

CHAIN OF RESPONSIBILITY PROCEDURE



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SCOPE

This CoR Procedure and all related materials and work instructions (WI), form ANC's CoR Management Plan.

This CoR Procedure applies nationally to:

- Employees, Contractors and Visitors within the ANC with responsibility for; or involvement in; activities that fall within the scope of Heavy Vehicle National Law (HVNL) and Work Health Safety Laws (WHS).
- Any role within ANC where a person has the ability to influence or direct another person who has duties under HVNL or WHS law.
- This includes, full time, part time and casual employees as well as contractors or subcontractors working for or on the behalf of ANC.
- It also extends to suppliers and visitors where appropriate.

DEFINITIONS

- **CoR – CHAIN OF RESPONSIBILITY**
- **DG-** Dangerous Goods
- **GVM-** Gross Vehicle Mass
- **GCM-** Gross Combination Mass
- **Heavy Vehicle:** A vehicle with a Gross Vehicle Mass (GVM) of more than 4.5 tonnes
- **Heavy Vehicle National Law-** Laws specific to Heavy Vehicles and CoR
- **Regulated Heavy Vehicle:** A vehicle with a Gross Vehicle Mass (GVM) of more than 12 tonnes
- **Tare-** Unladen Mass of a vehicle/combination that is operationally ready for tasking
- **WHS-** Work Health and Safety

PURPOSE & INTRODUCTION

The purpose of this procedure is to provide direction and guidance to ANC Staff on understanding and managing compliance to legislated CoR requirements.

This policy applies to all ANC workplaces and other workplaces or situations where employees, contractors or subcontractors may be working or representing ANC.

If you are uncertain if this procedure applies to you, please speak with your Manager, WHS Officer or HR.

Through the application of this Procedure, ANC strives to never knowingly pressure or demand any Employee or Contractor to do anything that could create a dangerous or potentially dangerous situation or breach HVNL or WHS law.

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What is Chain of Responsibility?

The Chain of Responsibility (CoR) is a set of specific obligations imposed under legislation on participants in the supply chain where goods are to be transported by road at some point throughout their journey.

The CoR was introduced in 2005 and amended in 2014 with the introduction of the HVNL and again in 2018 to provide that every party in the heavy vehicle transport supply chain has a duty to ensure the safety of their transport activities. In practical terms, this primary duty represents an obligation to eliminate or minimise potential harm or loss (risk) by doing all that is reasonably practicable to ensure safety. As a party in the supply chain, the best way to do this is to have Safety Management Systems (SMS) and controls in place, such as business practices, training, procedures and review processes that:

- identify, assess, evaluate, and control risk
- manage compliance with speed, fatigue, mass, dimension, loading and vehicle standards requirements through identified best practice
- involve regular reporting, including to executive officers
- document or record actions taken to manage safety.

Persons with responsibilities under the HVNL include (but are not limited to) a driver or operator of a heavy vehicle, an employer or prime contractor of the driver, a shipper of goods for road transport using a heavy vehicle, a loading manager for any goods in the vehicle, and a loader of any goods in the vehicle. The HVNL imposes certain obligations on these parties with respect to, among other things, fatigue management, Speed management, maximum permissible mass and dimensions of vehicles, load restraint and vehicle maintenance.

These obligations are in addition to existing safety obligations imposed on supply chain participants e.g. WHS laws

Internal References:

ANC CoR Policy
 ANC WHS Policy
 ANC WHS Procedure
 ANC CoR Breach Management Work Instruction (WI)

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RESPONSIBILITIES

All ANC Employees and Contractors must consider their actions in relation to CoR, & if unsure, seek guidance.

If you are ever in doubt about a course of action, ask yourself the following:

- Is it consistent with the COR Compliance Procedure?
- Is it safe?
- Is it appropriate and legal?

If your answer is “**No**” to any of these questions, don’t do it.

This Compliance Procedure is assembled to provide direction, in line with all applicable legislated requirements, however it cannot anticipate changes in circumstance or legal standpoints, so please always check with your Manager.

If in doubt seek further guidance.

Responsible Manager’s CoR Compliance Responsibilities

- Ensure that the people you supervise understand their responsibilities
- Promulgate and Monitor Driver Compliance.
- Take opportunities to discuss the policy and reinforce the importance of safety and compliance.
- Ensure that Contractors complete all on-boarding documentation – in full
- Regularly Monitor Driver and Vehicle Compliance
- At no time encourage or direct Employees or Contractors to place achieving business results at the expense of ethical conduct or compliance with any policy or law
- Ensure all TRAINING and COMPLIANCE systems are used
- Maintain RECORDS of all CoR and WHS ACTIVITIES undertaken
- Create an environment where employees and contractors feel comfortable raising concerns
- Monitor and review DRIVER HOURS and RECORDS relating to Fatigue
- Document all relevant process, audit and training information appropriately

Internal Reference:

ANC Responsibilities Document

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CONTRACTOR COMPLIANCE

ANC strives to operate ethically and within the required legislative framework always and expects contractors to do the same.

Before engaging a Contractor, reasonable enquiries into their policies, processes and practices is required.

Robust operational policies across the Chain of Responsibility scope of Speed, Fatigue, Mass/Dimensions, Load Restraint and Vehicle Maintenance are required to be reviewed and where necessary, evidence provided, in addition, sound WHS policies should be in place and reviewed.

A third party who doesn't meet ANC's standards should not be engaged to work for or on behalf of ANC.

ANC has a duty of care for all workers, and safety or compliance will not be compromised for any reason.

ANC must not enter into a contract or other agreement with an owner, operator or driver of a heavy vehicle, that ANC knows, or ought to reasonably know, would encourage or provide an incentive for the vehicle's owner, operator or driver to cause the vehicle's driver, to exceed a speed limit or bypass require rest breaks.

Internal References:

ANC HUB Putty SOP
 ANC RAPID Document Matrix
 ANC Contractor Reasonable Enquiry Process

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VEHICLE COMPLIANCE

It is a requirement at ANC that any vehicle consigned to do work for ANC has the following information verified prior to commencement and is maintained for the duration of that work:

- Appropriate Insurance(s)
- Maintenance up to date
- Fit for purpose
- Appropriate load restraint for task
- Vehicle Registration
- Speed Limiter functional - (Regulated Heavy Vehicle)

ANC REQUIREMENT	
VEHICLE OWNER	MANAGER
<ul style="list-style-type: none"> ■ Maintain appropriate INSURANCE ■ Maintained Vehicle in a RWC Standard ■ Conduct DAILY PRE-START Checks ■ Ensure REGISTRATION and DRIVERS LICENCE are Current. ■ Report and Rectify vehicle FAULTS 	<ul style="list-style-type: none"> ■ Maintain VEHICLE COMPLIANCE records in the “RAPID INDUCT” system ■ Regularly Perform DRIVER AUDITS ■ Maintain records for ALL DRIVER COMPLIANCE items in RAPID INDUCT.

Internal References:

Rapid Induct

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DRIVER COMPLIANCE

It is a requirement at ANC that any Driver engaged to do work for ANC has the following information verified prior to commencement and is maintained for the duration of that work:

- Appropriate Driver's License
- Medically Fit to Drive
- Workers Compensation Insurances (in states where required)
- Driver Induction completed in full

If at any time a driver does not meet the above requirements, they are to inform ANC immediately.

Failure to comply with this component of the procedure may result in termination.

ANC REQUIREMENT	
CONTRACTOR	MANAGERS
<ul style="list-style-type: none"> ■ Must hold a valid driver's license ■ Must hold the correct class of drivers licence ■ Must have completed ANC's Induction ■ Will provide compliance items upon request ■ Will report all incidents to ANC ■ Will not work while affected by Drugs, Alcohol or Fatigue ■ Will abide by their CoR Responsibilities at all times. 	<ul style="list-style-type: none"> ■ Maintain and monitor all contractor compliance needs ■ Not allow any contractor to start work without a completed ANC induction ■ Conduct regular toolbox session with contractors ■ Not allow a non-compliant contractor to work for/or on behalf of ANC

Internal References:
 ANC HUB Putty SOP
 ANC Rapid Document Matrix
 Rapid Induct

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FATIGUE MANAGEMENT COMPLIANCE

Fatigue can affect a person's health, reduce performance and productivity, and increase the chance of a workplace accident or serious motor vehicle accident.

ANC and all parties in the supply chain must do what is deemed "reasonably practicable" to ensure that any risks associated with fatigue are identified, minimised, controlled or eliminated.

Our activities include but are not limited to:

- All ANC systems are aligned to "Standard Hours"
- All planning and manifesting includes consideration for driver fatigue
- All regional deliveries of 500kms or more are managed via a driver fatigue management plan (DFMP)
- Maintaining effective loading and queuing practices
- Ensuring that commercial arrangements do not incentivise the driver to break the law (E.g. driving excessive hours or speeding to meet deadlines).

ANC REQUIREMENT	
CONTRACTOR	MANAGER
<ul style="list-style-type: none"> ▪ MUST make ANC of fitness for duty via daily log in to HUB App. ▪ Must take all required rest breaks and/or overnight stays as manifested. ▪ MUST accurately record WORK and REST TIMES via HUB App. ▪ MUST never drive while impaired by fatigue ▪ MUST never work in excess of 6 days in any 7-day period. 	<ul style="list-style-type: none"> ▪ ROSTER to ensure "Standard HOURS" is maintained ▪ LIAISE with DRIVER to ensure ROSTER is in line with Standard hours – MAXIMUM ▪ Use CONTINGENCY PLAN in the event of a HOLD UP ▪ Ensure DFMP is in place where required and signed by all parties (or electronically acknowledged)

Internal References:

ANC DFMP
ANC CoR Policy
ANC HUB Application

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PLANNING AND SCHEDULING COMPLIANCE

Schedulers must do what is deemed reasonably practicable to ensure the schedule/manifest will not cause the vehicle to breach mass limits or cause the driver to exceed the legal speed limit or cause the driver to breach work/rest requirements.

Reasonably practicable actions include but are not limited to:

- Taking into account the average speed that can be travelled lawfully on scheduled routes
- Allowing for traffic conditions or other delays in schedules
- Contingency planning concerning schedules
- Consulting the driver or operator prior to finalising the schedule.
- Adherence to STANDARD HOURS as a MAXIMUM standard.
- Accurately calculating payload by use of the Tare/GVM measures within PuTTY/Dispatch
- Reviewing freight profiles to identify Mass, Dimension or DG implications
- Employing a DFMP where required

ANC REQUIREMENT	
CONTRACTOR	MANAGER
<ul style="list-style-type: none"> ▪ MUST take all required rest breaks in line with Standard Hours ▪ MUST follow an agreed DFMP ▪ MUST not exceed the mass or dimension limits when loading ▪ MUST not speed to meet a delivery window ▪ WILL notify ANC if undeclared DG's are presented for transport ▪ MUST restrain all loads 	<ul style="list-style-type: none"> ▪ ROSTER only drivers who have had sufficient rest ▪ NEVER allow a driver to exceed 6 days' work in any 7-day period ▪ NEVER manifest a load to a vehicle that cannot legally carry it ▪ NEVER schedule a placard load of DG without the knowledge and permission of the state manager.

Internal References:

ANC DFMP
ANC CoR Policy

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MASS & DIMENSION LIMIT COMPLIANCE

ANC must ensure that any vehicle that is loaded with client's product is loaded in line with the Mass Limits of that vehicle.

ANC will provide the driver or nominated representative, with all relevant mass information related to the load prior to loading, and in case of pre-loaded vehicles prior to departure.

The driver or nominated representative has the authority to request adjustments to the load if the driver is concerned with the weight of the load.

The gross mass of the load is required to be placed on the vehicle in line with legal axle mass limits.

As all vehicles are different and drivers know their vehicles best the driver is responsible to direct the loader to position the load according to his/her vehicle axle mass limits.

It is also imperative that mass and dimension limits are adhered to throughout the delivery cycle, i.e. as freight is removed or added to the vehicle in the field, the load is re-adjusted.

ANC REQUIREMENT	
CONTRACTOR	MANAGER
<ul style="list-style-type: none"> Provide WRITTEN ADVICE of GVM & TARE of Vehicle. Ensure that TOTAL MASS amounts for a load are provided and that they fall within the SAFE LIMITS of the vehicle capacity for EACH LOAD. ENSURE that load is SAFE and within axle limits for the vehicle type ENSURE that load is within DIMENSIONAL limits 	<ul style="list-style-type: none"> Maintain GVM & TARE details for Delivery Vehicles in Rapid and HUB Ensure DRIVER TRAINING in COR for MASS & DIMENSION MAINTAIN records of Driver Training of Mass & Dimension.

Internal References:

NHVR Mass Limits
 ANC Dispatch/ HUB PuTTY
 Rapid Induct
 ANC CoR Induction

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SPEED MANAGEMENT

ANC **will not** pressure, direct or encourage at any time; any driver; to speed, for any reason.

ANC insists on safe work behavior; **speeding will not be tolerated**.

ANC will work to ensure that a robust and reasonably practicable approach to speed management is managed and maintained.

Reasonably practicable actions include but are not limited to:

- Regular consultation with drivers about speeding
- Daily Speed exception report auditing
- A program to report & monitor (GPS tracking where available or as directed) incidents of speeding, & related risks and hazards
- Training & Information for Drivers, Staff and parties in the chain of responsibility
- Regular Maintenance of vehicle components that relate to complying with speed limits (where appropriate speed limiters, speedometers, engine management systems).
- Remuneration model that does not incentivise or penalise drivers for early or late deliveries.
- Annual Licence history checks for all drivers

ANC REQUIREMENT	
CONTRACTOR	MANAGER
<ul style="list-style-type: none"> ■ MUST abide by all ROAD LAWS ■ MUST Complete ANC CoR Induction ■ Drivers will provide a full driving history check to ANC every year 	<ul style="list-style-type: none"> ■ MONITOR Driver HOURS using GPS and Reporting Systems ■ Enquire into MAINTENANCE of VEHICLE MECHANICAL items relating to SPEED CONTROL & Monitoring ■ Monitor driver compliance systems and maintain up to date records

Internal References:

ANC CoR Policy
 ANC CoR Breach Management WI
 ANC Speed Management WI

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LOAD RESTRAINT COMPLIANCE

The safe loading of heavy vehicles is vitally important in preventing injury to people and damage to property. There are also economic benefits to ANC if the load arrives intact and without damage.

Every load that leaves an ANC or ANC customer site must be restrained in line with the National Transport Commissions Load Restraint Guide 2018.

The load must be restrained to withstand forces of at least:

From Performance Standards
<ul style="list-style-type: none"> ■ 80% of its weight in a forward direction ■ 50% of its weight sideways and rearwards ■ 20% of its weight vertically

The type of load restraint for each load type may differ, however recommended minimum standards are:

ANC VEHICLE / EQUIPMENT MINIMUM STANDARD	
<ul style="list-style-type: none"> ■ Certified load restraint curtains ■ Certified headboards and sides on rigid vehicles ■ Approved Cargo barriers for Vans ■ No OCTOPUS/OCKY Straps- these are banned at ANC. 	<ul style="list-style-type: none"> ■ Plastic or metal angles. ■ Rated web strapping, suitable for the load- never ropes. ■ Hardwood Timber Dunnage- no softwood ■ Rated racks on utes

If you are unsure of what the correct load restraint required for a vehicle or load type is, refer below:

Internal References:

ANC CoR Policy
ANC CoR Breach Management WI

External References:

Load Restraint Guide 2018- NTC
Light Vehicle Load Restraint Guide 2018- NTC

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BREACHES OF THE CoR POLICY OR PROCEDURE

This CoR Procedure defines ANC's stance and sets a behavioral standard for everyone who performs work for ANC.

Any breach of CoR MUST be reported immediately, ANC workers are to do this via their direct manager and then by reporting an incident to Rapid Incident.

Breaches of this policy or procedure may result in disciplinary action up to and including termination of employment.

For contractors, it may lead to the immediate termination of a contract. It is expected that Contractors will enforce a similar set of standards with their employees.

ANC - MINIMUM STANDARD

■ All workers Will adhere to the ANC COR Policy	■ ALL workers will abide by the ANC COR Procedure
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RAISING CONCERNS

If you observe behavior that concerns you, or that may represent a violation of the Policy, raise the issue promptly with your manager. Doing so will allow ANC an opportunity to manage the issue promptly.

If you have any questions about the Policy, its meaning or its application, you should raise these initially with your Manager or alternatively:

- Your local WHS resource
- Your State Manager
- ANC National Safety and Compliance Manager

Internal references:

ANC CoR Breach Management WI

Rapid Incident

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Related ANC Policies

- ANC CoR Policy
- ANC WHS Policy
- ANC Fatigue Management Policy
- ANC Drug and Alcohol Policy

Related Legislation

Chain of Responsibility (Related)

- Heavy Vehicle National Law (Act)
- Heavy Vehicle (Fatigue Management) National Regulation
- Heavy Vehicle (General) National Regulation
- Heavy Vehicle (Mass, Dimension and Loading) National Regulation
- Heavy Vehicle (Registration) National Regulation
- Heavy Vehicle (Vehicle Standards) National Regulation

Dangerous Goods

- The Australian Dangerous Goods Code Edition 7.7 (Road and Rail)
- Relevant DG Act's and Reg's;
https://www.infrastructure.gov.au/transport/australia/dangerous/transport_dangerous_goods.aspx

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