

September 2018

# Information Bulletin **PT210**

## Operator Accreditation Audit Checklist

### What is an Operator Accreditation audit?

Under the *Transport Operations (Passenger Transport) Act 1994*, persons that hold Operator Accreditation are required to comply with requirements of relevant legislation relating to vehicle design, safety, operational requirements and keep associated records for a period of five years.

Operator Accreditation audits are conducted by officers of the Department of Transport and Main Roads and are designed to ensure that operators are meeting these requirements on a continual basis. Consequently, operators can expect to be called on to provide certain records and/or plans during an audit process.

### What will the Department of Transport and Main Roads look for?

The Department of Transport and Main Roads regularly undertakes a number of checks as part of its ongoing system of monitoring an operator's business processes. Prior to conducting an audit, officers of the Department of Transport and Main Roads will check -

- the categories of your operator accreditation;
- the driver licence and driver authorisation details of your drivers (operators will be asked to supply details on all drivers); and
- the vehicle registration details of the vehicles used to provide the passenger transport service (eg. registration, class of compulsory third party insurance, certificate of inspection etc).

During an operator accreditation audit, operators will be required to demonstrate their compliance with relevant legislative requirements.

It is expected that business processes used by operators will vary due to the size of the business however, officers will ask to see evidence that systems are in place and being used for -

- driver training;
- incident management;
- vehicle maintenance;
- customer service expectations; and
- fatigue management.

### **Driver training**

You may be asked to show documentary evidence of:

1. A driver's training in their obligations under the Act and subordinate legislation. This includes (where relevant);
  - fatigue management;
  - the Code of Conduct for School Students Travelling on Buses;
  - obligations regarding standees on buses with seatbelts; and
2. The driver's progression through the training (the driver needs to sign off and date any training package received/delivered).

### **Fatigue Management**

You may be asked to show documentary evidence of:

1. A driver's training in the fatigue management requirements and obligations that relate to them under the relevant legislation; and
2. For fatigue regulated heavy vehicles, that procedures are implemented and monitored (for example, completion of work diaries).

### **Incident management**

You may be asked to show documentary evidence of:

1. Your incident management plan;
2. There is, in each relevant vehicle, a copy of the parts of the plan relevant to the driver of the relevant vehicle
3. Your incident management reports and action taken in regard to each report; and
4. evidence that a review of the incident management plan occurs at least once each year.

### **Vehicle maintenance**

You may be asked to show documentary evidence of your vehicle maintenance program showing (but not limited to):

1. The content of a pre-trip inspection and that pre-trip inspections are undertaken;
2. The planned maintenance program for your vehicles;
3. A system to ensure—

- (i) defects in the vehicle that come to the notice of the driver or anyone else involved in providing the service are reported to the operator and recorded;
- (ii) the vehicle is not returned to service until a reported defect that may endanger public safety has been fixed;
- (iii) reported defects in the vehicle that substantially reduce passenger comfort are fixed within a reasonable time; and
- (iv) action taken to fix defects in the vehicle is recorded.

### **Customer service expectations**

Under customer service expectations, the Department of Transport and Main Roads would expect to see documentary evidence of procedures to indicate that a complaints register exists to ensure that if a complaint is made, it is recorded, investigated and the appropriate action is taken in response.

### **What happens if the operator accreditation audit determines there are insufficient systems?**

Should the Department of Transport and Main Roads find your systems do not meet the necessary requirements, they may ask you to review them and make amendments. The reasons will be discussed with you during the audit.

### **Meeting the requirements of the relevant legislation**

Outlined in Attachment 1 “Checks Conducted by The Department of Transport and Main Roads” are common checks (but not necessarily all) that the Department of Transport and Main Roads will undertake during an operator accreditation audit. **Please note:** The table also contains an indication of examples considered acceptable as typical evidence.

Officers performing the audit will discuss outcomes with the operator. For operators who fail any or a number of areas of the audit, officers will also discuss possible penalties that may be imposed as a result of these failures. These penalties may include a Section 100 Notice, a Penalty Infringement Notice (PIN), an enforcement report (possibly resulting in court action) and in more serious cases, the suspension or cancellation of the operator’s accreditation.

Note: The term “relevant legislation” mentioned in this bulletin refers to the –

- *Transport Operations (Passenger Transport) Act 1994*
- *Transport Operations (Passenger Transport) Regulation 2018*
- *Transport Operations (Passenger Transport) Standard 2010*

## **Additional information**

This bulletin has been produced as a guideline and is not a reference to a point of law. Clarification of any information in this bulletin may be obtained by contacting your local passenger transport office. Details of passenger transport locations can be accessed at [www.translink.com.au/contact-us](http://www.translink.com.au/contact-us)

*The Transport Operations (Passenger Transport) Act 1994*, Transport Operations (Passenger Transport) Regulation 2018 and Transport Operations (Passenger Transport) Standard 2010 can be accessed on the internet at [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au).

Additional information about public passenger services is available on the Department of Transport and Main Roads internet site at [www.tmr.qld.gov.au/information\\_bulletins](http://www.tmr.qld.gov.au/information_bulletins).

## Attachment 1

### Checks Conducted by the Department of Transport and Main Roads

Outlined in the following table are common checks (but not necessarily all) that the Department of Transport and Main Roads will undertake during an operator accreditation audit.

Legislative reference (refer note 1)	Requirement	Evidence Guide
<b>Displaying evidence of Operator Accreditation.</b>		
R221	Operator Accreditation display	Confirm that operator displays their Operator Accreditation number on their vehicles as per information bulletin PT402.
S40(a)	Identification of Service	General Route Service only. Vehicle is easily identified as belonging to the service.
S32 and S33	Timetabling and Service Information	Applies to General and School route services.  Timetabling information is current and available to the public.
<b>Does the operator have processes for managing their compliance with vehicle design, safety and operational requirements?</b>		
A27, R34 and R37	Driver Authorisation	Operator has a system which confirms operator uses appropriately authorised drivers and that the driver authorisation is current.
S20 and S22(4)(a)	Driver training by operators	Operator has a documented training system which demonstrates that - <ul style="list-style-type: none"> <li>• the driver is trained in their obligations under the <i>Transport Operations (Passenger Transport) Act 1994</i> (the Act) and subordinate legislation;</li> <li>• the training content covers the drivers' obligations under the Act and subordinate legislation;</li> <li>• for school bus operators, the driver is trained in the requirements of the Code of Conduct for school children travelling on public passenger vehicles;</li> <li>• for buses with seatbelts, the driver is trained in their obligations regarding standees; and</li> <li>• the drivers' progression through the training is recorded.</li> </ul>

Legislative reference (refer note 1)	Requirement	Evidence Guide
S21 and S20	Fatigue Management	<p>Operator has evidence to show that the operator is aware of what fatigue management requirements apply to their drivers and that drivers have received training in these responsibilities.</p> <p>Heavy vehicles only: procedures for fatigue management are implemented and monitored, e.g. completion of work diaries, enforcement of regulated hours (maximum work times and minimum rest times), scheduling with consideration to number of hours worked and keeping the details of trip information.</p>
S24	COI Records	Operator has a system to ensure all vehicles maintain a Certificate of Inspection (COI).
S41	Complaints Management	<ul style="list-style-type: none"> <li>• Operator has a system for recording and resolving complaints.</li> <li>• Individual complaints can be tracked from receipt to resolution by the operator.</li> <li>• Operator has recorded action taken.</li> </ul>
S42	Compliance with Code of Conduct	Operator has evidence to show that they comply with the requirements of the Code of Conduct School children travelling on passenger transport vehicles
R226	Other records to be kept	<p>Operator has written records of the following particulars for each trip undertaken -</p> <p>(a) the vehicle used;</p> <p>(b) the registration number of the vehicle under the <i>Transport Operations (Road Use Management - Vehicle Registration) Regulation 2010</i>;</p> <p>(c) the date and times during which the vehicle was used;</p> <p>(d) the name of each driver who used the vehicle; and</p> <p>(e) the driver's authorisation number (other than for a driver who has a Restricted Driver Authorisation).</p>

Legislative reference (refer note 1)	Requirement	Evidence Guide
R227	Other records to be kept	<p>Operator who grants restricted Driver Authorisation has the following written records –</p> <ul style="list-style-type: none"> <li>(a) Name of person</li> <li>(b) Date of the grant</li> <li>(c) Date of expiry of authorisation</li> <li>(d) Any amendment to the authorisation</li> <li>(e) Any automatic cancellation of s38(c) and reasons</li> <li>(f) Persons driver licence number, and</li> <li>(g) State or country where licence was issued if not QLD</li> </ul>
<b>Are vehicles suitable for use and are they being maintained to meet legislative requirements?</b>		
S29(2)(a) and S29(3)	Maintenance of vehicles	<p>Operator has a documented maintenance program for each vehicle providing the service.</p> <p>The program provides for the servicing and other maintenance of the vehicle to a standard that complies with, or exceeds, the servicing and maintenance program specified by the vehicle's manufacturer.</p>
S29(2)(b) S29(3)	Daily pre-trip inspection checklists	<p>Operator has completed pre-trip inspection checklists that would identify defects that could</p> <ul style="list-style-type: none"> <li>• endanger public safety; or</li> <li>• unduly compromise the comfort of the passengers.</li> </ul> <p>A record of the daily pre-trip inspection is available on each vehicle used to provide the service</p>
S29(2)(c) S29(3)	Reporting and clearing defects	<p>Operator has documented system in place that ensures</p> <ul style="list-style-type: none"> <li>• vehicle defects that come to the attention of anyone involved in providing the service are reported and recorded;</li> <li>• vehicle is not returned to service until a reported defect that may endanger public safety has been fixed;</li> <li>• reported defects in the vehicle that substantially reduce passenger comfort are fixed within a reasonable time; and</li> <li>• action taken to fix defects in the vehicle is recorded..</li> </ul>

Legislative reference (refer note 1)	Requirement	Evidence Guide
S29(4)	Maintenance Records	<p>The Operator has maintenance records for all vehicle servicing and maintenance including maintenance that is not performed under the documented program.</p> <p>The maintenance records show that reported faults are rectified and cleared and that unsafe vehicles are prevented from returning to service.</p>
<b>Does the operator have processes for managing their compliance with the following requirement?</b>		
S34 S35 S36 S37	Incident Management Plans	<p>Operator must have evidence that they have an incident management plan in place to ensure that there are documented instructions and procedures in place to follow at the time of an incident.</p> <p>Operator is to ensure that the driver has a copy of the relevant parts of the incident management plan in the vehicle.</p> <p>Operator must ensure incident management plan is reviewed at least annually.</p>
<p><b>Note 1:</b> Example: 'A27' would indicate the Act, section 27.  'A' refers to the <i>Transport Operations (Passenger Transport) Act 1994</i>,  'R' refers to the <i>Transport Operations (Passenger Transport) Regulation 2018</i>,  'S' refers to the <i>Transport Operations (Passenger Transport) Standard 2010</i>,  NB: Duration of records held is set by R276.</p>		