



Chain of Responsibility Policy

PREAMBLE

The Chain of Responsibility (CoR) must be clearly addressed by all participants in its transport chain.

Designated parties within the chain of responsibility include (amongst others) the:

- employer of the operator,
- operator of the vehicle (the driver), and
- scheduler of the vehicle.

The chain imposes a primary duty upon the scheduler of the vehicle.

The transport chain includes but is not restricted to FCN, our customer and our customers' customer acting as a transport company, consignor, packer, loader, scheduler, operator and or receiver.

A scheduler directs the control and use of a heavy vehicle and schedules the transport of goods on a heavy vehicle and or schedules an operator's work and rest hours, a consignor consigns goods for transport by a heavy vehicle and a consignee receives goods delivered by a heavy vehicle.

What is the Chain of Responsibility?

Any person or corporation that can influence compliance to Heavy Vehicle National Law is potentially legally liable if they do not meet their obligations. Chain of Responsibility provisions recognise the effects of the actions, inactions and demands of on-road as well as off-the-road parties in the logistics supply chain.

Positive steps must be taken to prevent a breach of the road transport, fatigue management, mass, dimension and loading laws and regulations.

The Chain of Responsibility general compliance and enforcement provisions include:

- Speeding heavy vehicle offences
- Vehicle standards offences
- Mass, dimension and load restraint offences and
- Driving hours offences

Who is Liable?

There are significant potential corporate and personal liability issues to be considered. The CoR legislation and regulations are aligned with the Work Health and Safety legislation and regulation.

Penalty provisions exist for corporations, directors, managers, supervisors and workers where they have influence.

INFLUENCE = RESPONSIBILITY = LEGAL LIABILITY

THE PRINCIPALS

FCN will ensure, so far as is reasonably practicable, by:

- Training to improve skills, advise and inform.
- Allocating sufficient time to enable the safe completion of every transport task.
- Managing fatigue through appropriate scheduling, use of technology and prioritising driver health and wellbeing.
- Ensuring our fleet is roadworthy, safe and compliant.
- Loading vehicles to appropriate mass management standards.
- Using the Load Restraint Guide as a load restraint standard.
- Applying a 'stop work' rule where there is a reasonable belief that the task is unsafe.
- Investigating all suspected breaches, incidents and accidents in a timely manner.

- When a breach, incident or accident occurs hold customers, subcontractors, employees and other stakeholders accountable where they have control and influence over transport activity.
- Corrective and remedial actions may extend to the withdrawal of service or disciplinary action where safety and compliance is compromised.
- Declining to enter or issue contracts that directly or indirectly require, encourage or incentivise unsafe and noncompliant practice.

OUR APPROACH

FCN OPERATIONS PTY LTD approach compliance with CoR provisions by developing operating procedures, implementing the following systems and seeking third party accreditation where applicable with: -

- National Heavy Vehicle Accreditation Scheme (NHVAS),
 - Mass Management Accreditation
 - Maintenance Management Accreditation
 - Fatigue Management Scheme,
- Staff training procedures which include but are not limited to chain of responsibility, load restraint, fatigue management, mass management, vehicle standards training.
- The use of our Hazard Identification toolkit as a basis of both potential hazards and as an investigative tool.
- The use of appropriate technology 'online and or downloadable' such as GPS (for vehicle speed management), Seeing Eye (for operator fatigue management), Vehicle Management Systems (where provided by OEM) and onboard fixed cameras (for on road compliance and standards management)
- The use of load planning processes.
- Implementing subcontractor management procedures.
- Ongoing internal, customer and 3rd party audit programs which review FCN OPERATIONS PTY LTD operations, processes and compliance.

WHEN INTERACTING WITH CUSTOMER NOMINATED CARRIERS ON FCN SITES

- In the case of customer nominated carriers (CNC), i.e. not engaged or contracted by FCN, delivering to or collecting goods from FCN's warehouses:
 - FCN will discharge its own CoR obligations.
 - as a condition of entry to an FCN site, the operator is required to complete a Driver Site Questionnaire either prior to or on arrival to site.
 - because FCN cannot know the CNC's CoR knowledge prior to arrival at site, the customer will ensure their nominated carrier:
 - understands their own Chain of Responsibility responsibilities.
 - on each site visit that the:
 - vehicle presented is:
 - fit for purpose,
 - equipped with appropriate load restraint, packing equipment and or container restraint devices (container pins),
 - driver has:
 - a product release authority or a delivery consignment note,
 - been fully briefed on what they are being asked to pick up / load (including any Dangerous Goods) and
 - knowledge of the mass management scheme applicable to the vehicle presented on site and
 - driver is adequately trained and appropriately licensed to:
 - drive the vehicle presented,
 - load their vehicle to ensure allowable axles weight limits are not exceeded,
 - safely pack and restrain the load,
 - compliantly deal with Dangerous Goods (as applicable) and
 - safely alight from and return to the truck cabin.

CUSTOMER and 3rd PARTY SITE STANDARDS

- In the case of when a customer directs FCN to pick up from or deliver to a customer site or 3rd party site:
 - FCN will discharge its own CoR obligations.
 - The customer will ensure:
 - offered scheduled loading and unloading site arrival times consider unforeseen delays including prevailing traffic conditions and unscheduled operator fatigue breaks.
 - the site has:
 - allocated space for vehicle queuing,
 - suitable operator facilities in the case of loading and unloading delays and
 - when picking up the FCN driver is issued with a consignment note showing at a minimum:
 - name, address and contact details of the sender and receiver,
 - number of items and an accurate load mass,
 - any relevant reference numbers and
 - dangerous goods details (as applicable).



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