

## 12 Month Progress Report

### *Investigation into false certifications of heavy vehicle competency-based assessments by a Roads and Maritime Services-accredited assessor*

#### **Roads and Maritime Services**

*Please update this schedule with information about the status of each item as at April 2015. Include details of the latest action/update in respect of each initiative, dates where relevant and attach copies of any documents referred to, where possible, in support of implementation of particular initiatives. Please provide the name of a contact person in your agency from whom we can seek more detail if needed. Please return this document to the ICAC in writing and electronically to Stephen Quain ([squain@icac.nsw.gov.au](mailto:squain@icac.nsw.gov.au)) by no later than Friday, 24 April, 2015.*

#### **Recommendation 1.**

*That the RMS requires RTOs to implement in-cabin video camera and GPS technology solutions to record and monitor HVCBA final competency assessments completed by assessors for the issue of heavy vehicle driver licences, and that the RMS implements systems, processes and business rules to own, collect, review and archive the recordings, including utilising the recordings to enhance the auditing of the HVCBA scheme.*

#### **Summary of progress**

The recommendation is being: <check one>

- ☐ Implemented as described in the report
- ☒ Implemented in an alternative way
- ☐ Partially implemented
- ☐ Not implemented

#### **Action taken to implement recommendation**

##### **Background:**

In April 2014, Roads and Maritime Services proposed a minor variation to the ICAC's recommendation stated above that Register Training Organisations (RTOs) would own, collect and archive recordings. In May 2014, the ICAC accepted this variation.

##### **Action taken:**

Roads and Maritime has implemented the revised recommendation as outlined below.

##### Overview of the new scheme condition:

- From 1 December 2014, it is a condition of scheme accreditation and a contractual obligation for RTOs to record on-road components of the HVCBA final competency assessments via in-cabin video camera and GPS technology in accordance with the Surveillance Devices Act, Workplace Surveillance Act and Privacy Act.
- Video cameras must comply with Roads and Maritime requirements which include rolling GPS coordinates, and time and date stamp.

- RTOs own the data recordings and are responsible for the secure collection, integrity, management, archiving and transmission to Roads and Maritime in accordance with relevant legislation and scheme policies and procedures.
- Roads and Maritime may request RTOs considered high-risk to transmit data recordings to Roads and Maritime on a regular basis.
- Roads and Maritime has full access rights to recordings on and off-site and will utilise the recordings to enhance auditing of the HVCBA scheme.

The Scheme Accreditation Agreement was revised and updated to reflect the new camera requirement, increased accountability for RTOs operating under the scheme, and the separation of training and assessment.

#### Roll-out strategy:

- In August 2014, Roads and Maritime held presentations on the new scheme conditions in metro and regional locations. All RTOs and assessors were invited to these presentations. The metro presentation was recorded and made available to all RTOs and assessors on YouTube.
- Presentation content included the in-cabin camera requirement, scheme changes, the three month compliance period, and contact details. It also provided opportunity for questions.
- On 1 September 2014, the three month compliance period commenced. Roads and Maritime published key documents, including the new Accreditation Agreement and Specification for Monitoring Heavy Vehicle Assessments using In-Cabin Cameras.
- RTOs were required to be compliant by 1 December 2014 (unless an extension had been granted).

#### Status:

- There were 54 RTOs operating under the scheme before 1 December 2014. As at 1 April 2015, 45 RTOs have signed the new Agreement, and the remaining have ceased trading under the scheme.
- During the three month compliance period, most RTOs sought an extension to the new camera requirement. Roads and Maritime assessed these on a case by case basis. As at 1 April 2015:
  - Twenty three RTOs have been granted an extension until 31 May 2015.
  - Twenty two RTOs are no longer covered by an extension. These RTOs are now contractually obliged to monitor and record HVCBA final competency assessments via in-cabin video camera and GPS technology as specified by Roads and Maritime.
  - No further extensions will be granted.
- A new scheme audit approach and a RTO self assessment requirement have been developed in order to utilise camera footage and to minimise fraud and corruption risks. This will be rolled out during 2015.
- Roads and Maritime is monitoring the implementation of the new scheme condition and should patterns of poor behaviour arise, a regulatory regime will be considered to incorporate penalties for non-compliance and encourage better behaviour.

## Supporting material

*<describe any material that has been produced in support of the implementation – for example policy documents, new procedures, training material, audit plans etc >*

With the introduction of the new camera requirement and other scheme changes, Roads and Maritime took the opportunity to revise all existing scheme documentation and developed a suite of material to support the implementation of changes and ongoing operations. This material has been published on a dedicated page of the Roads and Maritime website: <http://www.rms.nsw.gov.au/business-industry/driving-instructors/heavy-vehicle-competency-based-assessment.html>

The material includes:

- Accreditation Agreement for Heavy Vehicle Competency Based Assessment (2014).
- Becoming a Roads and Maritime-approved RTO/Assessor under the HVCBA Scheme.
- HVCBA Assessment Standards and Requirements.
- Conducting HVCBA Assessment.
- HVCBA Record Keeping and Data Management.
- Code of Conduct for the HVCBA Scheme.
- Monitoring Heavy Vehicle Assessment using In-Cabin Cameras.
- Heavy Vehicle Competency Based Assessment Scheme Fit and Proper Policy.
- FAQs: Changes from 1 December 2014 and other Scheme Questions.

In addition to these documents, RTOs also received via email a link to the recorded presentation and in-cabin camera sample footage published on YouTube.

## Evaluation of implementation (Progress update)

*<describe methods proposed for evaluating the effectiveness of the implementation proposed in will be evaluated – for example by staff survey, independent review, performance audit, etc>*

A status report on the previously reported evaluation methods is provided below.

Method	Status
1. Risk assessment and mitigation strategy.	Complete throughout project lifecycle.
2. Industry feedback period on the new scheme condition and implementation strategy.	Complete prior to and during pilot.
3. A pilot of the new scheme condition with select RTOs including test scenarios and evaluation against project scope and requirements.	Complete prior to three month compliance period.
4. Development and implementation of a Control Self Assessment for the HVCBA Scheme.	Currently underway.
5. Assurance audit of the HVCBA scheme framework by the RMS Audit & Risk Branch.	Currently underway.
6. End of program audit of the entire Third Party Scheme Risk Mitigation (HVCBA) Program by the RMS Audit & Risk Branch.	Currently underway.