

1. Context

Loads that affect heavy vehicle stability or are not properly secured pose an increased road safety risk, including through an increased risk of rollover or from the consequences of a load or part of a load becoming dislodged.

2. Scope

This procedure applies to all Clenton's Transport's operations, transport activities and associated persons and contractors, including:

- Employees involved in the Chain of Responsibility (CoR);
- Contractors and supply chain partners whose activities are directed by, or may impact upon Clenton's Transport's operations and employees; and
- Contracted drivers of heavy vehicles driving for, or on behalf of Clenton's Transport.

3. Primary Duty

Parties in the CoR have an obligation to ensure all internal and external work-related incidents involving employees and contractors, visitors and the general public are reported, recorded, investigated and legal advice obtained (if deemed necessary).

4. Acronyms, Definitions and References

Contractor - as referred to in this procedure is any person not directly employed by Clenton's Transport undertaking transport activities on behalf of Clenton's Transport.

CoR Parties include Registered Operator, Prime Contractor, Transport Operator, Consignor/Consignee, Loading Manager, Loader and Unloader, Scheduler, Packer, and responsible persons.

Executive Officer of a corporation means a director of the corporation or any person, by whatever name called, (director or not), who is concerned, or takes part, in the management of the corporation. This includes for example owners, directors, managers, and operators.

Heavy Vehicle – a vehicle with a Gross Vehicle Mass over 4.5 tonnes.

HVNL: Heavy Vehicle National Law.

Transport activities under HVNL means activities, including business practices and making decisions, associated with the use of a heavy vehicle on a road.

Incident is an event or chain of events, which has, or could have caused occupational injury or occupational disease and/or damage (loss) to people, assets, or reputation.

Near miss is defined as an incident that occurred at the place of work, which, although it did not result in personal injury/disease or damage to people, property, or the environment, had the potential to do so.

Fatality is an occurrence of death by accident.

Crisis is an event that threatens, or has the potential to threaten human life, the company's assets, its operations, or its reputation.

Accident is an unplanned event causing physical harm and/or damage.

Lost Time Injury (LTI) A fatality or work-related injury or illness that results in the inability to work for at least one full day, or shift, any time after the day or shift in which the incident occurred. A LTI is recorded from the date the incident occurred not when time was actually lost.

Transport Safety Management System

Procedure 10 TSMS Incident Management



Medical Treatment Injury (MTI) A work injury requiring treatment by a medical practitioner and which is beyond the scope of normal first aid, Where medical management leads to work restrictions or requires follow up treatment with a medical practitioner for the sake of treating the work-related injury a medical treatment injury will be recorded from the date of injury.

Medical Intervention a registered medical practitioner or another registered treatment provider which provides medical attention (e.g.: stitches, x-ray, plaster, medication, or referral)

First Aid Injury (FAI) is any work injury which requires a “one-time treatment”, of first aid and subsequent observation of minor scratches, cuts, burns, splinters, and so forth provided by a qualified First Aider or Registered Nurse. In some instances first aid treatment can be provided by an on-site/roving registered medical practitioner or other registered treatment providers, which should be recorded as a first aid injury.

Symptomatic Report is a report made of symptom(s), immediate or gradual in onset, without damage, where *no treatment is required*, or where there has been no specific incident identified, eg Pain, headache etc.

Public Liability Incident An incident, causing property damage and or injury to Third Parties, in connection with the Clenton’s Transport’s business, not as a result of the use of a Registered Motor Vehicle.

Motor Vehicle Incident An incident causing property damage and or injury to Third Parties, in connection with the Clenton’s Transport’s business as a result of the use of a Registered Motor Vehicle.

Preventative/Corrective Actions Are the recommendations designated by the investigation team to ensure that the outcomes of inspection and testing, audits, accident, incident, and hazard reporting procedures are reviewed, and appropriate procedures implemented to rectify non-conformance and prevent its recurrence. Procedures for preventative/corrective action shall be implemented to identify risk and implement control provisions before it causes illness or injury in the workplace. The “Hierarchy of Controls” shall be utilised to form the recommendations for preventative/corrective actions.

Investigation is required for all incidents.

Major Investigation is required for the purposes of obtaining legal advice and/or where it is anticipated that legal proceedings may follow, when the risk rating is considered to be a major consequence for the business and has therefore been rated High/Extreme risk.

Lessons Learned Is a form available to communicate information regarding an incident. The form shall be reviewed and approved by the Regional Safety manager and an Operations Manager prior to distribution to sites.

References for this procedure include:

[Heavy Vehicle National Law \(NSW\) No 42a](#)

5. Procedure

5.1 Accident/Incident & Near Miss Reporting

- 5.1.1 All injuries must be reported immediately to your Operations manager/supervisor and recorded on the Clenton's Transport's "Record of Injury, illness and Occurrences" Form.
- 5.1.2 All injuries, accidents, incidents and near misses are to be reported as soon as possible to your supervisor / Manager.
- 5.1.3 In certain cases the representative of the customer organisation that we are servicing requests notification in a similar timely manner, as to enable their own reporting and preventative action process to be followed.
- 5.1.4 The Incident Report Form shall be tabled and reviewed at operational meetings, to ensure controls are effective, appropriate, and reviewed. The s Manager shall keep a copy of the Incident Report Form and make it available for inspection by:
- A WorkCover inspector
 - The relevant health and safety representative (if nominated)
 - The health and safety committee (if in place)
 - The injured person or a person authorised by the injured person or a representative of the deceased person.

5.2 Significant Safety Incidents, i.e. Dangerous Event, Notifiable Incidents

- 5.2.1 The Manager must be notified immediately in the event of any incident which involves the following:
- Fire brigade, ambulance, police
 - Environmental protection authority (EPA)
 - WorkCover authority investigators
 - Health department investigators
 - Serious injury (inc. lost time injuries): as per relevant legislation
 - An incident which attracts media attention
 - An incident which could be considered serious in that major consequences were only narrowly avoided (ie. a near miss).

5.3 Crisis

Response to a crisis event will receive absolute priority until control of the situation is achieved.

5.4 Investigation

- 5.1.5 It is important to notify, investigate and analyse a "near miss" because next time it happens the results may be more serious.
- 5.1.6 The level of the investigation is determined by the actual or potential severity of the incident, the likelihood of legal proceedings arising from the incident. Refer to the Clenton's Transport risk assessment matrix to determine the risk level (Low, Medium, or High/Extreme).
- 5.1.7 Any documents that form part of an investigation are to be attached electronically (if possible), otherwise forwarded with the hard copy incident report.

- 5.1.8 Due to the possibility of use in a court of law, inaccurate comments, or those of a trivial or potentially slanderous nature must not be used anywhere in the report.
- 5.1.9 The Manager/Supervisor is responsible for ensuring that an investigation is conducted for ALL incidents and injuries, which will identify root causes of the incident.

5.5 Preventative/Corrective Action & Risk Controls.

- 5.1.10 The Manager and/or investigation team leader completes the preventative/corrective action plan. The plan details the investigation outcomes of the incident and the actions and risk controls planned to prevent the incident from recurring. This is the most important piece of any investigation. All of the work done to this point culminates with recommendations to prevent similar accidents from happening in the future. Recommendations should relate directly to the causes of the accident, in particular root causes. Recommendations reached must be determined by working through the "Hierarchy of Controls".
- 5.1.11 Fill in the preventative/corrective actions determined and make sure responsible people are nominated in the "By who" column as well as designating in the "By When" column a date for implementation. Do not forget to complete the "Date Completed" column for each action determined. Note – Close out of preventative/corrective actions and risk controls may also be recorded in site OH&S Committee meeting minutes.
- 5.1.12 Make sure the Investigation Team has been recorded in the box provided.

5.6 Review and Sign off.

- 5.1.13 The manager and/or his/her appointed delegate must, print their name, date the report and sign off on the investigation form. Note – Sign Off only occurs, after all preventative/corrective actions and risk controls are implemented and the matter is finalised/closed off to the satisfaction of the relevant manager and/or reviewer.
- 5.1.14 The Manager and/or his / her delegate must tick all relevant boxes to verify effective risk controls have been implemented to prevent a re-occurrence of the incident.
- 5.1.15 Evaluation (by risk assessment), and follow up/review of preventative/corrective actions and risk controls implemented.
- 5.1.16 Make sure all relevant personnel have been trained and/or informed and instructed on the changes/ risk controls implemented.
- 5.1.17 A copy of the completed Record of injury, illness and Occurrences report must be provided to the injured worker or the person who initiated the original report.
- 5.1.18 Major Investigation Reports are obtained for the purposes of obtaining legal advice and may not be provided to any person without the express approval of the company Director.

6. General Responsibilities

Owner/Employer/Prime Contractor

The Owner, Employer or Prime Contractor is responsible for exercising 'due diligence' by providing the information, resources, and expertise necessary for implementing, undertaking, monitoring, and maintaining risk management activities including incident investigation and incident management.

In meeting 'due diligence' requirements, they are required to familiarise themselves with the hazards and risks associated with the business and its activities, the selected controls and monitor the effectiveness of the process.

Managers and Supervisors

Are responsible for making sure –

- Preventative and Corrective responsibilities are designated to competent persons and statements of responsibility are established.
- Through implemented systems of review, that preventative and corrective action responsibilities are met and that procedural outcomes are properly actioned and followed through/closed out.
- Procedures ensuring preventative and corrective actions are recorded, maintained and reviewed in accordance with legislative requirements and Clenton's Transport's procedures; and
- Maintaining the office accident/incident report file.
- Raising a Lessons Learned.

Employees

Are responsible for completing incident report forms and assisting in any Major Investigation of accidents required.

Contractors

Contractors, as well as complying with their WHS duties, are also responsible for undertaking their own incident management / investigations activities.

Contractors must also comply with Clenton's Transport's procedures. Any concerns are to be reported to Clenton's Transport's contact at the earliest opportunity for review.

7. Related Policies

This procedure has been developed in conjunction Clenton's Transport's WHS Policy and overarching Transport Safety Policy. It is consistent with the requirements of WHS legislation.

8. Supporting Forms/Record Keeping

Forms generated by this procedure and other related records are listed below.

Title or group of documents	Location	Responsible Party or Role	Minimum Retention Period
TSMS Incident Report Form			3 years
Hazard Reports			Ongoing
Record of Injury, Illness and Occurrences			
Major Investigation Report			
Lessons Learned			

9. Procedure Quality Control

Policy:	Policy 01 Transport Safety Policy
Compiled By:	
Groups Consulted:	
Approved By:	
Date:	MM/YY
Review:	MM/YY
Filename:	TSMS Procedure 10 TSMS Incident Management.docx