



Transport  
for NSW

# HVCBA RTO Performance Management Guidelines

Heavy Vehicle Competency Based Assessment (HVCBA)  
Performance Management Procedure v2.1



# Contents

<b>1. About the HVCBA RTO Performance Management Procedure</b>	<b>4</b>
1.1 Purpose	4
1.2 Background	4
1.3 HVCBA RTO Performance Management Procedure	4
<b>2. Performance Management</b>	<b>5</b>
2.1 Performance Management KPIs	5
2.2 Key Performance Indicators	5
RTOs must have processes in place to monitor, supervise, direct and assess the performance of Assessors.	5
2.2.1 KPI 1: Registered Training Organisation (RTO) must have processes in place to ensure all administrative details relating to the RTO and all Trainers and Assessors associated with the RTO are current.	5
2.2.2 KPI 2: Professional Development:	6
2.2.3 KPI 3: Attendance at Transport for NSW Workshops	7
2.2.4 KPI 4: RTOs must submit an Annual Self - Assessment Report (ASAR), by the due date each year.	7
2.2.5 KPI 5: RTO Training course or FCA/CT location visit	7
2.2.6 KPI 6: Transport for NSW Quality Assurance (QA) and Audits	8
2.2.7 KPI 7: Improvement Plans	8
2.2.8 KPI 8: Improvement Completion Reports	9
2.3 RTO Performance Assessment	9
<b>3. How scores are awarded</b>	<b>9</b>
<b>4. Customer Satisfaction Survey</b>	<b>14</b>
4.1 Purpose of the Customer Satisfaction Survey	14
4.2 How the Customer Satisfaction Survey will operate	14
4.2.1 What RTOs need to do	14
4.3 What happens next?	14
<b>5. Guidelines for RTO Location Visits</b>	<b>15</b>
<b>6. Guidelines for RTO based Trainer/Assessor Professional Development</b>	<b>17</b>
6.1 Monitoring of Assessor Professional Development activity	18
<b>7. Glossary</b>	<b>19</b>
<b>8. Relevant Legislation</b>	<b>23</b>
<b>9. Appendix 1: Capability Framework</b>	<b>24</b>

Author: Senior Manager Education and Training  
Date: September 2020  
Version: 2.1  
Reference: A3247591  
Division: Safety Environment and Regulation  
Review date: August 2021

# 1. About the HVCBA RTO Performance Management Procedure

---

## 1.1 Purpose

The purpose of this document is to set out how the Heavy Vehicle Competency Based Assessment (HVCBA) Registered Training Organisation (RTO) Performance Management Procedure will operate.

Under this procedure, Transport for NSW will:

- Accredit RTOs to provide training and assessment of applicants for a heavy vehicle licence and to issue Certificates of Competency (CoC) to Applicants for a Heavy Vehicle licence.
- Monitor and report on an RTO's performance in managing the delivery of the program including monitoring the performance of Trainers and Assessors attached to the RTO.
- Provide RTOs with the HVCBA documents and any policies and procedures for the operation of the scheme and performance management of RTOs operating within the scheme.

This document should be read in conjunction with the HVCBA Accreditation Agreement and the HVCBA Operating Procedures.

**The performance management score will be used to identify those RTOs that are not performing to the required standard. If an RTO is identified as performing poorly, this may result in an audit by Transport for NSW .The result of this audit may result in termination of the RTO's accreditation.**

## 1.2 Background

The HVCBA Policies and Procedures apply to all RTOs and their Trainers and Assessors.

- Any person who teaches, assesses or tests another person to drive/ride for money or reward is required by law, under the Driving Instructors Act (2017) and Road Transport and related Legislation Amendment Act 2017 No.61(2), to hold a Driving Instructor's licence.

The Driving Instructors Act requires that instructors meet minimum standards relating to competency in heavy vehicle driving instruction, probity and character, in order to protect the community and to benefit the driving instruction industry.

Instructors in breach of the Driving Instructors Act may be investigated by Transport for NSW and sanctions may be applied.

## 1.3 HVCBA RTO Performance Management Procedure

Transport for NSW initiated the Heavy Vehicle Competency Based Assessment (HVCBA) Registered Training Organisation Performance Management Procedure for a trial period of six months during the 2019-20 period of HVCBA RTO accreditation, with assessments of performance by RTOs taken at three months and six months.

From May 2020, the Performance Management Procedure will be conducted over a 12 month period, with each 12 month period ending on 1 March.

- Quarterly reporting dates are 1 June, 1 September, 1 December and 1 March each year.
- Activity from the 6 month trial period may be included for achievements of KPIs for 1 March 2020-1 March 2021

Transport for NSW may operate workshops with RTOs and may consult with RTOs in regard to the RTO Performance Management Procedure.

**If any RTO is experiencing difficulty in meeting a KPI, please contact Transport for NSW immediately to discuss. Individual issues will be managed on a case by case basis.**

## 2. Performance Management

---

### 2.1 Performance Management KPIs

There are eight Key Performance Indicators (KPIs) that will be used to objectively measure an RTO's performance.

KPIs are:

- Objective
- Measurable
- Time limited
- Equitable for both large and small RTOs, by averaging scores based on the number of items measured in a KPI. (See section 4.2 for details).

### 2.2 Key Performance Indicators

**RTOs must have processes in place to monitor, supervise, direct and assess the performance of Assessors.**

#### 2.2.1 KPI 1: Registered Training Organisation (RTO) must have processes in place to ensure all administrative details relating to the RTO and all Trainers and Assessors associated with the RTO are current.

1. RTOs must retain current details of:
  - Professional Indemnity Insurance
  - Public Liability Insurance
  - Motor Vehicle Comprehensive Insurance
  - Workers Compensation Insurance
  - Personal Accident and Illness (if applicable).

2. RTOs must retain current details of Trainer and Assessors':
  - Professional Indemnity Insurance
  - Motor vehicle comprehensive insurance for all vehicles owned and used for training and/or assessment that are owned by the Assessor or driving school the Assessor works for
  - Current Driver Licence
  - Current Driver Instructor Licence
  - National Criminal record check (required to be completed annually)
  
3. Assessment Vehicles
  - The RTO must maintain a register of each Assessor owned vehicle used for training and assessment. The register must contain:
    - Date stamped photos of vehicle showing front, side and rear view including the vehicle load
    - Printout of check vehicle details from:  
<https://my.service.nsw.gov.au/MyServiceNSW/index#/rms/freeRegoCheck/display>
    - Split axle weighbridge ticket (weight recorded over each axle or axle group) showing vehicle is loaded to 75% and not exceeding maximum axle weights  
<https://www.rms.nsw.gov.au/business-industry/partners-suppliers/lgr/other-information/heavy-vehicles/mass-limits.html>
    - RTOs must notify Transport for NSW within five days of the suspension/termination or resignation of a Trainer or Assessor.
  
4. RTOs must notify Transport for NSW within five days of the suspension/termination or resignation of a Trainer or Assessor, including the submission of form 1802 to [HVTraining@rms.nsw.gov.au](mailto:HVTraining@rms.nsw.gov.au)

### **2.2.2 KPI 2: Professional Development:**

The RTO delivers, coordinates or facilitates at least one training or professional development opportunity per annum for each Assessor/Trainer operating under their agreement:

- The RTO must ensure that each Assessor completes a minimum of one RTO coordinated or delivered professional development activity every 12 months. Total duration of the nominated activity must be 8 or more hours.
- Professional development activity must be directly related to the improvement of an Assessor's skills when delivering Training and Assessment within the HVCBA program. Examples are:
  - Assessor forum with detailed agenda, sign on sheets and recorded minutes/outcomes
  - Practical training, including HVCBA criteria with session plans, sign on sheets and training evaluation

- Theory training including HVCBA criteria with session plans, sign on sheets and training evaluation
- Customer Service training including e.g. developing communication skills, delivering instruction and direction, conflict resolution
- Other as approved by Transport for NSW
- The RTO must retain a record of each Assessor's attendance and detail of the training content or activity.

### **2.2.3 KPI 3: Attendance at Transport for NSW Workshops**

The RTO and their approved Assessors and Trainers must attend Transport for NSW workshops as required.

- Transport for NSW will provide both mandatory and voluntary training opportunities.
- Performance management relates only to Trainers, Assessors and RTOs directed by Transport for NSW to attend mandatory training.
- RTOs must ensure that Trainers/Assessors attached to their RTO attend mandatory Transport for NSW training where the training forms part of a remedial training plan, following an unsatisfactory Transport for NSW Quality Assurance check or forms part of a remedial training activity noted in an RTO FCA/CT [location visit report](#).

**Failure to attend compulsory training may result in termination of Trainer/ Assessor approval to operate within the HVCBA program**

### **2.2.4 KPI 4: RTOs must submit an Annual Self - Assessment Report (ASAR), by the due date each year.**

RTOs must submit a completed ASAR on or before the due date each year. The annual date as specified in the HVCBA Accreditation Agreement is 10 March.

### **2.2.5 KPI 5: RTO Training course or FCA/CT location visit**

- Each RTO must conduct unannounced onsite FCA/CT or Training Course location visits for Assessors as directed by Transport for NSW
- Unannounced checks may be conducted at any time during delivery of the training course or assessment.
- Conduct a minimum of one (1) unannounced onsite FCA/CT or Training Course location visit per year for each Assessor operating under their RTO. This requirement is in addition to any visit as directed by Transport for NSW.
- RTO representatives must identify themselves to both Trainer/Assessor and Applicant and allow the applicant to inspect detail of their Driving Instructor licence
- RTO representatives must be a qualified Trainer/Assessor and hold either the same or higher class of Driving Instructor licence as the class being trained or assessed
- Complete and retain on record a copy of the completed [RTO Location Visit Report](#)
- Implement any required action to improve the performance of each Trainer/ Assessor

- Retain on record details of any required remedial action including training delivered and completed
- Advise Transport for NSW immediately if a serious non-compliance is identified.

### **2.2.6 KPI 6: Transport for NSW Quality Assurance (QA) and Audits**

- RTO performance management will be measured on the outcome of the FCA/CT Quality Assurance Check and/or Audit. A satisfactory Quality Assurance check will result in five points being awarded. An unsatisfactory check will result in zero points being awarded.
- More than one Quality Assurance Check and/or Audit may be conducted for each RTO. RTO performance will be determined by an average score based on the number of checks and/or audits conducted and the outcome of the checks and/or audits.

### **2.2.7 KPI 7: Improvement Plans**

Improvement plans will be required as a result of:

1. an unsatisfactory Quality Assurance Check or Audit
2. A request by Transport for NSW to implement an improvement plan following
  - an investigation
  - a complaint
  - failure of an RTO or Assessor to perform satisfactorily
  - failure of an RTO to provide requested information/administrative item or
  - failure of an Assessor or RTO representative to complete required training, whether the training is identified as part of KPI-3 or not.

In the case of an unsatisfactory Quality Assurance Check or Audit, the RTO must develop a detailed improvement plan for Transport for NSW

- Time frame for submission of the improvement plan is seven days from formal notification by Transport for NSW of unsatisfactory QA check
- Implementation for plans is 14 days from approval by Transport for NSW unless otherwise approved by Transport for NSW, including submission of the completion report to Transport for NSW
- Transport for NSW may approve a period of greater than 14 days to include ongoing Trainer/Assessor monitoring if requested by an RTO.

Where there is a request for an improvement by Transport for NSW, the RTO must:

- provide a notice of intended improvement to Transport for NSW within three days of the request
- improvements must be completed and notification of completion provided to Transport for NSW within seven days of the improvement request unless otherwise agreed with Transport for NSW



### 2.2.8 KPI 8: Improvement Completion Reports

In the case of an unsatisfactory Quality Assurance Check or Audit, the RTO must provide a completion report for Transport for NSW. Reports must be provided to Transport for NSW within 14 days of approval of the remedial action plan unless otherwise approved by Transport for NSW .

Where there is a Transport for NSW request for an improvement plan, the RTO must provide a notice of completion of the agreed improvement to Transport for NSW within seven days unless otherwise agreed with Transport for NSW.

## 2.3 RTO Performance Assessment

Assessment of RTOs will be based on a points system, with each KPI scoring a maximum of 5 points. Assessment will be carried out twice during the trial period, once at 3 months and once at 6 months. The final score will be an average over the six month period.

### Score Moderation

Scores will be moderated based on the relative road safety outcome. Scores for KPIs 1-4 will be multiplied by 0.5. Scores for KPIs 5-8 will be multiplied x 2. Final scores for each KPI will be added together to give an overall score out of 50.

The Performance Management score will not be the basis on which continuation in the HVCBA program after 30 June 2020 will be decided. However, if an RTO is consistently scoring at the lower end of the scale, this may result in an audit by Transport for NSW Compliance Branch, the result of which could lead to termination of an agreement with an RTO.

## 3. How scores are awarded

---

KPI	calculation	scale	evidence	reporting frequency
1	The calculation for KPI-1 is based on the time taken to submit the required data to Transport for NSW as outlined in the matrix. <ul style="list-style-type: none"><li>Submission on or before the item expires scores the maximum five points</li></ul>	X0.5	Email updated information to Transport for NSW	By due date

---

KPI	calculation	scale	evidence	reporting frequency
	<ul style="list-style-type: none"> <li>Delays in submitting the required information to Transport for NSW will result in a lower score</li> <li>Scores will be averaged, divided by the number of items required to be updated</li> <li>For items relating to RTOs, copies of required insurance documents must be forwarded to Transport for NSW</li> <li>For items relating to Trainers/Assessors, only the relevant information is required to be forwarded to Transport for NSW. However, RTOs must keep copies of the relevant Trainer/Assessor documents on file and provide copies to Transport for NSW on request/ during an audit.</li> </ul>			
2	Scores are awarded based on the percentage of Trainers/Assessors attending RTO professional Development.	X0.5	Session outline, attendance sign on sheets, register submitted to Transport for NSW A minimum of 8 hours Professional Development must be demonstrated.	Quarterly: 1 March, 1 June, 1 Sept, 1 Dec
3	Scores are awarded for compulsory attendance at/completion of Transport for NSW training. <ul style="list-style-type: none"> <li>A notice of compulsory training will be sent to both the RTO and the Trainer/Assessor where training is required</li> <li>RTOs may nominate compulsory attendance for a Trainers/Assessor, in consultation with Transport for NSW</li> <li>Voluntary attendance at Transport for NSW training will not be scored</li> <li>Failure to attend compulsory training may result in termination of Trainer/ Assessor approval to operate within the HVCBA program</li> </ul>	X0.5	Transport for NSW to collect attendance information	N/A

KPI	calculation	scale	evidence	reporting frequency
4	<p>Scores are based on the date of submission of a completed ASAR.</p> <ul style="list-style-type: none"> <li>• Submissions on or before the due date will score a maximum five points.</li> <li>• Points will be deducted for late and/or unsatisfactory/incomplete ASARs.</li> </ul>	X0.5	ASAR to be submitted as per the instructions in the ASAR Guidelines	Annually 10 March
5	<p>Scores are based on the percentage of Trainer/Assessor per RTO</p> <ul style="list-style-type: none"> <li>• based on one location visit per year per Trainer/Assessor</li> <li>• calculated as the total number of Assessors visited divided by the number of Assessors attached to an RTO</li> <li>• Multiple location visits to the same Assessor in a year are calculated as one visit.</li> </ul>	X2.0	<p>Report to be completed for each visit.</p> <p>Register to be kept</p> <p>Both to be submitted to Transport for NSW</p>	As required
6	<p>Maximum points will be awarded for satisfactory QA checks</p> <p>Zero points will be awarded for unsatisfactory QA checks</p>	X2.0	Nil	As required
7	<p>Scores are based on the date of submission of the improvement plan</p> <ul style="list-style-type: none"> <li>• Submissions on or before the due date will score a maximum five points.</li> <li>• Points will be deducted for late and/or unsatisfactory/incomplete improvement plans</li> </ul>	X2.0	Improvement plan submitted	As required
8	<p>Scores are based on the date of submission of the improvement completion notice</p> <ul style="list-style-type: none"> <li>• Submissions on or before the due date will score a maximum five points.</li> <li>• Points will be deducted for late and/or unsatisfactory/incomplete improvement notices</li> </ul>	X2.0	Improvement plan completion report submitted	As required



## Performance Management Matrix

	<b>RTO Performance Criteria</b>	<b>5 Points</b>	<b>4 Points</b>	<b>3 Points</b>	<b>2 Points</b>	<b>1 Points</b>
<b>KPI1</b>	<p>details of RTO's:</p> <ul style="list-style-type: none"> <li>Professional Indemnity Insurance</li> <li>Public Liability Insurance</li> <li>Motor Vehicle Comprehensive Insurance</li> <li>Workers Compensation Insurance</li> <li>Personal Accident and Illness (if applicable).</li> </ul> <p>Trainer and Assessors*:</p> <ul style="list-style-type: none"> <li>Professional Indemnity Insurance</li> <li>Motor vehicle comprehensive insurance for all vehicles owned and used for training and/or assessment that are owned by the Assessor or driving school the Assessor works for</li> <li>Current Driver Licence</li> <li>Current Driver Instructor Licence</li> <li>National Criminal record check (required to be completed annually)</li> </ul> <p>3. Assessment Vehicles</p>	Records are submitted to RMS on or before the expiry date	Records are submitted to RMS within 7 days of expiry date	Records are submitted to RMS 8-14 days after the expiry date	Records are submitted to RMS 15-28 days after the expiry date	Records are submitted to RMS more than 28 days after the expiry date
<b>KPI2</b>	The RTO delivers, coordinates or facilitates at least one training or professional development opportunity per annum for each Assessor/Trainer operating under their agreement	100% of Assessors/Trainers complete at least one training or professional development opportunity provided or facilitated by the RTO	80-99% of Assessors/Trainers complete at least one training or professional development opportunity provided or facilitated by the RTO	70-79% of Assessors/Trainers complete at least one training or professional development opportunity provided or facilitated by the RTO	50-69% of Assessors/Trainers complete at least one training or professional development opportunity provided or facilitated by the RTO	<50% of Assessors/Trainers complete at least one training or professional development opportunity provided or facilitated by the RTO
<b>KPI3</b>	The RTO and their approved Assessors and Trainers attend mandatory RMS workshops as required	100% of RTOs, Assessors/Trainers complete at least one training or professional development opportunity provided or facilitated by the RMS	80-99% of RTOs, Assessors/Trainers complete at least one training or professional development opportunity provided or facilitated by the RMS	70-79% of RTOs, Assessors/Trainers complete at least one training or professional development opportunity provided or facilitated by the RMS	50-69% of RTOs, Assessors/Trainers complete at least one training or professional development opportunity provided or facilitated by the RMS	<50% of RTOs, Assessors/Trainers complete at least one training or professional development opportunity provided or facilitated by the RMS
<b>KPI4</b>	The RTO submits to Roads and Maritime Services a completed annual ASAR	On or before due date	No more than 2 working days past due date	No more than 5 working days past due date	No more than 10 working days past due date	More than 10 working days past due date
<b>KPI5</b>	The RTO conducts and maintains record of of one visit (minimum) to the FCA location/training and if applicable Assessor vehicle check with each Trainer/Assessor annually	100% of Assessors/Trainers receive an FCA/training location visit each year from their RTO	80-99% of Assessors/Trainers receive an FCA/training location visit each year from their RTO	70-79% of Assessors/Trainers receive an FCA/training location visit each year from their RTO	50-69% of Assessors/Trainers receive an FCA/training location visit each year from their RTO	<50% of Assessors/Trainers receive an FCA/training location visit each year from their RTO
<b>KPI6</b>	Quality Assurance Checks and/or Audits conducted by TfNSW does not warrant any remedial action	100% of the time	90-99% of the time	80-89% of the time	70-79% of the time	<70% of the time
<b>KPI7</b>	The RTO develops a detailed improvement plan for TfNSW following an unsatisfactory Quality Assurance Check/Audit or following an improvement request by TfNSW	Within 7 working days from the date when the QA check/Audit was conducted or within 3 days of an improvement request	Within 8-10 working days from the date when the QA check/Audit was conducted or within 7 days of an improvement request	Within 11-15 working days from the date when the QA check/Audit was conducted or within 10 days of an improvement request	Within 16-20 working days from the date when the QA check/Audit was conducted or within 14 of an improvement request	Post 20 working days from the date when the QA check/Audit was conducted or post 14 days of an improvement request
<b>KPI8</b>	Following an unsatisfactory Quality Assurance Check, RTO delivers the improvement plan and a report is provided to TfNSW	Within 14 working days from the date of approval of the improvement plan for QA Check/Audit or 7 days from improvement request	Within 15-21 working days from the date of approval of the improvement plan for QA Check/Audit or 10 days from improvement request	Within 22-28 working days from the date of approval of the improvement plan for QA Check/Audit or 14 days from improvement request	Within 29-35 working days from the date of approval of the improvement plan for QA Check/Audit or 21 days from improvement request	Post 35 working days from the date of approval of the improvement plan for QA Check/Audit or post 21 days from improvement request

# 4. Customer Satisfaction Survey

---

## 4.1 Purpose of the Customer Satisfaction Survey

In addition to applying the RTO Performance Management KPIs, Transport for NSW will also be initiating an HVCBA Customer Satisfaction Survey. The survey will be sent to all HVCBA Applicants after training has been completed and results analysed to identify possible areas for program improvement, additional training needs and prioritisation of Transport for NSW Quality Assurance checks.

RTOs will be notified periodically of the results of the survey and may use the information to inform the management of Trainers and Assessors linked to their RTO for:

- Identifying Trainer/Assessor/Administration Staff training needs
- Coaching and/or mentoring of Trainers/Assessors/Staff
- Prioritising Quality Assurance checks of Trainers and Assessors
- Prioritising in cabin video footage reviews of FCAs conducted by Assessors
- Developing and implementing internal administrative processes to manage issues raised through the Customer Satisfaction Surveys.

## 4.2 How the Customer Satisfaction Survey will operate

The Customer Satisfaction Survey will be conducted by Transport for NSW on a weekly basis.

### 4.2.1 What RTOs need to do

RTOs will be required to:

- Obtain the consent of the Applicant to share their contact details with Transport for NSW at the time of booking Training and Assessment, using the [Applicant Enrolment Form](#)
- Record the Applicant's email address in the customer email box in HVCORS

## 4.3 What happens next?

The Applicant email addresses recorded in HVCORS will be uploaded to the survey on Tuesday afternoons.

- The survey link will be emailed to each participant by Transport for NSW by close of business each Friday
- Completion of the survey by Applicants is voluntary.
- The survey is completed on line, accessed via a link in the email to Applicants.

- The survey closes for Applicants on the following Thursday
- Results will be collated and analysed.
- Any complaints will be followed up with RTOs.

## 5. Guidelines for RTO Location Visits

---

Registered Training Organisations (RTOs) must have processes in place to monitor, supervise, direct and assess the performance of Trainers and Assessors. KPI -5 RTO location visit requires that RTOs must conduct unannounced onsite location visits to Trainers and Assessors.

**Procedural requirements for Location Visits are outlined in section 3 of the HVCBA Operating Procedures.**

RTOs are required to complete unannounced onsite FCA / CT or Training Course, location visit for Assessors as directed by Transport for NSW.

1. At least one visit is to be carried out per Trainer/Assessor per year, for each Trainer/Assessor operating under their RTO, regardless of how long the Trainer/Assessor has been working for the RTO. This requirement is in addition to any visit as directed by Transport for NSW
2. All location visits must be conducted by an RTO representative who is also an approved Trainer/Assessor with the same or higher class of instructor licence as the training course or assessment being conducted
3. Unannounced checks may be conducted any time during delivery of the training course, or assessment
4. Conduct a minimum of one unannounced onsite FCA / CT location visit per year for each Assessor operating under their RTO.
5. RTO representatives must identify themselves to both Trainer/Assessor and Applicant and allow the applicant to inspect detail of their Driving Instructor licence
6. RTOs must complete a 100% review of in-cabin camera footage of the Assessor prior to conducting a location visit to identify any specific areas to be covered in more depth.
  - a. For Trainers, this might be the video footage of the FCA/CT that followed the training session if the Trainer is attached to your RTO
  - b. Video footage reviewed can be included in the mandatory 5% of footage to be reviewed.
7. RTOs must conduct a location visit in the following circumstances:
  - For newly aligned Trainers/Assessors, within the first 3 months of Transport for NSW approval for the alignment of the Trainer/Assessor.
  - Within 21 days of:
    - a previous unsatisfactory location visit
    - unsatisfactory Transport for NSW QA check of the Assessor
    - unsatisfactory review of in cabin video footage by the RTO

- customer complaints
  - as per Transport for NSW direction.
8. Complete and retain on record a copy of the [RTO Location Visit Report](#).

The [RTO Location visit Report](#) must be used for recording details of an unannounced RTO location visits. RTOs must include and document all checks indicated in [the RTO Location Visit Report](#).

**Reports and a visit register must be submitted to Transport for NSW quarterly.**

9. Provide feedback to Trainer/Assessor and implement any required action to improve the performance of each Trainer or Assessor
10. RTOs must retain on record details of any required remedial action resulting from the visit, including training delivered and completed
11. Advise Transport for NSW immediately if a serious non-compliance is identified. A serious non-compliance is any situation whereby the FCA/CT may not continue and is required to be terminated, or the RTO representative determines that the completed FCA result is not valid and must be repeated. Examples of a Serious Non-Compliance could be:
- One or more Training Course Criteria not completed at all or to the required standard
  - Driving Instructor licence, Trainer/Assessor Driver licence, Applicant Driver licence or Applicant Learner Logbook unable to be produced
  - Vehicle not the correct configuration or type for licence class
  - Vehicle not loaded to the required 75% (vehicle either not loaded at all or significantly underweight)
  - Vehicle not roadworthy. Examples of not roadworthy are: tyres with insufficient tread depth, major fluid leaks, damaged suspension, bodywork with jagged or protruding parts
  - In –Cabin Camera not fitted
  - Requirement for the Separation of Training and Assessment not met (not including approved HRV applications)
  - A complying retractable lap/sash seat belt not fitted to the passenger seat (MR-HR buses exempt)
  - Any other serious breach of HVCBA Operating Procedures or HVCBA policy or procedure as determined by Transport for NSW. Please email HVTraining@rms.nsw.gov.au for clarification

**Procedures to be followed in the event of a serious non-compliance are outlined in section 3 of the HVCBA Operating Procedures.**

**Transport for NSW must be advised immediately if a serious non-compliance is identified.**

12. It is advisable to take photographs of non-compliance for your records.
13. The procedure for Conducting the FCA or CT during a Location Visit or Quality Assurance Check is outlined in section 3 of the HVCBA Operating Procedures.



## 6. Guidelines for RTO based Trainer/Assessor Professional Development

---

In addition to additional training opportunities provided by Transport for NSW, RTOs are required to deliver, coordinate or facilitate at least one professional development opportunity per annum for each Assessor/Trainer operating under their agreement.

- RTOs must ensure that each Assessor completes a minimum of one RTO coordinated or delivered professional development activity every 12 months.
- Total duration of the nominated activity must be eight or more hours.
- Where an assessor is released from an RTO and then reinstated by the same RTO, or an Assessor joins a new RTO after 31 December, evidence of having completed professional Development with the original RTO will need to be provided before the Assessor can be approved.
- Professional development activity must be directly related to the improvement of an Assessor's skills in delivery of Training and Assessment within the HVCBA program. Examples may include:
  - Assessor forum with detailed agenda
  - Practical Assessor training, including HVCBA criteria with session plans, sign on sheets and training evaluation
  - Theory including HVCBA criteria with session plans, sign on sheets and session evaluation
  - Benchmarking activities with Trainers and Assessors to maintain an agreed level of standard within the RTO
  - Customer Service sessions including e.g. developing communication skills, delivering instruction and direction, conflict resolution
  - E-learning delivered and/or facilitated by the RTO. Note: Transport for NSW e-learning packages are not considered RTO based professional development
  - Other as approved by Transport for NSW.
- Professional Development need not be technical. Professional development may aim to improve customer service skills
- Professional Development may be delivered by an outside organisation as long as it is coordinated/facilitated by the RTO and records of the training and attendees are maintained by the RTO.
- A Trainer/Assessor capability framework has been included in Appendix 1, courtesy of Transport for NSW RTO, outlining the capabilities required of Trainers and Assessors. The framework may be used to identify non-technical professional development opportunities and skill building for Trainers and Assessors.

**Note: Transport for NSW e-learning cannot be used by RTOs to comply with this KPI.**

- RTOs must retain a record of each Assessor's attendance and detail of the professional development content or activity, submitted to Transport for NSW quarterly.
  - Signed professional development attendance sheets, agendas and session plans should be submitted to Transport for NSW

## **6.1 Monitoring of Assessor Professional Development activity**

RTOs must maintain a register of all HVCBA professional development activity for each Assessor under their RTO.

- Registers must contain details of professional development dates, locations, time, vehicles used, Professional Development course activity.
- The register may be cumulative, updated and sent to Transport for NSW on a quarterly basis together with records of the professional development provided and Assessor attendance records.

## 7. Glossary

---

<b>Accreditation Agreement</b>	The Accreditation Agreement for HVCBA being an agreement entered into by an RTO and Transport for NSW for the accreditation of an RTO to provide Heavy Vehicle Training and Assessment
<b>Address</b>	The address of a party specified in item 2 of the Agreement
<b>Agreement</b>	The Accreditation Agreement for HVCBA being an agreement entered into by an RTO and Transport for NSW for the accreditation of an RTO to provide Heavy Vehicle Training and Assessment
<b>Assessor</b>	A licenced heavy vehicle driving instructor engaged by a RTO under the HVCBA Agreement and who meets the requirements for Assessors as set out in the agreement to conduct Assessments of Applicants
<b>Auditor</b>	A person authorised by Transport for NSW to audit and/or conduct quality checks of the RTO's performance of its, or any of its Trainer's or Assessor's obligations under this agreement
<b>Business Day</b>	A day that is not a Saturday, Sunday or public holiday in New South Wales
<b>CT</b>	Competency Test
<b>Driving Instructor</b>	The meaning given in the Driving Instructors Act.
<b>Driving Instructors Act</b>	Driving Instructors Act 1992 (NSW).
<b>Driving School</b>	Has the meaning given in the Driving Instructors Act.
<b>FCA</b>	Final Competency Assessment
<b>Heavy Vehicle</b>	A heavy vehicle is defined as a motor vehicle or trailer that has a Gross Vehicle Mass greater than 4.5 tonnes as defined under the Road Transport (Driver Licensing) Regulation 2017 (NSW)

<b>Heavy Vehicle Licence</b>	Any or all of the classes of licences required to drive a Heavy Vehicle (as set out in clause 5 of the Road Transport (Driver Licensing) Regulation 2017 (NSW))
<b>HVCBA Regulatory Program</b>	The Heavy Vehicle Competency Based Assessment regulatory program described in the HVCBA Scheme Policies and Procedures
<b>HVCBA Regulatory Program Policies and Procedures</b>	The requirements provided by Transport for NSW from time to time, and as amended by notice from Transport for NSW from time to time, for the conduct of Training Courses and Assessments and the HVCBA regulatory program
<b>KPI</b>	Key Performance Indicator. A quantifiable measure used to evaluate the success in meeting objectives for performance
<b>QA Check</b>	Quality Assurance Check. A check carried out to ensure that training delivered meets the required standard
<b>PCBU</b>	Person Conducting a Business or Undertaking
<b>Professional Development</b>	The process of acquiring the skills needed to improve performance, competence and/or expertise in a person's job or profession
<b>Probity Event</b>	<p>An event, matter, situation or thing that in Transport for NSW ' reasonable opinion:</p> <ul style="list-style-type: none"> <li>has a material adverse effect upon the character, honesty or integrity of a RTO, its Personnel or Transport for NSW ;</li> <li>relates to RTO or any of its Personnel and has a material adverse effect upon the public interest (having regard to the policy objectives of Transport for NSW ) or the reputation of or public confidence in Transport for NSW or the New South Wales Government; or</li> <li>that involves a material failure by RTO or its Personnel to achieve or maintain: <ul style="list-style-type: none"> <li>reasonable standards of ethical behaviour;</li> <li>the avoidance of conflicts of interest that may have (or may give the public the appearance of having) a material adverse effect on the ability of RTO to impartially perform and observe its obligations in respect of this agreement; or</li> <li>standards of behaviour expected of a person operating with a government approval</li> </ul> </li> </ul>

<b>Records</b>	The records and reports that RTO is required to maintain under this agreement including as required under the HVCBA Scheme Policies and Procedures, the Driving Instructors Act and Privacy Laws
<b>Registered Training Organisation (RTO)</b>	A training organisation registered as such with Australian Skills Quality Authority established under the National Vocational Education and Training Regulator Act 2011
<b>Regulatory Program</b>	A program that operationalises government legislation and policy.
<b>Scheme Participants</b>	A person or business accredited by Transport for NSW to provide a service to the public on Transport for NSW's behalf
<b>RTO Induction Training Program</b>	A mandatory training program for new and existing RTOs
<b>RTO Representative</b>	The person nominated in item 5 of the Agreement Details as they may be substituted pursuant to clause 8.3
<b>Systems</b>	The meaning given in clause 12.4 of the HVCBA Agreement
<b>Term</b>	The term of the HVCBA Agreement
<b>Trainer</b>	A person engaged by the RTO under this Agreement and who meet the requirements for Trainers as set out in this agreement to conduct Training Courses of Applicants.
<b>Trainer and Assessor Qualifications</b>	The qualifications set out in the HVCBA Regulatory Program Policies and Procedures which Trainers and Assessors must hold and maintain
<b>Training Course</b>	A course to be provided to an Applicant to train that person in the driving of a Heavy Vehicle so that person is eligible and prepared to undertake an Assessment. The Training Course also includes Applicable Assessment Criteria 1-15 or any other driving instruction
<b>Transport for NSW Materials</b>	Any materials provided to RTO Transport for NSW for the purposes of the agreement, including any HVCBA Scheme Policies and Procedures.
<b>Variation to Requirements-</b>	An approval granted by Transport for NSW to an RTO for a variation to the way training and assessment of an Applicant may be conducted

<b>Vehicles</b>	The vehicles used by RTO in conducting Training Courses and Assessments
<b>WHS</b>	Work Health and Safety
<b>WHS Laws</b>	All applicable work health and safety related Laws including, but not limited to Work Health and Safety Act 2011 (NSW); regulations, codes of practice, Australian Standards or compliance codes; and directions, guidance notes or notices issued by any relevant Government authority or agency responsible for administering work health and safety laws.
<b>WHSMS</b>	Work Health and Safety Management System

## 8. Relevant Legislation

---

- Driving Instructors Act 1992 (No.3)
- Driving Instructors Regulation 2016
- Privacy and Personal Information Protection Act 1998
- Road Transport Act 2013
- Road transport and related Legislation Amendment Act 2017 No.61
- Road Transport (Driver Licencing) Regulation 2017
- Work Health and Safety Act 2011(No.10)
- Work Health and Safety Regulation 2011

## 9. Appendix 1: Capability Framework

