

NHVR Safety Policy

Purpose

The Heavy Vehicle National Law (HVNL) requires that the National Heavy Vehicle Regulator (NHVR) facilitates and regulates the use of heavy vehicles in a way that promotes public safety and safe business practices.

The NHVR's corporate strategy and planning documents (i.e. *Strategic Directions 2016* and *Setting the Agenda 2016 – 2020*) articulate its regulatory requirements by identifying the organisation's vision for safety ...

'to minimise harm to drivers and passengers, other road users and property associated with heavy vehicle incidents'.

This policy outlines the intent and the guiding principles the NHVR applies in developing and administering a regulatory framework that supports the HVNL and the organisation's vision for safety in the heavy vehicle industry.

Scope

This policy applies to all regulatory and operational activities, incorporating the planning, execution and maintenance of regulatory initiatives performed by:

- the NHVR
- other parties acting on the NHVR's behalf.

References to the 'heavy vehicle industry' incorporates the broad range of stakeholders involved in heavy vehicle operations and the heavy vehicle supply chain.

The NHVR Board and Executive Leadership Team are committed to applying the intent and the principles of this policy in all decision making activities related to regulatory oversight administered by the NHVR.

Policy statement

1. This policy reinforces the NHVR's co-regulatory approach to the oversight of safety in the heavy vehicle industry. While the industry is ultimately responsible for the safety of its operations, it is the role of the NHVR to provide an appropriate regulatory framework and mechanisms to support the industry to achieve this.
2. The NHVR will develop and administer a regulatory framework that:
 - a. prioritises the elimination and/or reduction of risks to public safety created by heavy vehicle transport activities
 - b. fosters improvements to productivity and sustainability in accordance with the object of the HVNL, however retains safety as its first priority
 - c. promotes the safe operation of heavy vehicles and supports the heavy vehicle industry to take responsibility for the safety of its operations
 - d. encourages consistency and harmonisation in the way heavy vehicle regulation is delivered across Australia
 - e. ensures appropriate action is taken where an individual or organisation does not uphold their safety responsibilities
 - f. encourages innovative safety management practices and the removal of regulatory barriers to their adoption within the bounds of the HVNL.
3. This policy is intended to engender and evoke an environment of continuous improvement that embraces safety, including the ongoing evaluation of activities and initiatives to ensure that they are delivering the intended safety outcomes. This includes monitoring best practice in Australia and overseas.
4. The NHVR acknowledges that the heavy vehicle industry is subject to additional legislative requirements beyond the scope of the HVNL. Where possible and appropriate, the NHVR will endeavor to ensure regulatory oversight is consistent and compatible with these coexisting legislative requirements.

Principles

5. The application of this policy will be consistent with the following principles which have been developed on the basis of procedural fairness, natural justice, consistency and transparency.

Continuously improving safety outcomes

6. A primary focus of the NHVR's regulatory framework is to promote an environment of continuous improvement with respect to the identification and management of hazards and associated safety risks arising from heavy vehicle transport activities.
7. In undertaking its work, the NHVR will seek to reduce the frequency and severity of harm associated with heavy vehicle incidents, consequently delivering a positive influence on the social and economic impacts of these events.
8. The NHVR recognises its lawful obligations to deliver regulatory initiatives which facilitate productivity and sustainability improvements. We will uphold

our commitment to safety in achieving these objectives.

9. The NHVR's task, which is shared with the heavy vehicle industry and supply chain, is to ensure that safety risks are reduced to a level that is as low as is reasonably practicable.

Focus on risk and evidence based practices

10. The focus of regulatory activities undertaken by the NHVR will be based upon an in-depth understanding of heavy vehicle hazards and associated safety risks.
11. The NHVR recognises that the nature of safety risks in the heavy vehicle industry is dynamic and influenced by interactions throughout the supply chain. The NHVR will:
 - a. adopt an intelligence-led approach to identifying these risks
 - b. ensure that prioritisation of its responses is guided by systematic assessment.
12. Where appropriate the NHVR will share safety-related information with its stakeholders that will be beneficial to improving the way safety risks are identified and managed.
13. The NHVR will consider contemporary research and analysis when taking actions to address safety risks. The NHVR will use systems-based analysis to understand safety risks and seek to identify factors that contribute to heavy vehicle incidents, near misses and safety events.
14. When addressing safety risk factors the NHVR will develop appropriate regulatory responses that are:
 - a. supported by empirical research
 - b. proportionate to the level of risk presented
 - c. relative to our capacity to influence the risk
 - d. aligned with community expectations
 - e. consistent with the HVNL.
15. The NHVR will ensure this philosophy is supported in:
 - a. the development of standards
 - b. the delivery of education and guidance
 - c. carrying out audits, assessments, on road interceptions and investigations
 - d. the allocation of resources to deliver on these priorities.

Commitment to stakeholder engagement

16. The NHVR is committed to building and maintaining effective working relationships with:
 - a. the heavy vehicle industry
 - b. heavy vehicle industry associations
 - c. government
 - d. police and road agencies
 - e. other safety agencies.
17. The NHVR will actively engage and collaborate with our stakeholders to identify safety risks and develop effective, appropriate and sustainable strategies to improve safety outcomes.
18. The NHVR acknowledges that in order to maintain ongoing, productive partnerships, it must communicate in an open, clear and transparent manner externally and throughout the organisation.
19. The NHVR embraces its role in providing education and assistance to the heavy vehicle industry and recognises that this is pivotal to the continuous improvement of safety management practices.
20. The NHVR will support the heavy vehicle industry in developing their own best practice processes and procedures.
21. The NHVR seeks to foster a culture where individuals and organisations embody voluntary compliance and take responsibility for the safety of their operations.
22. The NHVR recognises that the continued improvement of heavy vehicle safety must exemplify a systems approach, encompassing a range of factors including those outside of its regulatory jurisdiction, adding value where it has the capacity to do so.
23. The NHVR will share information, provide expert advice to, and engage collaboratively with partner agencies to influence network design and access in order to promote the use of safer heavy vehicles.

Using technology to improve safety outcomes

24. The NHVR recognises the importance of technology in contributing to improved safety outcomes and supports the development and adoption of innovative technologies throughout the heavy vehicle transport industry.
25. The NHVR encourages its stakeholders in the heavy vehicle industry to embrace the utilisation of technology where improvements to safety can be gained through enhancements to vehicle

performance and management of behavioural decision making.

26. The NHVR will actively facilitate the application of technology where it can be demonstrated to improve safety outcomes. This may include the reduction of regulatory barriers and where appropriate the provision of concessions and incentives.
27. The accessibility of relevant data has increased in the heavy vehicle industry with the adoption of new and innovative technologies and intelligent transport systems. Using this information the NHVR will collaborate with industry and partner agencies to improve safety management practices and regulatory oversight.
28. The NHVR will invest in and undertake research of existing and emerging technologies that may potentially deliver safety benefits for the heavy vehicle industry.

Alignment with 'just culture' principles

29. The NHVR adopts the principles of 'just culture' in its approach to regulatory oversight of the heavy vehicle industry and in managing the health and safety of its workforce.
30. The NHVR will operate within a just culture environment aligned with its corporate values by embodying an organisational philosophy that:
 - a. promotes learning and continuous improvement, and recognises the influence that work systems have on individual behaviour
 - b. does not seek to apportion blame or fault where an honest mistake has been made
 - c. establishes and communicates clear parameters and does not tolerate negligence, recklessness or wilful violation of safety standards.
31. The NHVR will promote this organisational philosophy when interacting with its partner agencies and will support industry stakeholders in their development of just culture practices.
32. The NHVR will do this by providing relevant, practical guidance and education to assist the heavy vehicle industry to adopt and improve their safety management systems and understand their obligations.
33. The NHVR will reflect this organisational philosophy in its policies and its approach to regulatory assurance activities and interventions.

Embracing work health and safety

34. The NHVR will strive to achieve the highest level of workplace health, safety and wellbeing for its employees and the parties it interacts with.
35. The NHVR will embrace the same safety management principles it advocates to the heavy vehicle industry in the operations it undertake as an organisation. In doing so, the NHVR recognises its statutory obligations under the *Work Health and Safety Act 2011 (Queensland)*.
36. The NHVR will ensure its systems and processes exceed mandatory requirements to develop a tailored best practice approach to workplace health and safety that supports its unique operations.
37. The NHVR will take a proactive approach in ensuring its people have the ability, support and resources necessary to carry out their work safely, with consideration of both physical and mental well-being.
38. Safety improvements cannot be made in isolation. The NHVR will ensure that a holistic, systems-based approach is taken in the development of its work systems and processes.
39. The NHVR believes that frequent, open communication with its people as well as those it interacts with, is fundamental to managing health and safety risks and promoting a positive safety culture throughout the organisation.

Responsibilities

The following positions are responsible for implementing this policy.

Position	Responsibilities
NHVR Board	<ul style="list-style-type: none"> • Support the NHVR Chief Executive Officer (CEO) and Executive Leadership Team (ELT) with resources to implement this policy. • Driving organisational culture to deliver on this policy.
NHVR CEO and ELT	<ul style="list-style-type: none"> • Ensures decision making aligns with this policy.
All NHVR Employees	<ul style="list-style-type: none"> • Implement this policy in the execution of their tasks.

Related legislation and documents

- *Heavy Vehicle National Law Act 2012*
- *Strategic Directions 2016*
- *Setting the Agenda – Strategies for a Safer, Productive and more Compliant Heavy Vehicle Industry 2016 – 2020*
- *Work Health and Safety Act 2011 (Queensland) and counterpart acts in participating jurisdictions*
- *NHVR Compliance and Enforcement Policy*