and safety performance, behaviours and outcomes
- Make reference to reliable data, risk information and better practice material in making decisions about the management of health and safety
- Maintain appropriate records and documentation in regard to the WHSMS and any incidents or investigations as well as the corrective actions taken in relation to these.

It is the responsibility of the service provider to monitor their WHSMS to ensure that systems are adequate and effective in meeting their duty of care under the WHS Act. Should Roads and Maritime request a service provider to demonstrate the effectiveness of their health and safety management arrangements, the service provider may be required to provide evidence of the effectiveness of one or more of the above aspects of a WHSMS.
**Slide # 7: Diversity and Inclusion**

**Time:** 2-3 minutes

**Notes:**

*Diversity and Inclusion*

RMS is committed to building a work culture which values the benefits that a diverse workforce and a more inclusive workplace offer as key enablers to meet business objectives.

A workforce that reflects and understands the diversity of our customers can help us provide a better customer-focused service.

An inclusive workplace can help us increase our performance and productivity through innovation, creative problem solving and motivated staff. Roads and Maritime expects Providers to also implement a culture that creates a diverse and inclusive workplace.

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**Slide # 8: Diversity**

**Time:** 2 minutes

**Notes:**

*Diversity*

Refers to a broad range of factors that make people unique including: - gender and gender identity, sexual orientation, religious belief, race (including colour, nationality, descent and ethnic, ethno-religious or national origin or immigration), age, disability (including both visible disabilities - physical - and less obvious disabilities such as sensory, intellectual, mental health or psychosocial), marital or parental status, educational background and socioeconomic status.
### Slide # 9: Inclusion cover the following.

**Time:** 2 minutes

**Notes:**

**Inclusion**

Refers to the achievement of a work environment where there is respect and support for differences and diversity of thought. The workplace is characterised by a flexible work culture supportive of diverse needs and free from discrimination, harassment or bullying. It’s about having a workplace culture where different perspectives are heard and encouraged to contribute to the success of the business.

### Slide # 10: Responsibilities – You are required to...

**Time:** 3-4 minutes

**Notes:**

**Responsibilities**

Providers must ensure that their Assessors perform Assessment in a way that promotes public trust and confidence in the integrity of the Assessments and the Heavy Vehicle Industry. Providers and Assessors need to be aware that the reputation of RMS can be affected by their actions and, in certain circumstances, by the conduct of Assessors outside the workplace.

Providers must comply with the following, and ensure that their Assessors do so as well:

- Behave in a lawful manner, honestly and competently
- Act within their delegated authority and in accordance with Roads and Maritime policies and procedures, and any relevant legislative,
industrial and administrative requirements

- Conduct themselves in a professional and ethical manner at all times when conducting assessments or when their actions may be associated with Roads and Maritime

- Ensure they present an image of professionalism Roads and Maritime MS wishes to present to its customers and, in the case of Assessors, that what they wear to work is suitable for their duties.

- Not bring Roads and Maritime or the accreditation system into disrepute or ridicule by their actions or conduct.

- Be prepared to take personal responsibility and be accountable for their conduct, actions or omissions.

- Co-operate with and obey lawful requests, directions or instructions given to them by RMS.

- Keep up to date with advances and changes in their area of expertise and in Roads and Maritime.

- Each Provider must ensure that each of its Assessors have the requisite qualifications, licences, permits and level of expertise and experience required to perform his or her role.

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**SLIDE ELEVEN**

**# 11**

**Code of Conduct**

You are required to...

- Behave in a lawful manner
- Act in the best interests of the individual
- Ensure you present an image of professionalism
- Conduct yourself in a professional and ethical manner
- Keep up to date with advances and changes in your area of expertise

**Slide # 11: You’re Responsibilities.**

**Time:** 4 minutes

**Notes:**

Providers must ensure that their Assessors perform Assessment in a way that promotes public trust and confidence in the integrity of the Assessments and the Heavy Vehicle Industry. Providers and Assessors need to be aware that the reputation of RMS can be affected by their actions and, in certain circumstances, by the conduct of Assessors outside the workplace.

Providers must comply with the following, and ensure that their Assessors do so as well:

- Behave in a lawful manner, honestly and competently
- Act within their delegated authority and in accordance with Roads and Maritime policies and procedures, and any relevant legislative, industrial and administrative requirements
- Conduct themselves in a professional and ethical manner at all times when conducting assessments or when their actions may be associated with Roads and Maritime
- Ensure they present an image of professionalism Roads and Maritime wishes to present to its customers and, in the case of Assessors, that what they wear to work is suitable for their duties
- Not bring Roads and Maritime or the accreditation system into disrepute or ridicule by their actions or conduct
- Be prepared to take personal responsibility and be accountable for their conduct, actions or omissions
- Co-operate with and obey lawful requests, directions or instructions given to them by Roads and Maritime
- Keep up to date with advances and changes in their area of expertise and in Roads and Maritime
- Each Provider must ensure that each of its Assessors have the requisite qualifications, licences, permits and level of expertise and experience required to perform his or her role.

SLIDE TWELVE

# 12

Code of Conduct

Examples

**Behave in a lawful manner**

- Wearing an approved seat belt when required ARR 265
- Complying with the Driving Instructor Regulation 2009 e.g. Display of Driving Instructors Licence
- Ensure all licence applicants comply with the Australian Road Rules 2014
- Ensure Assessment vehicles are registered and roadworthy HVGDE002 Assessment
Standards and Requirements.

Act within your delegated authority and in accord with RMS policies and Procedures

- Pre & Post Assessment scripts are delivered correctly HVGDE003 Conducting HVCBA Assessments
- Applicants are assessed in accordance with HVCBA Assessment guidelines HVGDE002 Assessment Standards and Requirements HVGDE003 Conducting HVCBA Assessments
- Correctly completing logbooks and all training & assessment documentation HVGDE002 Assessment Standards and Requirements HVGDE003 Conducting HVCBA Assessments
- In-Cabin Camera policy & procedure HVPOL002 Monitoring Heavy Vehicle Assessment using In-Cabin Camera
- Record Keeping & Data management HVGDE004 Record Keeping and Data Management
- Meet the requirements of Fit & Proper Person Policy PN276 HVCBA Fit and Proper Policy.

Conduct yourself in a professional and ethical manner

- Do not use swear or use expletives whilst conducting Training & Assessment
- Obscene Gestures / Actions e.g. Spitting out the window as training and assessment are being conducted
- Inappropriate conversation topic e.g. Topic of a sexual nature
- Abusive behaviour against applicants e.g. aggressive criticism if an applicant repeatedly makes an error
- Not discriminating against a person due to gender, sexual orientation, religious belief, race, age or disability.
- Act in a trustworthy manner.
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**Code of Conduct**

**Examples**

- Ensure you present an image of professionalism when dealing with customers.
- Ensure that what an Assessor wears to work is suitable for their duties.
- Use of a mobile phone during Training & Assessment by an Assessor. This is both unprofessional and a distraction to both Applicant and Assessor.
- Do not bring Roads and Maritime into disrepute by your actions or conduct.
- Make derogatory comments in relation to HVCBA Policies & Procedures. eg In Cabin Camera requirements.
- Inappropriate use of social media i.e. posting derogatory comments.
- Making false or misleading statements in relation to the function of Roads and Maritime in relation to Heavy Vehicle Driver Assessment.
- Do anything that exposes Roads and Maritime to negative publicity or might reasonably be expected to bring Roads and Maritime into disrepute.

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**Slide # 13: RTO Responsibilities – You are required to:**

**Time:** 2 minutes

**Explain:**

- Ensure that you present an image of professionalism.
- Ensure that what an Assessor wears to work is suitable for their duties eg no thongs or singlet top.

**Basic etiquette**

- The use of a mobile phone during Training & Assessment by an Assessor. This is both unprofessional and a distraction to both Applicant and Assessor eg an Assessor not checking for traffic when required is a safety issue.
- Not bring Roads and Maritime into disrepute by your actions or conduct.
- The RTO must ensure that each Trainer and each Assessor does not:
  - Make derogatory comments in relation to HVCBA Policies & Procedures eg In Cabin Camera requirements.
  - Inappropriate use of social media i.e. posting derogatory comments.
  - Making false or misleading statements in relation to the function of Roads and Maritime in relation to Heavy Vehicle Driver Assessment.
  - Do anything that exposes Roads and Maritime to negative publicity or might reasonably be expected to bring Roads and Maritime into disrepute.
### Slide # 14: Responsibilities

**Time:** 2 minutes

**Notes:**

**Responsibilities**

Providers and Assessors are required to:

- Be prepared to take personal responsibility and be accountable for your own conduct.
- Co-operate with and obey lawful requests.
- Keep up to date with advances and changes in your area of expertise and in Roads and Maritime Services Procedures.

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### Slide # 15: Responsibilities

**Time:** 3-4 minutes

**Notes:**

**Conflict of Interest**

"Conflict of Interest" means any circumstances that exist or arise which:

a) Constitute an actual conflict;

b) Constitute a known risk of conflict;

c) May be perceived by others to be a conflict, between the duties of Provider or its Personnel to RMS and their duties to another person in relation to the activities under this agreement.

A conflict of interest occurs when you are influenced by a private interest (financial or otherwise) when carrying out your work-related duties.

A conflict includes any Applicant who is a family member or other person known to the Personnel.
A conflict of interest that knowingly leads to partial or biased decisions for personal benefit may constitute corrupt conduct.

The Provider must use its best endeavours to ensure that no action is taken by itself, or its Personnel, which results in a Conflict of Interest.

In particular, the Provider must take all necessary and proper precautions to prevent its Personnel from receiving or making, providing or offering to any person a gift, entertainment, payment, loan or other consideration from any Applicant or potential Applicant.

The Provider must immediately inform Roads and Maritime upon becoming aware of the existence or possibility of a Conflict of Interest.

The Provider must also within five working days after a request by Roads and Maritime, advise Roads and Maritime in writing of all potential and actual Conflicts of Interest, including details of the conflict, the Personnel involved, and the steps taken to address the conflict.

# 16

Slide # 16: Confidentiality

Time: 2 minutes

Notes:

Confidentiality

Providers and Assessors must handle Accreditation in accordance with the Accreditation Agreement.

In particular:

- All official information and records acquired in the course of business should be stored securely and not be misused or disclosed
- The Provider must immediately notify RMS of any unauthorised access to, use or disclosure of any confidential information.
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## Code of Conduct

### Conflict of Interest

- A conflict of interest occurs when you are influenced by a private interest (financial or otherwise) when carrying out your work-related duties.

- A conflict of interest that knowingly leads to partial or biased decisions for personal benefit may constitute corrupt conduct.

## Slide # 17: Conflict of Interest

**Time:** 3-4 minutes

**Notes:**

**Conflict of Interest**

“Conflict of Interest” means any circumstances that exist or arise which:

a) **Constitute an actual conflict**

b) **Constitute a known risk of conflict**

c) **May be perceived by others to be a conflict, between the duties of Provider or its Personnel to Roads and Maritime and their duties to another person in relation to the activities under this agreement.**

A conflict of interest occurs when you are influenced by a private interest (financial or otherwise) when carrying out your work-related duties. A conflict includes any Applicant who is a family member or other person known to the Personnel. A conflict of interest that knowingly leads to partial or biased decisions for personal benefit may constitute corrupt conduct.

The Provider must use its best endeavours to ensure that no action is taken by itself, or its Personnel, which results in a Conflict of Interest.

In particular, the Provider must take all necessary and proper precautions to prevent its Personnel from receiving or making, providing or offering to any person a gift, entertainment, payment, loan or other consideration from any Applicant or potential Applicant.

The Provider must immediately inform Roads and Maritime upon becoming aware of the existence or possibility of a Conflict of Interest.

The Provider must also within five working days after a request by Roads and Maritime, advise Roads and Maritime in writing of all potential and actual Conflicts of Interest, including details of the conflict, the Personnel involved, and the steps taken to address the conflict.
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Code of Conduct
Conflicts of interest may be...

- **Actual**: eg where an Assessor assesses a member of their family or close friend
- **Potential**: eg where an Assessor who has a relationship with a transport company assesses a friend that is going to work for that company
- **Perceived**: eg where a third party thinks that your private interests, improperly influences the performance of your duties whether or not this is the case.

# 19
Code of Conduct
Unprofessional Conduct

- **Acceptance of Bribes**

  Most people involved in issuing and obtaining licences are honest. However, money, gifts, and other favours could be offered or asked for in return for passing a driving test without actually performing the assessment or not having the appropriate driving skills.

  Roads and Maritime Providers and Assessor are expected by Roads and Maritime to adhere to the same requirements of honest, ethical and fair conduct as Roads and Maritime employees.

  It is a criminal offence to offer or accept any payment, gratuity, or present in consideration of any act pertaining to duties as a Provider or Assessor for Roads and Maritime.

  Penalties are severe and may include fines and imprisonment.
An Assessor or Provider is performing a public official function and as such their actions can also be investigated by the Independent Commission Against Corruption.

**SLIDE TWENTY**

### # 20

#### Code of Conduct

**Acceptance of Bribes**

Most people involved in issuing and obtaining licences are honest. However, money, gifts and other favours could be offered or asked for in return for passing a driving test without actually performing the assessment or not having the appropriate driving skills.

Roads and Maritime Providers and Assessors are expected by Roads and Maritime to adhere to the same requirements of honest, ethical and fair conduct as Roads and Maritime employees.

**SLIDE TWENTY ONE**

### # 21

#### Code of Conduct

**Acceptance of Bribes**

- It is a criminal offence to offer or accept any payment, gratuity, or present in consideration of any act pertaining to your duties as an RTO or Assessor for RMS.
- Penalties are severe and include fines and imprisonment.

As an Assessor or RTO you are performing a public official function and as such your actions can also be investigated by the Independent Commission Against Corruption (ICAC).

Notes:

- If an Assessor or Provider becomes aware of circumstances which suggest that a bribe is being indirectly offered, eg money is placed in a conspicuous place, the Provider should inform the Applicant that the services will be terminated unless the money is removed by the applicant.
- If anything is said or done by the Applicant to indicate to the Provider that an offer of a bribe has been made, the service should be terminated and action taken according to the procedures outlined.
Notes:

Acceptance of Gifts or Benefits

A Provider must ensure that the each Assessor does not engage in or condone any bribery, corruption or collusion in the delivery of Assessments.

For example: A Provider must not directly or indirectly (i.e., through a spouse, relative or friend) or by implication demand or solicit a gift or benefit of any kind in respect of any Assessment.

An Assessor must not engage in or condone any bribery, corruption or collusion in the delivery of Assessments.

A Provider or Assessor must immediately report any evidence or suspicion of bribery, corruption or collusion to the contact details given below.

In this clause references to “bribery” include requesting or accepting any benefits of any kind from or on behalf of an Applicant for Provider or an Assessor (whether the benefit is for Provider or Assessor or a third person) but excludes any training or assessment fee which Provider usually charges.

Providers and Assessors are not to accept any gifts associated with the Assessment process, including ‘thank you’ gifts before and/or after the Assessment because it can be perceived as a Conflict of Interest.

Bribery is a criminal offence and is therefore a matter for investigation by the Police. Strong action will be taken against all parties involved in such conduct. The essential action is for the Police to be notified immediately. This should be uppermost in the mind of any person involved in such situations.
Slide # 23: Indirectly Offered Bribes

Time: 2 minutes

Notes:

Indirectly Offered Bribes

If an Assessor or Provider becomes aware of circumstances which suggest that a bribe is being indirectly offered, e.g., money is placed in a conspicuous place, the Provider should inform the Applicant that the services will be terminated unless the money is removed by the Applicant.

If anything is said or done by the Applicant to indicate to the Provider that an offer of a bribe has been made, the service should be terminated and action taken according to the procedures outlined.

Slide # 24: Compliance and Enforcement

Time: 1-2 minutes

Notes:

Compliance and Enforcement

The Compliance & Enforcement unit investigates if there are any breaches in relation to the Code of Conduct. A Provider and/or Assessor found to have breached this Code of Conduct may be subject to penalties and/or suitability to continue to perform Assessments may be reviewed by Roads and Maritime.

Roads and Maritime may suspend or terminate a Provider or require removal of an Assessor, or may refer the matter to other authorities (including the Police or the ICAC where appropriate).
SLIDE TWENTY FIVE

# 25: Reporting Procedures

Time: 2 minutes

Notes:

PROCEDURES - Reporting

Whenever an offer of a bribe is made to a representative from an RTO or an Assessor (or other personnel):

- The incident should be reported to their employer at the first opportunity.
- The NSW Police Service should be immediately notified and the names of the attending Police Officers and their Police Station are to be recorded.
- Roads and Maritime is also to be informed at the first opportunity.

Reports of suspected corruption must be made to the RMS Principal Manager Corruption Prevention and Investigation on (02) 8588 5836 or the General Manager Governance Branch on (02) 8588 4151 or RMS Fraud and Ethics Hotline on 1800 043 642 or the Independent Commission Against Corruption (ICAC) on (02) 8281 5999.

The Assessor is to report all offers of gifts to the Provider.

The Provider is to report all offers of gifts to the General Manager, Accreditation.
Compliance and Enforcement

Time: 2 minutes

Notes:

Compliance and Enforcement

The Compliance & Enforcement unit investigates if there are any breaches in relation to the Code of Conduct.

A Provider and/or Assessor found to have breached this Code of Conduct may be subject to penalties and/or suitability to continue to perform Assessments may be reviewed by Roads and Maritime.

Roads and Maritime may suspend or terminate a Provider or require removal of an Assessor, or may refer the matter to other authorities (including the Police or the ICAC where appropriate).

Summary

Time: 1-2 minutes

Notes:

- Provided information on the Code of Conduct for the HVCBA scheme
- Provided training to all RTOs and Assessors
- Will be required to be delivered annually by RTOs to all new and existing Assessors operating under their agreement