Code of Conduct

Heavy Vehicle Competency Based Assessment Industry
By the end of this session, attendees will be able to:

1. Describe their **responsibilities** under the Code of Conduct
2. Recognise and identify **behaviours** that are in breach of the Code of Conduct
3. Understand the **reporting procedures** for breaches for the Code of Conduct
Code of Conduct

Introduction

Code of Conduct

Required to work within HVCBA as a RTO & Assessor

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

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

*Introduction & Overview*

It provides commonly agreed business responsibilities and awareness in:

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*every journey matters*
Code of Conduct

Safety

WHS Act 2011

(WHS Act) sets out the Work Health and Safety responsibilities of any ‘Person Conducting a Business or Undertaking’ (PCBU).

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.

RMS Expectation

Service Providers acknowledge their Duty of Care under the WHS Act.

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.

Service Providers are expected to

- Ensure the provision of a safe place of work for Assessors
- Identify all hazards and risks
- Ensure risks are eliminated
- Ensure processes are in place to consult with relevant stakeholders.
- Maintain documented policies and procedures to comply with WHS legislative requirements.
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Diversity & Inclusion

Building a work culture which values the benefits that a diverse workforce and a more inclusive workplace offer.

An inclusive workplace can help us increase our performance and productivity through innovation.

A workforce that reflects and understands the diversity of our customers.
Diversity refers to a broad range of factors that make people unique.
Code of Conduct

Inclusion covers the following ....

- A flexible work culture
- Encouragement to contribute
- Respect & support for differences

Inclusion
Code of Conduct

Responsibilities

You are required to...

- You must perform in a way that promotes public trust and confidence in the integrity of the services and administration provided.
- You need to be aware that the reputation of Roads and Maritime Services can be affected by your actions at work.
Code of Conduct

You are required to...

- Behave in a lawful manner
- Act within your delegated authority and in accordance with Roads and Maritime Services policies and procedures.
- Conduct yourself in a professional and ethical manner.
- Ensure you present an image of professionalism Roads and Maritime Services wishes to present to its customers.
- Not bring Roads and Maritime Services into disrepute by your actions or conduct.
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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 accordance with Roads and Maritime Services 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.

- The use of swearing or 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 the same 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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Examples

Ensure you present an image of professionalism Roads and Maritime Services wishes to present to its customers.

- Ensure that what an Assessor wears to work is suitable for their duties
- Basic etiquette
- The use of a mobile phone during Training & Assessment by an Assessor. This is a distraction to both Applicant and Assessor. e.g. an Assessor not checking for traffic when required is a safety issue

Not bring Roads and Maritime Services into disrepute by your actions or conduct

- Derogatory comments made in relation to HVCBA Policies & Procedures E.g. In – Cabin Camera requirements
- Inappropriate use of social media i.e. posting derogatory comments
- Making false or mis-leading 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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Responsibilities  You 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.
Code of Conduct
RTO Responsibilities

The RTO must ensure that each Trainer and each Assessor:

- Acts honestly, professionally and competently
- Has the qualifications, licences, permits and level of expertise and experience required to perform his or her role
- Does not bring the Roads & Maritime Service or the accreditation system into disrepute or ridicule.
All official information and records acquired in the course of business are

- Stored securely
- Notify RMS
- Or Disclosed
- Not to be misused

Immediately notify RMS of any unauthorised access to, use or disclosure of any confidential information.
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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.
Code of Conduct

Conflicts of interest may be...

For example, where a Assessor assesses a member of their family or close friend.

For example, where an Assessor who has a relationship with a transport company, assesses a friend that is going to work for that company.

For example where a third party thinks that your private interests, improperly influences the performance of your duties whether or not this is the case.
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Unprofessional Conduct

- Roads & Maritime Services
- Services Discontinued
- Fraud
- Bribery

- Non Compliance
- Accreditation Agreement

- Inappropriate Behaviour
- Rudeness
- Bullying & Harassment
Code of Conduct

Acceptance of Bribes

Most people involved in issuing and obtaining licences are honest.

As a RMS Provider, you are subject to the same requirements of honest, ethical and fair conduct as RMS employees.
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).
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Acceptance of Gifts or Benefits

- **Directly**
  - Demand or solicit a gift
  - Benefit of any kind

- **Indirectly**
  - Unsolicited Offer
  - Gift or Benefit is accepted
Code of Conduct

Indirectly Offered Bribes

- If a HVCD Assessor or RTO becomes aware of circumstances which suggest that a bribe is being indirectly offered

- 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.
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Reporting

Reporting of Corrupt Conduct

Whenever an offer of a bribe is made to an HVCBA Assessor or RTO, the procedures outlined should be followed.

Bribes, Corrupt Practices Action in Relation to Bribes

It is an offence to offer or accept any payment, gratuity or present in consideration of a person doing or omitting to do any act pertaining to your duties as a HVCBA Assessor or RTO.

Follow the Reporting Procedures
Code of Conduct

Procedures

Reporting

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

1. • The incident should be reported to their employer at the first opportunity.

2. • The NSW Police Service should be immediately notified and the names of the attending Police Officers and their Police Station are to be recorded.

3. • RMS is also to be informed at the first opportunity.

4. • 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.
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Compliance and Enforcement

RTO or Assessor breaches the Code of Conduct

Investigations
Enforcement
Police
ICAC

Penalties
Caution
Suspension
Disqualification

Termination of services with RMS
Code of Conduct

Summary

This presentation of Code of Conduct has had three main aims and objectives:

- Has provided information on the Code of Conduct for the HVCBA Scheme.
- Has provided training to all HVCBA RTOs and Assessors.
- Will be used going forward, on a mandatory basis, for all RMS Approved RTOs and Assessors joining the HVCBA Scheme.