

Transport Safety Management System

Procedure 11 TSMS Contractor Management



1. Context

Clenton's Transport will achieve the objectives of our Transport Safety Policy by implementing a CoR Contractor Management program that manages contractors and suppliers and management controls for selecting contractors and suppliers based on their ability to meet requirements, including quality, safety and environmental requirements, insurance information, training programs and specific documents that pertain to the contractor and Clenton's Transport requirements.

Contractors and suppliers utilising heavy vehicles working for, or supplying product and materials to Clenton's Transport shall be assessed to have adequate CoR management systems in place prior to engagement. At post engagement, an appropriate level of monitoring shall be undertaken to confirm system implementation.

2. Scope

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

- Contractors and supply chain partners whose activities are directed by, or may impact upon our operations and employees, including risk management processes; and
- Drivers and contracted drivers of heavy vehicles driving for, or on behalf, of us.

3. General Responsibilities

3.1 Primary Duty of Care

HVNL requires as a primary duty that, as far as reasonably practicable, each party in the CoR for a heavy vehicle, including Clenton's Transport, will:

- ensure the safety of the party's transport activities relating to the vehicle;
- eliminate public risks and, to the extent it is not reasonably practicable to eliminate public risks, minimise the public risks; and
- ensure the party's conduct does not directly or indirectly cause or encourage a party of the CoR and drivers:
 - to contravene the HVNL;
 - exceed any speed limit applying to the driver; or
 - induce or cause another person and party in the CoR to contravene the HVNL.

Clenton's Transport, will as far as is reasonably practicable, ensure the quality, safety and environmental requirements of all who may be affected by work undertaken by contractors and ensure all contractors engaged to perform work at Clenton's Transport shall work in ways that maintain a safe working environment. This will be achieved by ensuring contractors:

- Have the necessary licensing, skills, knowledge and systems to carry out the work safely;
- Are adequately supervised whilst onsite;
- Health and safety performance are reviewed.

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3.2 Contractor Responsibilities

Clenton's Transport's work health and safety, and environment as a shared responsibility between the contractor, their employees or sub-contractors, and Clenton's Transport, itself and therefore, it is the responsibility of contractors to ensure that:

- They are competent and they hold the necessary licences, certificates and/or approved evidence of competency for all plant and equipment they operate on site;
- They maintain the equipment in which they work in a safe and healthy manner for themselves and for the employees and contractors;
- They employ safe systems of work to do a job;
- They comply with appropriate standards;
- They communicate regularly with their Clenton's Transport contract supervisor/project officer;
- They ensure that their equipment is current for inspection purposes and inspected prior to use to ensure that it is fit for purpose and regular maintenance and inspections are to be carried out on all machinery.

4. Specific HVNL CoR Duties

In meeting our duties, we will always ensure in what we control or influence, that we:

- Do all that is reasonably practicable to ensure safety within our transport activities;
- Ensure our transport activities by act or omission do not create a risk to transport safety;
- Establish and implement the risk management framework;
- Provide information on hazards and risks to all relevant parties;
- Provide training and instruction to employees and relevant others on hazard control;
- Provide approved control methods to control the risks identified; and
- Monitor CoR related hazards and risks and the effectiveness of the selected controls

Clenton's Transport and CoR related parties will meet obligations under HVNL, as described in our CoR Policy, by managing risk associated with:

- Mass and Dimension Management
- Load Restraint Management
- Speed and Fatigue Management
- Maintenance Roadworthiness and Heavy Vehicle Standards Management

to ensure potential risks are minimised as far as reasonably practicable.

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5. Acronyms, Definitions and References

CoR: Chain of Responsibility

CoR Parties are described in the CoR Policy of our CoR Management System (CoRMS) and include Registered Operator, Prime Contractor, Transport Operator, Consignor/Consignee, Loading Manager, Loader and Unloader, Scheduler, Packer and responsible persons.

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

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.

HVNL: Heavy Vehicle National Law

NHVAS: National Heavy Vehicle Accreditation Scheme

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

REFERENCES for this procedure include:

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

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6. Procedures

6.1 Contractor Selection and Approval Process

- 6.1.1 Industry partners who work with Clenton's Transport must have appropriate systems in place to meet their obligations under the HVNL legislation and to ensure compliance with CoR requirements. In managing CoR hazards and risks, industry partners must consider the full extent of their obligation to others in the supply chain.
- 6.1.2 Line managers (including project managers) must ensure that Clenton's Transport's requirements relating to CoR compliance are included in contracts that may involve heavy vehicle use. When contracting services, line managers must consider, in collaboration with key stakeholders, whether the service has CoR obligations. If there are CoR obligations:
- 6.1.3 The selection process and criteria should consider whether the industry partner has demonstrated they have safety management systems in place that enable compliance with legislated CoR requirements.
- 6.1.4 The contract must include requirements regarding compliance with CoR obligations
- 6.1.5 Line managers must monitor and manage the industry partner's compliance with CoR requirements (and this should be reflected in the relevant contract).
- 6.1.6 Contractor/subcontractor pre-qualification and screening activities should include undertaking compliance assurance assessment of contractors/subcontractors as to their competency, capacity, qualifications, training, expertise and systems and processes in place to ensure compliance with the CoR laws and this booklet and their compliance performance and/or relevant compliance history.
- 6.1.7 The Contractor Application for Prequalification shall be issued and an assessment shall be conducted to ensure the contractor meets the necessary requirements relating to CoR compliance.

6.2 Monitoring and Reporting

- 6.2.1 Clenton's Transport shall arrange for the work of the contractor to be monitored by a responsible person to ensure their compliance with compliance with CoR requirements.
- 6.2.2 Audit and review of contractor/subcontractor activities and performance is especially important where they are engaged to perform works or services which have a direct impact on safety or compliance with CoR laws.
- 6.2.3 Participating in and obtaining a satisfactory audit outcome, including continued performance, is a requirement of working with Clenton's Transport.
- 6.2.4 If the contractor is not working to expected compliance with CoR requirements, Clenton's Transport shall discuss the deficiencies with the persons concerned and work with the contractor to resolve the problems.
- 6.2.5 Actions to be taken in the event of a non-conformance should be openly discussed before any contractor is engaged.
- 6.2.6 Reporting by the Contractor shall be provided with completion of the Contractor CoR Reporting Template.

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6.3 Censure or Termination of Contract

6.3.1 Contractors who do not comply with the Clenton's Transport CoR requirements will be subject to the following:

- When Clenton's Transport becomes aware of an alleged breach of Transport Safety Risk Management Policies, procedure and/or site rules, Clenton's Transport will initially speak with the contractor as soon as possible after the alleged breach has been reported;
- The contractor will have the opportunity within a reasonable time to explain their actions;
- The proceedings will be conducted honestly, fairly and without bias;
- If the contractor does not give reasonable cause for their actions or does not rectify the reason for the grievance/complaint, the Contract will be terminated, and the contractor removed from the workplace.

6.4 Contractor Performance Review

6.4.1 Clenton's Transport shall review the overall performance of the contractors on an ongoing basis.

6.4.2 Where the Contractor performance does not meet the requirements of Contract and the Transport Safety Risk Management Policies, procedure and/or site rules, Clenton's Transport shall mark the Contractor – as "not to be used".

7. Related Policies

This procedure has been developed in conjunction with our overarching Transport Safety Policy. It is consistent with the requirements of HVNL legislation.

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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
Contractor Application for Prequalification			
Contractor CoR Reporting Template			

9. Procedure Quality Control

Policy:	Policy 01 Transport Safety Policy
Compiled By:	
Groups Consulted:	
Approved By:	
Date:	12/20
Review:	12/21
Filename:	TSMS Procedure 11 TSMS Contractor Management.docx