Heavy Vehicle Competency Based Assessment (HVCBA) Operating Procedures
V3.0 June 2020
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1. About the Heavy Vehicle Competency Based Assessment Operating Procedures

1.1 Purpose

- The purpose of this document is to set out the Policies and Procedures (as defined in section 4 of the HVCBA Accreditation Agreement) under which the Heavy Vehicle Competency Based Assessment (HVCBA) Scheme operates.

- Under the HVCBA, Transport for NSW will:
  - Enter into Accreditation Agreements with RTOs for the provision of Heavy vehicle Training and Assessment
  - Provide RTOs with the HVCBA documents and any policies and procedures for the operation of the scheme
  - This document should be read in conjunction with the HVCBA Accreditation Agreement.

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 (1992) 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 How the HVCBA Operating Procedures will be amended

Transport for NSW may amend the HVCBA Operating Procedures from time to time. The current version of the HVCBA Operating Procedures will be available on the Transport for NSW website. Transport for NSW will notify RTOs in writing of any changes, as required by the Accreditation Agreement.

Transport for NSW may operate workshops with RTOs, Trainers and Assessors. Transport for NSW may consult with RTOs, Trainers and Assessors during those workshops, on the operation or content of the HVCBA documents. Transport for NSW may request an RTO to trial any changes in any of the HVCBA documents. Transport for NSW will advise the length of the trial period and the operational rules around the trial period. Obligations of RTOs, Trainers and Assessors...
1.4 **RTO General Obligations**

Registered Training Organisation (RTO) must:

perform all of their obligations under this agreement in a diligent and professional manner to a standard of skill and care expected of an RTO experienced in providing Training Courses and Assessments;

- comply with the Driving Instructors Act 1992 (NSW) and their regulations; and all other relevant Laws;
- not engage in or accept an offer to engage in corrupt or dishonest conduct; and
- not engage in conduct that may bring Transport for NSW into disrepute or which constitutes a Conflict of Interest.

RTO must ensure that its personnel comply with the HVCBA Agreement, wherever this Agreement places an obligation on Trainers or Assessors that includes an obligation on the Provider to ensure that Trainers and Assessors comply with that obligation.

RTO must provide, at its own cost all facilities, equipment and resources (other than the Transport for NSW Materials) sufficient for the purposes of performing the Training Courses and Assessments and otherwise meeting the requirements of the HVCBA Agreement.

Provider must (and ensure all Trainers and Assessors as Transport for NSW may require must), attend workshops and complete training as directed by Transport for NSW on matters relevant to the HVCBA Scheme, including the operation or content of the HVCBA Scheme Policies and Procedures (including proposed variations). Such workshops may include other providers who are accredited under the HVCBA Scheme.

1.4.1 **HVCBA Scheme – Operating Procedures**

This Operating Procedures document is to be used in conjunction with:

- A Guide to Heavy Vehicle Competency Based Assessment
- HVCBA Log Book - Learners
- HVCBA Log Book - Assessors
- Accreditation Agreement for Heavy Vehicle Competency Based Assessment
- Heavy Vehicle Driver Handbook
- National Work Diary

1.4.2 **Options available to Applicants completing HVCBA Training and Assessment**

An Applicant is free to decide his / her own program to achieve completion of the HVCBA process (or Recognition of Prior Learning by attempting a Competency Test).

An Applicant may choose to:

- Complete driving instruction or private tuition prior to commencing the Training Course
- Take driving instruction and / or private instruction (not with an Assessor) between Training Course or Assessment
• If an applicant has heavy vehicle driving experience, the Applicant may elect to undertake a Competency Test (CT) (excludes licence class HC and MC).

**Note:** An applicant completing a CT is required to successfully demonstrate competence of all relevant criteria for the class of licence applied for, in a one off assessment. No prior instruction, training or experience (excluding 30 min vehicle familiarisation) is permitted unless the Assessor conducting the CT is a different person to the Trainer. Conduct of a CT should be limited to those Applicants who have extensive learner driving experience of the licence class being applied for. All relevant HVCBA criteria CT completion details and pass rates are closely monitored by TINSW. RTOs and Assessors should use their expertise to determine an Applicant’s level of experience and suitability to attempt a CT.

• Be eligible to undertake an FCA after successful completion of all relevant Training Course criteria

• Take combined driving instruction and completion of the Training Course prior to attempting an assessment with another Assessor.

A Trainer is expected to take every opportunity to evaluate (assess) an Applicant concurrently during delivery of the Training Course. For example a Trainer may be delivering training for one criterion e.g. Criteria 5 Manages Gears whilst evaluating (assessing) Criteria 4 Manages Steering.

Trainers must conduct the Training course efficiently without lowering standards by ‘short cuts’ on required procedures. **Any time spent on providing instruction or familiarisation with the vehicle must be deducted from the minimum training course time** HVCBA is not available for the following licence Applicants:

• Advanced aged Applicants requiring a driving test
• Applicants with a disability requiring a driving test
• Driving Instructor Applicants requiring a driving test
• Applicants who do not meet tenure requirements

These Applicants must be referred to Service NSW

### 1.4.3 Interstate Applicants

With the implementation of the National Heavy Vehicle Driver Competency Framework, Interstate licence holders wishing to upgrade their interstate licence can undertake HVCBA in NSW, but are not required to meet the requirements of a NSW licence holder.

Interstate licence holders can be assessed by an RTO in NSW, and if they are deemed competent, they will be issued a NSW Certificate of Competence, which they can then provide to the interstate licensing authority.

Applicant must complete consent to in-cabin video recording at the time of enrolment. If Applicant refuses to provide consent, the FCA must not proceed and details of the refusal must be emailed to HVTraining@rms.nsw.gov.au

The procedure for conducting training and assessment with an interstate Applicant is:

**Training course**

• Complete an Applicant eligibility check on HVCORS
• Provide Driving Instructor Licence to Applicant for examination
• Check Applicant driver licence
• Download and complete Applicant details in Interstate Learner Logbook
  Complete all training course criteria including any required training and instruction
• Ensure vehicle is roadworthy, registered and the correct type for licence class
• Complete all training course criteria, including any required training and instruction
• Debrief Applicant regarding completion of all training course criteria
  Complete all required entries in both Learner and Trainer Log Books
• Issue a Certificate of Attendance to Applicant on successful completion (evaluation) of each training course session (e.g. if the Applicant has finished for the day)
• Return HVCBA Learner Log Book to Applicant. Under no circumstances is a Trainer permitted to keep the Learner Log Book between training course sessions
• Record any successfully completed criteria on HVCORS within 24 hours

**Final Competency Assessment (FCA) and Competency Test (CT)**

• Complete an Applicant eligibility check on HVCORS
• Make an FCA / CT booking on HVCORS
• Provide Driving Instructor Licence to Applicant for examination, and display as required in front of In-Cabin Camera for 5 seconds
• Check Applicant licence and interstate Log Book and display as required in front of In-Cabin camera for 5 seconds
• Check that vehicle is roadworthy, registered and the correct type of licence class
• Provide 30 minute vehicle familiarisation if required
• Conduct FCA / CT
• Debrief and provide results to Applicant
• Complete learner and Assessor Log Books
• If a pass result, issue the Certificate of Competency
• Record the assessment result on HVCORS within 24 hours
• Include PDF Interstate Learner Log Book as training and assessment records to be forwarded to RTO

**NOTE:** The NSW Certificate of Competence is accepted by all States and Territories; however it is the Applicant’s responsibility to ensure eligibility in their home State or Territory.
1.4.4 Overseas licence holders

Applicants who hold an overseas licence are not eligible for HVCBA. Overseas licence holders must provide a current class C or higher NSW or Interstate driver licence.

1.5 RTO Administrative obligations and responsibilities

RTOs 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 Assessor:
   - Professional Indemnity Insurance
   - Motor Vehicle Comprehensive Insurance for all vehicles owned and used for training and / or assessment that are owned by the Trainer, Assessor or driving school
   - Current Driver Licence
   - Current Driving Instructor Licence
   - Current National Criminal Record Checks. Checks must have been carried out within the previous 12 months.

Online Code of Conduct training

3. RTOs must notify Transport for NSW within five days of the suspension / termination or resignation of a Trainer or Assessor

4. RTOs must submit an Annual Self-Assessment Report (ASAR) annually, by the due date.

1.5.1 Performance Monitoring of Trainers and Assessors by RTO

- Training and or FCA / CT location visit (refer to HVCBA RTO Performance Management Guidelines)
- RTOs are required to complete unannounced onsite FCA / CT or Training Course, location visit for Trainers/Assessors as directed by RMS
- Unannounced checks may be conducted any time during delivery of the training course, or assessment
- Conduct a minimum of one unannounced onsite FCA / CT location visit per year for each Trainer/Assessor operating under their RTO. This requirement is in addition to any visit as directed by RMS.
• 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 RTO location visit report.

• Provide feedback to Trainer/Assessor and implement any required action to improve the performance of each Trainer or Assessor

• Retain on record details of any remedial action completed

• Advise RMS 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:
  • 1 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 or not operational
  • 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 RMS. Please email HVTraining@rms.nsw.gov.au for clarification

For more information on RTO location visits, refer to item 3.9 RTO Location Visits

1.5.2 Professional Development

RTOs must ensure that each Trainer/Assessor completes a minimum of one RTO coordinated or delivered professional development activity every 12 months.

The Professional development activity must be directly related to the delivery of training and assessment in the HVCBA program.

Refer to the Professional Development Guide in the HVCBA RTO Performance Management Guidelines, RTOs must retain a record of attendance and training content and be able to upload and provide this to Transport for NSW on request.
1.5.3 Assessment vehicles

- RTOs must maintain a register of each Trainer/Assessor owned vehicle used for training and assessment. Register must contain:
  - Date stamped photos of vehicle showing front, side and rear including the vehicle load and registration number. A screen shot or the use of a date stamp app is acceptable.


- Where a private vehicle is used for an FCA/CT:
  - The Assessor must take a date stamped photo of the vehicle showing front, side and rear including the vehicle load and registration number and forward to the RTO prior to the commencement of the FCA.
  - The RTO must maintain on record evidence of the vehicle and load where a private vehicle is being used for an FCA/CT.

1.5.4 Complaints Handling Process

All RTO complaints should be submitted via the HVCBA RTO online complaints form (link to be advised).


1.5.5 Out of TfNSW Business Hours Procedure

The HVTraining business hours are Monday-Friday 0830 to 1630. Contact details for the HV Training Team are: HVTraining@transport.com.au

Guidelines for the processing of specific transaction are documented in HVGDE008 Service Charter:


Trainers and Assessors must direct any request for variation of current Operating Procedures to their RTO.

RTOs must provide specific details relating to any request for variation of current Operating Procedures. Requests must be submitted to HVTraining@transport.com.au

**Any request that does not include full details including specific reason for request will be rejected.**
2. Conducting the Training Course

2.1 Training Course – Definition

“Training Course” is defined in the HVCBA Accreditation Agreement as:

‘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’

This means any required training an Applicant must complete to be eligible to attempt an FCA, including successful completion of all relevant criteria 1-15.

NOTE: As per Clause 4.2(d) of the HVCBA Accreditation Agreement, the RTO must ensure that the Assessor that conducts the Applicants Assessment (FCA/CT) is not the same person who delivered the Training Course (Applicable Assessment Criteria 1-15 or any instruction given prior to the conduct of an FCA/CT) for that Applicant.

2.1.1 Recognition of Prior Learning or Current Competency

Integral to HVCBA is the concept of Recognition of Prior Learning (RPL) or Recognition of Current Competency (RCC).

A Trainer who delivers any Training or Instruction for an Applicant is not permitted to conduct the CT for that Applicant under the requirements of clause 4.2(d)

2.1.2 A CT cannot be used to assess an Applicant for either a Class HC or a Class MC licence.

An Applicant who has extensive learner experience may request a Competency Test (CT) to assess their current level of driving ability in an LR, MR or HR Class of licence only.

2.1.3 No prior training required

Any criteria may be demonstrated during the training course without receiving prior training from the Trainer.

A period of 30 minutes for vehicle familiarisation is allowed if necessary. No instruction or advice may be delivered. This is not considered to be “training” if actual driving instruction or advice is not provided.

If a criterion is performed correctly, it can be signed off in both the Applicant’s Log Book and the Trainer’s Log Book and may be recorded on HVCORS as successfully completed.

2.1.4 Some specific requirements during criteria assessments

2.1.4.1 Manoeuvres

Due to licensing requirements the Trainer must be in the vehicle at all times an Applicant is operating the vehicle. While some manoeuvres may be more readily assessed with the Trainer out of the vehicle e.g. coupling and uncoupling, this can only be done when the procedures take place on private property which is not publicly accessible. The Trainer may get in and out of the vehicle simultaneously with the Applicant provided the vehicle is secured.
2.1.4.2 Vehicle Doors

Truck cabins, cargo doors and all bus doors are to be shut at all times when vehicles are in motion.

On road or road related areas open to the public an Applicant must have an accompanying driver with the appropriate class of licence seated next to them. Trainers are warned that many so-called off-street areas may in fact be public roads and the accompanying licensed driver requirements apply.

2.1.4.3 NSW Exemptions

RTOs are delivering nationally recognised training and will therefore be required to complete all of the Criteria to award the qualification. Alternative assessment methods can be proposed and exemptions offered if conditions do not allow for a particular criterion to be assessed (e.g. geographical locations where hills do not exist). The Austroads National Assessment Guide indicates where these situations may occur.

Exemptions will only be valid if in writing.

NSW RTOs are exempt without a written exemption from the loading dock simulation statement:

**NSW providers are exempt without a written exemption from the loading dock simulation statement “The Applicant must commence reversing from the correct side of the road and not reverse across lane”, provided the manoeuvre is completed in a safe and legal way.**

2.1.4.4 Training Course and Assessment Directions

- All directions delivered by the Trainer/Assessor to the Applicant during the training course evaluation (assessment of criteria 1-15) and Final Competency Assessment or CT, must be spoken in English.

- Always maintain a friendly attitude and courteous manner, and use a calm and neutral tone of voice when speaking to Applicants. Assessors must not give instruction or advice during the conduct of the Training Course evaluation (assessment) or FCA/CT. This includes secret codes or the use of unapproved hand signals not within view of the In-Cabin Camera e.g. thumbs up to indicate an increase in speed is required or tapping twice to indicate to an Applicant that road speed and engine revs are matched to enable a gear change to be made.

- Speak distinctly to make sure that you will be understood and be patient with anyone who appears to be having difficulty with following your directions. Repeat directions if required and use of hand signals if an Applicant has failed to hear or understand.

- All directions should be delivered in the “at” “do” method e.g. at the second street turn right.

- Do not give directions according to specific street names or type of traffic signs e.g. at the Stop Sign or at the Give Way sign. However, the use of common terms that still require the Applicant to interpret and make the decision are permitted e.g. traffic lights, roundabout.

**Assessors must not give instruction or advice during the conduct of the Training Course evaluation (assessment) or FCA/CT. This includes secret codes or the use of unapproved hand signals not within view of the In-Cabin Camera e.g. thumbs up to**
indicate an increase in speed is required or tapping twice to indicate to an Applicant that road speed and engine revs are matched to enable a gear change to be made.

2.2 Training Course Criteria

The Training Course and Assessment criteria required to gain a heavy vehicle licence is detailed in the ‘Austroads National Heavy Vehicle Assessment Guide’ and ‘RMS- A Guide to Heavy Vehicle Competency Based Assessment’.

All Applicants must demonstrate the ability to perform each criterion under the specific conditions and requirements given for each criterion. Under the HVCBA program, an Applicant is either competent or not competent. In HVCBA, full ability to the defined standard is required.

In a FCA/CT, an Applicant that exceeds the allowable error rate is deemed to be not competent and must therefore undertake a full re-assessment.

2.2.1 Minimum Training Course time requirements

All Training Course, Final Competency Assessment (FCA) and Competency Test (CT) criteria must be conducted on a one-on-one basis in accordance with the minimum times as set out below, per Applicant.

**NOTE:** All training course and assessment activities must comply with Heavy Vehicle National Law (NSW) which sets the maximum hours of driving, working, and minimum hours of rest for drivers of regulated heavy vehicles.

Transport has determined that the following **Minimum Training Course Times are mandatory.**

<table>
<thead>
<tr>
<th>Licence Class</th>
<th>Minimum Training Course Hours</th>
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<tbody>
<tr>
<td>LR</td>
<td>5 hours</td>
</tr>
<tr>
<td>MR</td>
<td>5 hours</td>
</tr>
<tr>
<td>HR (Auto/Synchro Gearbox)</td>
<td>5 hours</td>
</tr>
<tr>
<td>HR (Manual Gearbox)</td>
<td>6 hours</td>
</tr>
<tr>
<td>HC (Auto/Synchro Gearbox)</td>
<td>6 hours</td>
</tr>
<tr>
<td>HC (Manual Gearbox)</td>
<td>6 hours</td>
</tr>
<tr>
<td>MC</td>
<td>8 hours</td>
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**Important:** The above times are for the evaluation (assessment) of relevant criteria 1-15. This is referred to as the Training Course and excludes the FCA. The minimum Training Course time listed in the table above refer only to the part of the training course where the Trainer is evaluating whether the Applicant has reached the required skill level to be marked as competent for each specific criterion (i.e. Applicant can perform the required criteria without any instruction or assistance). The successful completion of minimum Training Course Hours is a
requirement for all Applicants to be eligible to undertake the FCA. The minimum training course time does not include any time spent in preparation to commence the training course e.g. introductions, site induction, completing any required application form or any other administration requirement.

A short stop to use amenities etc. up to 10 minutes is permitted. If a stop will exceed 10 mins for e.g. morning tea or lunch, the current session must be completed and a new session in the learner log book commenced. **Multiple short stops of up to 10 minutes are not permitted within the one training course session.**

Further information is available in the [HVCBA Minimum Training Course Hours Fact Sheet](#).

Training and assessment of an Applicant can be conducted during the one session; however the time taken to train during that period must be deducted from any time that is counted toward the minimum training course time, unless it is conducted concurrently with an assessment (evaluation). For example; an Applicant may be receiving training for Criteria 5: Manages Gears while also being assessed for Criteria 4: Manages Steering. RTOs are required to closely monitor Training Course activity, including a review of Learner Logbook entries to identify non-compliance and to ensure that all Trainers are complying with minimum Training Course requirements. Triggers to assist RTOs in identifying potential non-compliance with Training Course requirements may be:

- Assessment session times consistently recorded with no break e.g. 0700 hrs to 1200 hrs
- Criteria recorded as being completed in the same pattern consistently with no variation to order of criteria, lesson details, or start and finish times recorded
- Low or consistent mileage completed and recorded during completion of the Training Course
- Actual Training Course start times consistently recorded as very early e.g. 0600 hrs (this may indicate that an Applicant would be required to be onsite and ready to commence the training course well in advance)
- Difficult licence class upgrades e.g. C to HR manual that are consistently completed within the minimum 6 hour requirement

*Please note that this is not intended as a specific list and any of these items in isolation or, with a justifiable reason, may not indicate non-compliance. This list is provided to assist RTOs with the required detailed oversight of training course activity.*

RMS and RTOs are both responsible for ensuring that all Trainers/Assessors meet the minimum training course requirements. RMS and RTOs will conduct unannounced Quality Assurance checks, Location Visits, Trainer, Assessor and RTO audits and customer surveys to determine compliance.

**Failure to comply with minimum training course time requirements is a breach of the Accreditation Agreement for Heavy Vehicle Competency Based Assessment and may result in RTO, Assessor or Trainer suspension or termination.**

### 2.2.2 Pre-Training Course and Assessment check of Applicant

Before training can begin, the Applicant must:

- Complete the [HVCBA Applicant Enrolment Form](#).
The Applicant must be given a copy of the RTO’s Privacy Statement or be provided with a link to the RTO’s Privacy Statement when the Applicant is asked to complete the enrolment form.

Before conducting each training course session the Trainer conducting the assessment must visually check and verify Applicant details including conducting eligibility check on HVCORS.

A pre-assessment checklist is set out below. If there is doubt concerning any of the items, the training or assessment is not to proceed until the problem/issue has been rectified. Please refer any enquiries to your RTO.

**Applicant pre-assessment check list**

**Applicant**

- The Applicant holds a current Australian Driver Licence and the photo on the licence matches the person attending
- The Applicant is wearing glasses or contact lenses, if required
- An eligibility check is completed on HVCORS to determine that the Applicant is eligible to complete HVCBA
- The Applicant is not in contravention of any licence condition (licence conditions are displayed on the front of the licence, with further detail on back of licence) See frequently asked questions
- Trainers and Assessors with further questions are required to contact their RTO
- RTOs with further questions are required to email: HVTraining@rms.nsw.gov.au

**Learner Log Book**

- Has not expired (check date printed on inside of front cover)
- Is for the correct licence class that the Applicant is attempting
- Has been issued to the Applicant and signed by the Service NSW representative
- The Applicant’s signature is the same on both the Learner’s Log Book and driver licence. If signatures do not match, have the applicant sign the log book again to determine a match. If there is still no match, refer the applicant back to Service NSW for resolution
- The address on the logbook is not required to match the address on the licence provided that the licence address is still current

**Important Notes**

- A Trainer/Assessor is not permitted to conduct the training course or assessments if:
  - the Applicant does not bring his / her current Log Book and photo driver licence to each session or
  - the Trainer or Assessor does not have their instructor or driver licence with them;
  - Assessments cannot be conducted for a person who holds a Class C Learner Licence regardless of whether or not it is endorsed with a condition to learn to drive a heavy vehicle.
2.2.3 Vehicle checks pre training and pre-assessment

Vehicle requirements

- All vehicles used for HVCBA assessment purposes must be registered, roadworthy and in a clean and presentable condition;
- HVCBA assessments may be carried out in either an Trainer’s or Applicants vehicle;
- All vehicles supplied by Trainers/Assessors or Registered Training Organisations (RTOs) for HVCBA must be comprehensively insured;
- Vehicles used for HVCBA assessment purposes:
  - must be of the correct configuration for the class of driver licence for which an Applicant is being assessed; and
  - must comply with the vehicle standards for the class, as specified in the National Heavy Vehicle Assessment Guide and the Transport for NSW publication, A Guide to Heavy Vehicle Competency Based Assessment:
- Complying Buses and Motorhomes may be used for training and assessment in NSW

Vehicles for assessments and tests

- An Applicant can learn and be assessed or tested in their own vehicle, as long as it is registered and roadworthy, and the right type of vehicle for the licence class the Applicant is applying for.
  - The vehicle an Applicant uses for the training or assessment must also have a lap-sash retractable seat belt fitted to the front passenger seat for the Trainer/Assessor except for MR and HR buses.
  - Vehicles used for Training and Assessment in NSW are exempt from the requirement to have a minimum of three seats fitted
  - Vehicles for HR, HC and MC licence tests must meet additional minimum standards
    - For HR, the test vehicle must be at least a 3-axle rigid vehicle with a GVM of more than 15 tonnes, excluding bobtail prime mover
    - For HC, the test vehicle must be a 3-axle prime mover with a minimum 2-axle semi-trailer, or a heavy rigid vehicle plus 2-axle trailer over nine tonnes GVM
    - For MC, the test vehicle must be at least a 3-axle prime mover with an A and B trailer, each with a minimum of bogie axles. The prime mover must be B-double rated and a minimum of 22 metres in length, in B-double configuration
  - The following vehicles must not be used for a driving test or HVCBA:
    - Armoured security vehicles
    - Vehicles carrying dangerous goods
    - Federal Interstate registered vehicles
    - Vehicles carrying livestock
    - Vehicles bearing traders’ plates
• Vehicles that are not mechanically roadworthy
• Any heavy vehicle fitted with a dual accelerator or a dual steering wheel
• Buses carrying passengers
• Special Purpose vehicles
• Veteran and vintage vehicles

2.2.4 Vehicle road worthiness checklist

Wheels & Tyres
• Wheel nuts or lugs must not be missing
• Tyres must comply with minimum tread depth requirements
• Dual rear tyres must not be touching and are free of obstructions

Registration
• Vehicles must be registered and must display a current registration label if applicable

Lights
• Lights must be clean and lenses complete (not broken or missing)
• Brake, indicator and all other lights must work

Signs
• Vehicles with a GVM of more than 12 tonnes and trailers with a GTM exceeding 10 tonne must be fitted with the appropriate and complying marking plates at the rear of the vehicle
• All number plates must be visible, undamaged and clean

Windscreen & windows
• Windows must be clean, operational and must not be broken or cracked
• Windscreens must be clean and must not be broken or cracked so as to obscure the driver or Trainer/Assessors vision

Bodywork
• Bodywork must not have any jagged or protruding parts likely to cause injury
• All doors must open and close properly

Mirrors
• External mirror glass must not be cracked or broken and must be clean
• All mirrors should be properly secured

Suspension & Leaks
• Vehicle springs should not be broken or loose
• Vehicles should not have excessive fluid leaks
• Vehicles should not have excessive exhaust emissions
Cabin

- Cabin should be clean
- Seats should be in good condition, clean and adjustable
- Cabin should be sealed from engine, fuel and exhaust emissions

Seat belts

- A complying retractable lap / sash seat belt must be fitted to the front passenger seat. (This is not a requirement for MR, HR, buses and coaches)
- Seatbelts must work properly and must not be damaged

A circle check of the vehicle must be conducted prior to commencing any training course or assessment session

Legal requirements for the wearing of seat belts must be observed

2.2.5 Load requirements

All vehicles used for training and assessment must also be loaded to at least 75% of the maximum mass allowable for the vehicle, except for buses, motor homes, or vehicles not primarily designed to carry a load but have a high tare weight e.g. Complying vehicles constructed on a truck chassis with permanent equipment fitted e.g. compressors, generators, mobile welding plant, telescopic jib.

All vehicles used for training and assessment must be loaded to at least 75% of the:

- Legal mass limit (maximum mass allowable for the vehicle to be driven on the road)
- The GVM for rigid vehicles, or
- The GCM for articulated or heavy vehicle trailer combinations

Whichever is the lowest.

For example, if a rigid truck has a legal mass limit of 10 tonnes when it is fully loaded, It must weigh at least 7.5 tonnes for the assessments which require a loaded vehicle.


Registered Training Organisations (RTOs) must maintain a database of all RTO, Trainer and Assessor owned vehicles used for training and assessment. Records are to be retained on file and must include:

- Photos of each vehicle clearly showing front, side and rear including registration details
- Photo must also include the load If the vehicle is a pantech, tautliner, container, tipper or any other configuration where the load is not visible
- Split Axle Weighbridge Ticket showing individual axle weights
• Current registration details


• The RTO must also maintain on record, photos clearly showing front, side, rear and vehicle load and registration details where a private vehicle is being used for an FCA/CT.

2.3 Conducting the Training Course

• Complete an Applicant eligibility check on HVCORS
• Provide Driving Instructor Licence to Applicant for examination
• Check Applicant licence and HVCBA Learner Logbook.
• Check that vehicle is roadworthy, registered and the correct type for licence class
• Debrief and provide results to Applicant
• Complete Learner and Trainers Log Books
• Issue a Certificate of Attendance to Applicant on successful completion of each training course session
• Return HVCBA Learner Log Book to Applicant. Under no circumstances is the Trainer permitted to keep the Learner Log Book between training course sessions.
• Record successfully completed criteria on HVCORS

2.3.1 Completing the HVCBA Learner’s Log Book

The Applicant must bring his/her HVCBA Learner Log Book to every instruction or assessment session.

Both the Trainer/s and Applicant must sign off successfully completed criteria at the end of each session. When the Applicant has completed all criteria for the licence class applicable to the Log Book the Trainer completing the final training session must complete the final certification on page 3. At the completion of the FCA/CT both the Assessor and Applicant must sign the logbook. If the FCA is conducted by a Transport Auditor, at the end of the session only the Auditor and Applicant are required to sign off the assessment.

The Log Book must be filled in using pen so that all entries can be read clearly. When entering time details, the 24 hour ‘military’ system must be used, i.e. 5:00pm becomes 1700 hours. Correction fluid (white out) must not be used to alter any Log Book entries.

The Learner’s Log Book is filled in for:

• Driving instruction / practice
• HVCBA assessments
• Final Competency Assessment / Competency Test
• Trainer/Assessor certification
FOLLOWING COMPLETION OF A TRAINING COURSE SESSION OR A FAILED FCA / CT THE LEARNER LOG BOOK MUST BE RETURNED TO THE APPLICANT ON ALL OCCASIONS.

2.3.2 Driving instruction / practice

In the case of driving instruction or practice, the accompanying driver may fill in details of any instruction or practice in the Your Personal Driver Training and Assessment Record section of the Log Book.

2.4 Training Course Criteria Completion

In the case of training course criteria completed, the Trainer must complete the Criteria Assessment Session Record section of the Log Book for whichever criteria have been successfully completed. The Trainer must also tick the successful criterion in the Record of Completed Criterion section and enter details of both successful and unsuccessful criteria in the section ‘Your personal driver training and assessment record’.

For each training course session, details of successfully completed criteria must be completely filled out and signed off in the Learner’s Log Book.

2.4.1 Completing the HVCBA Trainer/Assessors Log Book

The Trainer/Assessor’s Log Book must be filled in using pen so that all entries can be read clearly. When entering time details, the 24 hour “Military” timekeeping form must be used, (i.e. 5:00pm becomes 1700 hours). Correction fluid (white out) must not be used to alter any Log Book entries.

Trainer/Assessors must record all completed criteria in his/her Trainer/Assessor’s Log Book. This Log Book is for use by an individual Trainer/Assessor.

The Trainer/Assessor’s Log Book:

- Provides a record of a Trainer/Assessor’s activity
- Is retained by a Trainer/Assessor’s RTO and is auditable by Transport for NSW upon request. If an Assessor also wishes to keep a copy of Assessor log book entries to satisfy their record keeping requirements under the Driving Instructor Regulation, a copy of the Assessor log book entries should be made and retained by the Assessor
- Provides a record which is to be used to report completed criteria to Transport via HVCORS
- Provides a record of the number of FCA / CTs conducted by each Applicant
- Provides a backup of Applicant’s records in case of loss or discrepancies in an Applicant’s HVCBA Log Book

The Trainer/Assessor’s Log Book must be filled out at the end of each training course and assessment session to show successfully completed criterion and is used when reporting completed criterion to Transport via HVCORS.
NOTE: Successful and unsuccessful score sheets must be retained with the Assessors records

The Applicant is issued with both a HVCBA Learner’s Log Book and a HVCBA Guide which includes the full individual criteria statements and check sheets.

With the introduction of the Certificate of Attendance, it is no longer a mandatory requirement for Assessors to mark results into the HVCBA guide for any criteria that have been assessed, but this should be completed if requested by the Applicant.

The HVCBA guide may be marked with a tick or cross in the boxes for individual criteria.

On completion of an FCA/CT, Assessors must report results to Transport via the Heavy Vehicle Criteria Online Reporting System (HVCORS) within 24 hours.

NOTE: There are some circumstances in which HVCORS cannot be used. Please refer to sections on using the Heavy Vehicle Competency Online Reporting System.

2.5 Multi Combination (MC) Driver Training and Assessment

2.5.1 Upgrading from class HC to MC

To upgrade from a class HC driver licence to a class MC driver licence under HVCBA, the Applicant must:

- Obtain a class MC type HVCBA log book
- Complete training and assessment in a MC-type vehicle combination with an approved RTO
- Then (if found competent) present their Certificate of Competency (CoC) at a Service NSW Centre to be issued with an MC licence.

2.5.2 Upgrading from class HR to MC

To upgrade from a class HR licence to a class MC licence under HVCBA, the Applicant has two options:

The ‘two step’ option

This option allows an Applicant the opportunity to gain experience driving a Heavy Combination type motor vehicle before attempting training an assessment for a Class MC Licence.

Step 1: Obtaining a Class HC learner Log Book

Complete training and assessment in a Class HC-type vehicle combination. Then (if found competent) present their Certificate of Competency (CoC) at a Service NSW Centre to be issued with a HC licence.

When ready to commence training and assessment for a class MC licence,

Step 2: Obtain a Class MC HVCBA learner Log Book

Complete training and assessment in a Class MC-type vehicle combination and (if found competent) be issued with a Class MC Driver Licence.

Note: An Applicant may be issued with only one HVCBA Assessment Log Book at a time.
HVCBA from HR to MC:

This option is only suitable for an Applicant with experience and extensive underpinning knowledge of driving an articulated vehicle.

- Obtain a class MC type HVCBA Learner Log Book
- Complete training and assessment in both a HC and MC-type vehicle combination and (if found competent) be issued with a class MC Driver licence

**Note:** This process is more involved as the Applicant will need to demonstrate the required competence at HC level before proceeding to MC training and assessment

**Step 1**

- RTO / Trainer/ Assessor must complete an MC eligibility check for the Applicant on HVCORS
- Applicant must complete all relevant training course criteria for class HC licence including minimum training course hours
- Trainers must record the HC training course criteria in the class MC-type HVCBA learner log book
- Trainers must mark the top of the page/s as HC upon satisfactory completion of all HC criteria
- Issue a Certificate of Attendance for the HC component
- Submit a manual booking for a class HC FCA (mark in the comments section HR to MC upgrade). Email a manual booking to HVTraining@rms.nsw.gov.au
- Conduct an FCA for class HC including recording In-cabin camera footage and assessment documentation
- Record the result of the FCA in the learner and Assessor Log Books
- **No result for this assessment is required to be recorded on HVCORS**
- **If the Trainer who conducted the HC component does not continue with the MC training course (and is attached to a different RTO) they must forward the HC FCA scoresheet, photocopy the HC Log Book entries and In-cabin camera footage to their RTO.**

**Note:** The separation of training and assessment is not required when completing the HC component for an Applicant attempting a HR-MC licence upgrade.

**If successful,**

**Step 2**

- Applicant must complete all relevant training course criteria for a class MC licence including mini-mum assessment hours
- Trainer must record the MC training course criteria in the Learner Log Book
- A booking is required to be made on HVCORS for a class MC assessment (FCA)
- Separation of Training and Assessment must occur
• Assessor conducts an FCA for class MC licence including recording In-cabin camera footage and completion of assessment documentation

• Result is recorded on HVCORS

• If a pass, issue a Certificate of Competency (CoC) to Applicant

If the Applicant decides not to proceed to the class MC component, they need to return to Service NSW Centre and:

• Have their class MC-type HVCBA Assessment Log Book made inactive

• Obtain a class HC-type HVCBA Assessment Log Book

The Trainer/Assessor can then transfer any completed training and assessment from the MC HVCBA Logbook to the Applicants HC Assessment Log Book, record criteria on HVCORS and;

• Complete any further required training course criteria

• A booking is made on HVCORS for a class HC assessment (FCA)

• Assessor conducts an FCA for a class HC licence including recording In-cabin camera footage and completion of assessment documentation

• FCA is conducted and the result is recorded on HVCORS

• If a pass, issue a Certificate of Competency (CoC) to Applicant

3. **Assessment Process**

3.1 **General requirements**

Details of the specific assessment process requirements are provided in the Austroads National Heavy Vehicle Assessment Guide.

Locking pins on truck and trailer combinations, presented for an FCA/CT, must be in the released position at all times during conduct of that FCA/CT

RTOs must ensure that the Assessor who conducts the Applicant’s assessment (FCA/CT) is not the same person who delivered the training course. Included is any training or instruction provided to an Applicant prior to the conduct of an FCA/CT. This is defined as training provided to prepare the Applicant for an assessment.

3.1.1 **Consent to record FCA on in-cabin video**

Consent to record the FCA on in-cabin video must be gained from the Applicant at time of enrolment. Signed consent must be received at time of Applicant enrolment to ensure that the Applicant has sufficient time to seek independent advice if required. Electronic signatures are acceptable.

A copy of the RTO’s Privacy Statement must be provided to the Applicant together with the HVCBA Applicant enrolment form.

It is a requirement to provide an opportunity for an Applicant to obtain independent legal advice before completing the HVCBA Applicant Enrolment Form.
If an Applicant refuses consent to be recorded the Assessment must not proceed. RTOs must provide details to HVTraining@transport.com.au

3.1.2 Overview of FCA/CT process

- Assessor eligibility check of Applicant
- Check that vehicle is roadworthy, registered and the correct type for licence class
- Off-road criteria specific to the licence class of the FCA/CT is conducted (if applicable). Conduct of additional criteria at nominated points whilst on the CT course is also acceptable during the assessment providing they are conducted safely.
- Camera set-up/switch on
- Introductory assessment script is completed and read to Applicant including display of Assessor Driving Instructor Licence and Applicant Driver Licence in front of In-Cabin Camera.
- On-road component of FCA/CT is conducted
- FCA/CT score sheet is completed and returned to the RTO. Assessors may complete either a hardcopy of the FCA/CT scoresheet or the digital version which can be downloaded here
- Post-assessment script is completed and result delivered to Applicant
- Camera switch-off

Please refer to the appendix of this document for the following information:

- Introductory Assessment Script
- Post Assessment Script

3.2 Time and Location requirements

- All entries must be recorded in 24 hour “Military’ timekeeping form e.g. 5.00pm becomes 1700hrs
- An FCA / CT must start and finish at the same location in NSW, and may be only conducted between the hours of 07:00 to 19:00 seven days a week
- The latest time an FCA can commence is 18:00 hours. The latest time a CT may commence is 16:00 hours
- The CT has a minimum duration of 90 mins on road and additional off road components which can total more than 2.5 hours
- The latest time a CT for a Condition B removal can commence is 18:00 hours

Deviations from the nominated route due to a prevailing road and traffic conditions or if an applicant misinterprets a direction will be acceptable. A notation must be made on the FCA/CT scoresheet and Assessors must ensure that the FCA / CT return to the nominated route as soon as practicable. All FCA/CT requirements must still be met.
3.3 **Assessment Routes**

- The Heavy Vehicle (FCA) Route Development Guide is designed to supply RTOs and Assessors with adequate information and direction to develop compliant FCA/CT assessment routes. It also acts as the primary tool for audits.

3.3.1 **FCA / CT Routes**

- RTOs are responsible for maintaining the validity of all FCA/CT routes and associated documentation. Any FCA/CT route submitted to Transport for NSW by an RTO remains the intellectual property of that RTO.
- RTOs or Assessors requesting to add or use an existing FCA/CT routes currently registered by an-other RTO for an FCA/CT requires the written authority of the RTO who currently holds the rights to that route.
- RTOs and Assessors are to ensure all FCA and CT route documentation complies with the requirements outlined in the National Heavy Vehicle Assessment Route Development Guide and FCA/CT route template.
- Applicants are not to be trained on FCA/CT routes or courses used for heavy vehicle driving tests.

*Note: In some regional areas it is inevitable that some training and assessments will be conducted on the same road due to limited assessment criteria conditions*

- Multiple FCA/CT routes are recommended for each assessment location.
- A minimum of two FCA/CT routes are required for each location and the alternate route must be used if an Applicant has failed on the first attempt at the FCA/CT.
- Each route must start and finish at the same location (commencing on the opposite side of the road is acceptable). This could entail using Route 1 in reverse as Route 2, providing all minimum task requirements are included.
- The original copy of each FCA/CT route must be retained on file by the RTO and a scanned copy submitted by email to HVTraining@transport.com.au.
- New FCA or CT routes must be submitted and registered on HVCORS prior to booking an FCA/CT.
- FCA/CT routes are subject to Transport for NSW audit and validation to ensure minimum route design requirements are met.
- If an existing FCA/CT route is found to be non-compliant, Transport for NSW will advise the RTO that amendments are required within seven days. If an amended and compliant route is not received by Transport for NSW within seven days, the route will be suspended on HVCORS.
- CT routes must be submitted and registered separately on HVCORS (e.g. Parramatta CT route 1). A CT must not be conducted by simply completing two laps of an FCA route.
- Routes should be updated to allow for changes in traffic and road conditions.
IMPORTANT NOTE:

- FCA/CT Routes are not to be used for training or determination of competency during training sessions.
- All FCA/CT routes must start and finish in the state of NSW.

3.4 Safety during assessments

An Assessor may terminate a final assessment at any time he/she considers that an Applicant's driving is unsafe. A final assessment is not to proceed which requires road and traffic conditions in which the Assessor considers the driver will be unsafe.

The Assessor is in charge of the operation and the final assessment criteria proceeds at the pace set by, and to the requirements of the Assessor.

3.5 FCA/CT bookings

3.5.1 FCA/CT booking process

It is the responsibility of the RTO / Assessor conducting the FCA to complete the eligibility check for the Applicant and make the FCA/CT booking. An Applicant’s FCA/CT booking must be entered in HVCORS by an Assessor/RTO administrator with a minimum of 24 hours’ notice.

There are some circumstances in which HVCORS cannot be used. Please refer to HVCORS manual, details can be found on page 3 of the manual.

When a FCA/CT has been cancelled, a further 24 hours’ notice must be given of the rescheduled FCA/CT. Failure to comply with this requirement is a breach of The Accreditation Agreement and may result in action being taken under provisions of the Accreditation Agreement for Heavy Vehicle Competency Based Assessment.

3.5.2 Making changes to nominated FCA/CT Times

An application to bring forward any previously notified FCA/CT time will only be approved if the application is made outside of the 24 hour minimum time requirement.

Any request to bring forward a time, made within the 24 hours, will not be approved unless there are extenuating circumstances. Applications must be forwarded by RTOs to HVTraining@transport.com.au including specific details of the request.

3.5.3 Cancellation of FCA/CT

Cancellation of the FCA/CT must be made no later than 1 hour before the due time of commencement.

Failure to cancel a FCA/CT as required is a breach of the Accreditation Agreement for Heavy Vehicle Competency Based Assessment. Cancellations, without genuine reason may result in suspension or cancellation of accreditation.
3.6 **Automatic / Synchromesh (Condition B) for Heavy Vehicles**

3.6.1 **Condition B endorsement**

A licence holder applying for a higher class of licence and passing a HVCBA assessment in a vehicle with an automatic or synchromesh gearbox will have the licence for the higher class endorsed with a condition ‘B’:

“may only drive a heavy vehicle fitted with an automatic or synchromesh gear box”

This condition applies to licence classes MR, HR, HC and MC. It does not apply to licence classes C or LR.

There is no licence endorsement required if:

- the assessment is passed in a vehicle fitted with a constant mesh (crash) type gear box
- the driver already holds a Class MR or (higher) licence not endorsed with the Condition “B” endorsement.

3.6.2 **Removal of Condition B**

Heavy vehicle drivers who wish to have a condition ‘B’ removed from their licences can do so by:

- completing a driving test with SNSW at available locations in a vehicle which is fitted with a constant mesh (crash) type gear box
  
  or
  
- completing a CTB in a vehicle which is fitted with a constant mesh (crash) type gear box
  
  This test vehicle can be any vehicle type authorised by a class MR or higher. For example, a driver with a class HC licence endorsed with a condition ‘B’ can have the condition removed by passing a competency test in a vehicle covered by a class HR licence.

**REMINDER**

Assessors are reminded of the importance of full and accurate recording of gearbox type in both Applicant and Assessor log books to ensure correct condition is recorded.

3.6.3 **Competency Test for Condition B endorsement removal**

- RTOs that deliver CT’s for the removal of Condition B endorsement may do so by using a short CTB route which is half the duration of a full CT route and consists of one 45 minute on road completion of the approved RTO CT route (one lap)
  
- These routes must be documented and submitted to HVTraining@rms.nsw.gov.au. CTB routes must be listed on HVCORS as a CT condition B removal (CTB)
  
- The short CT will assess criteria 3, 4, 5, 6, 7, 8, 9 and 10 as a ‘continuous’ assessment procedure
  
- Vehicles used for a condition B endorsement removal must meet the load and vehicle requirements detailed in Section 3, Vehicles and Load Requirements for HVCBA
• As this is not an upgrade of a licence class, no knowledge test or Learner Log Book is required
• A CT conducted to remove condition B does not require the Separation of Training and Assessment as required under Clause 4.2(d)

3.7 CT and CTB booking and recording results
CT and CTB bookings and results must be recorded on HVCORS. A CT to remove condition B must be selected as the assessment type.

On successful completion of a CTB to remove condition B, the Assessor is to record the results of the CTB on HVCORS and issue a Certificate of Competency. Applicants will need to attend a Service NSW Centre to have the condition removed from their licence.

3.8 Quality Assurance Checks and Audits
Prior to the commencement of the training course or assessment the Assessor must explain to the Applicant that a Transport for NSW officer may attend at any time unannounced to complete an audit, or quality assurance check. This could include any of the following activities:
• A Transport for NSW Officer conducting the FCA or CT
• A Transport for NSW Officer completing an audit of the FCA or CT
• A Transport for NSW Officer completing a Quality Assurance check of the FCA/CT or any component of the training course
• A Transport for NSW Officer observing the conduct of the FCA by accompanying the Assessor and Applicant in the vehicle
• A Transport NSW Officer completing surveillance of the FCA/CT or training course
• Quality Assurance checks are conducted by Transport for NSW Education Program Officers and Compliance Training Officers
• Audit is conducted by Transport for NSW Regulatory Program Audit Officers
• Location Visits are completed by an RTO representative
• FCA/CT audits are completed by Transport for NSW Regulatory Program Officers
• Surveillance may be conducted by an Transport for NSW officer or delegated official
• Applicants must be advised that Quality Assurance checks and Audits will concentrate on all areas of the training and assessment process and may require the Applicant to answer questions relating to the training course or FCA/CT, and/or demonstrate performance to the required standard of any nominated training course or assessment criteria.

3.9 RTO Location Visit
Registered Training Organisations must have processes in place to monitor, supervise, direct and assess the performance of Trainers and Assessors under their control. An RTO location
visit is required to be conducted unannounced by an RTO representative. This could include any of the following activities:

- An RTO representative may complete a location visit for an FCA or CT
- An RTO representative may complete a location visit during delivery of the Training Course
- An RTO representative may substitute the Assessor and conduct the FCA or CT
- All location visits are to be conducted unannounced
- 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
- Unannounced checks may be conducted any time during delivery of the training course, or assessment
- Conduct a minimum of one unannounced onsite FCA / CT 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
- RTOs must retain on record details of any required remedial action resulting from the visit, including training delivered and completed
- RTOs must complete and retain on file a copy of the RTO location visit report
- Under clause 16.1 of the HVCBA Agreement, RTOs have a responsibility to ensure that they have comprehensive knowledge of all Assessor activity when conducting training and assessment activities. This includes knowledge of the locations and schedules of trainers when conducting the training course. This is essential to ensure that effective location visits can be performed. Suggested methods of monitoring activity are:
  - Requesting Trainers to submit a training plan for applicants
  - Accessing training course information from HVCORS
  - Maintaining a register or database of Trainer activity (learner logbook entries)

All RTOS must communicate on a regular basis with all Trainers/Assessors under your management

3.9.1 RTO Location Visit procedure if non-compliance is identified

If during an RTO Location Visit at the commencement of an FCA it is identified that one or more training course criteria have not been completed to the required standard (see item 1.5.1 Serious Non-Compliance), the following procedure must be followed:

- RTO representative is to complete the Location Visit template recording details of the Assessor who has completed the training course criteria
- RTO representative is to explain findings privately to the Assessor conducting the FCA
- Assessor is to provide a detailed explanation to the licence Applicant that the training course criteria has not been completed to the required standard. As a result the Applicant is
not eligible to complete an FCA, the FCA is to be terminated and the applicant will be required to complete all required criteria

- If the Trainer who conducted the Training Course is aligned with a different RTO, advise the Applicant to contact the Trainer who conducted the Training Course for further directions.

- The Assessor who was booked to conduct the FCA is to record the result on HVCORS as a termination and record the reasons for termination in the free text box

- The RTO representative is to provide a copy of the RTO Location Visit Report to their RTO immediately (a photographed copy emailed to the RTO is acceptable)

- Once received, the RTO is to email to HVTraining@rms.nsw.gov.au on the same business day as the FCA booking, with the completed copy of the Location Visit Report

- TfNSW will contact the RTO/s and provide details of any further action that will be required

- If during an RTO Location Visit it is identified that the Assessment vehicle is either not loaded to the required 75%, not roadworthy, registered or not the correct configuration for the licence class being applied for (see item 1.5.1 Serious Non-Compliance) the following procedure must be followed:

  - The RTO representative is to complete the Location Visit Template, recording details of the vehicle and any deficiencies

  - The RTO representative is to explain findings privately to the Assessor conducting the FCA

  - The Assessor is to provide a detailed explanation to the licence applicant that the FCA is unable to continue, and provide specific details of why

  - The Assessor who was booked to conduct the FCA is to record the result on HVCORS as a termination and record the reasons for termination in the free text box

  - The RTO representative is to organise a replacement vehicle, or the fault rectified as soon as possible and re-book FCA. The 24 hour requirement will apply

  - The RTO is to email the completed copy of the Location Visit Report to HVTraining@rms.nsw.gov.au within 24 hours of FCA booking time

  - TfNSW will contact the RTO and provide details of further action that will be required

  - The same procedure is to apply if the vehicle is provided by the Applicant

### 3.9.2 RTO representative conducts the FCA/CT

The RTO Representative is permitted to conduct the FCA/CT, or accompany the Assessor and Applicant (vehicle with suitable seating configuration only) providing the same or higher class of Instructor Licence is held. The following procedure must be followed:

- The RTO representative is to advise the Assessor that they will be conducting the FCA/CT

- The Assessor must explain to the Applicant that the RTO Representative will be conducting the FCA/CT as part of a quality assurance process

- The RTO representative must introduce themselves, conduct all pre-assessment checks and procedures including producing to the applicant their Driving Instructor Licence
An RTO is only approved to conduct an FCA/CT or Training Course Location Visit on a Trainer or Assessor currently aligned with their RTO.

### 3.9.3 Conducting the FCA or CT during a Location Visit or Quality Assurance Check

The Assessor must wait for a TfNSW Officer or RTO representative at the nominated point and at the nominated start time. If after the nominated time, a TfNSW Officer or RTO representative has not arrived the Assessor will conduct the FCA. If a TfNSW Officer or RTO representative is present to conduct an audit/QA check, conduct the FCA or Location Visit, all assessment criteria relevant to the licence class are applicable. In addition the officer/RTO representative will nominate one extra criterion to be assessed during the FCA (1, 2, 11, 13 or 14). If Criteria 11 Reverse is the nominated criteria, applicants must be asked which reversing manoeuvre was completed in addition to the long reverse during the Training Course.

The result of an FCA/CT will be determined by using the scoring system documented in the Austroads National Heavy Vehicle Assessment Guide.

If a TfNSW Officer or RTO representative conducts the FCA, all sections of the Applicants Log Book are completed by the officer/RTO representative conducting the FCA/CT. The ‘Criteria Assessment Session Record’ of the Applicant’s Log Book is completed as follows, depending on who conducted the assessment:

- By the TfNSW officer, if the officer conducted the FCA alone
- By the RTO Representative, if the representative conducted the FCA alone
- If the RTO representative accompanies the Assessor, the Assessor with Auditor check box is to be ticked in the HVCBA learner logbook and both the Assessor and RTO representative are to complete and sign the logbook
- The Applicant is required to sign the FCA/CT Log Book page each time an FCA/CT is conducted
- Regardless of who conducts the FCA/CT, upon successful completion, the Assessor is required to fill out the Assessors Log Book and report the result via the ‘Heavy Vehicle Criteria Online Reporting System (HVCORS) within 24 hours
- If an RTO representative attends to complete a location visit, details of the representative must be recorded in the free text area of HVCORS. Details must include:
  - Assessor Driving Instructor number
  - Details of who conducted the FCA
  - Which additional Criteria was recorded (1,2,11,13 or 14)
- If an FCA/CT is unsuccessful, advice of subsequent FCA/CTs for the same Applicant are required by Transport. A subsequent booking must be made with a minimum of one hour prior to commencement. The subsequent FCA/CT is to be conducted by the same Assessor that conducted the original booked FCA/CT or 24 hours’ notice will be required for a change of Assessor
- If a FCA/CT is terminated, advice of subsequent FCA/CTs for the same Applicant is required by Transport. Subsequent bookings must be made with a minimum of one hour prior to commencement. The subsequent FCA/CT is to be conducted by the same Assessor
that conducted the original booked FCA/CT or 24 hours’ notice will be required for a change of Assessor

**NOTE:** The same start and finish location is required for the subsequent FCA/CT if it is being conducted within 12 hours of the prior booked FCA/CT.

### 3.10 Completing the HVCBA Learners Log Book

The Applicant must bring his / her HVCBA Learner Log Book to every training course or assessment session. Both the Trainer/s and Applicant must sign off successfully completed criteria at the end of each session. When the Applicant has completed all criteria for the licence class applicable to the Log Book the Trainer completing the final Training and Assessment session must complete the final Trainer certification on page 3. At the completion of the FCA/CT both the Assessor and Applicant must sign the logbook. If the FCA is conducted by a Transport Auditor or RTO Representative, at the end of the session only the Auditor/RTO Representative and Applicant are required to sign off the assessment.

The Log Book must be filled in using pen so that all entries can be read clearly. When entering time details, the 24 hour ‘Military’ system must be used, i.e. 5:00pm becomes 1700 hours. Correction fluid (white out) must not be used to alter any Log Book entries.

The Learner’s Log Book is filled in for:

- Driving instruction / practice
- HVCBA assessments
- Final Competency Assessment / Competency Test
- Assessor Certification

**FOLLOWING COMPLETION OF A TRAINING COURSE SESSION OR A FAILED FCA/CT THE LEARNER LOG BOOK MUST BE RETURNED TO THE APPLICANT**

#### 3.10.1 Driving Instruction / practice

In the case of driving instruction or practice, the accompanying driver is to fill in details of any instruction or practice in the **Your Personal Driver Training and Assessment Record** section of the Log Book.

#### 3.10.2 HVCBA – Training Course Criteria Completion

In the case of training course criteria completed, the Trainer must complete the Criteria Assessment Session Record section of the Log Book for whichever criteria have been successfully completed. The Trainer must also tick the successful criterion in the **Record of Completed Criterion** section and enter details of both successful and unsuccessful criteria in the section **Your personal driver training and assessment record**.

For each training course session, details of successfully completed criteria must be completely filled out and signed off in the Learner’s Log Book.
3.11 Completing the HVCBA Assessor’s Log Book

The Trainer/Assessor’s Log Book must be filled in using pen so that all entries can be read clearly. When entering time details, the 24 hour “Military” timekeeping form must be used, (i.e. 5:00pm becomes 1700 hours). Correction fluid (white out) must not be used to alter any Log Book entries.

A Trainer/Assessor must record all completed criteria in his/her Log Book. This Log Book is for use by an individual Trainer/Assessor.

- The Trainer/Assessor’s Log Book:
  - Provides a record of a Trainer/Assessor’s activity
  - Is retained by a Trainer/Assessor’s RTO and is auditable by Transport for NSW
  - Provides a record which is to be used to report completed criteria to Transport for NSW via HVCORS
  - Provides a record of the number of FCA/CT’s conducted by each Applicant
  - Provides a backup of Applicants records in case of loss or discrepancies in an Applicant’s HVCBA Log Book
  - The Trainer’s Log Book must be filled out at the end of each training course and assessment session to show successfully completed criterion and is used when reporting completed criterion to Transport via HVCORS.

NOTE: Successful and unsuccessful FCA/CT score sheets must be retained by the RTO with training and assessment records.

If an RTO representative conducts the FCA/CT a copy of the Location Visit Report must be attached to the FCA/CT scoresheet and retained by the RTO.

The Applicant is issued with both a HVCBA Learner’s Log Book and a HVCBA Guide which includes the full individual criteria statements and check sheets.

The Trainer/Assessor may mark results into the HVCBA guide for any criteria that have been assessed, if requested by the applicant.

The HVCBA guide may be marked with a tick or cross in the boxes for individual criteria.

Marking in the HVCBA guide is not recognised as an official record, it is simply a record of progress for the applicant. On completion of an FCA/CT, Assessors must report results to Transport via the Heavy Vehicle Criteria Online Reporting System (HVCORS) within 24 hours.

NOTE: There are some circumstances in which HVCORS cannot be used. Please refer to sections on using the Heavy Vehicle Competency Online Reporting System.
IMPORTANT

Video recordings must be managed in accordance with the Privacy Act
Video recordings must not be tampered with in any way

3.12 In-cabin Video Recordings

In accordance with the 2014 ICAC recommendation, on-road components of all FCAs/CTs must be monitored and recorded via in-cabin video cameras as specified by Transport.

Please refer to the relevant policies, guides and forms on Page 52 for links to the following policy:

In-Cabin cameras – Monitoring Heavy Vehicle Assessments

Registered Training Organisations (RTOs) who have an Accreditation Agreement for Heavy Vehicle Competency Based Assessment (HVCBA) with Transport for NSW (Transport) are contractually obliged to monitor and record HVCBA on-road components of Final Competency Assessments (FCAs)/Competency Tests (CTs) via in-cabin video cameras, as specified by Transport.

A video camera must be in operation inside the cabin of the heavy vehicle during the FCA/CT in order to capture and record the end-to-end on road assessment.

Please note that the intention is not to replace the physical audit and quality assurance process but to introduce an additional method for ensuring compliance to Transport requirements.

3.12.1 Assessor Responsibilities

An Assessor must not conduct an FCA/CT unless the vehicle is fitted with an in-cabin camera that meets requirements as set out in the Monitoring Heavy Vehicle Assessments Using In-Cabin Cameras Specification.

In the event that the assessment vehicle is supplied by the Applicant, the Assessor must ensure that a portable camera that meets Transport requirements is installed in the vehicle.

3.12.2 In-cabin camera requirements

Monitoring and recording activities are intended to ensure the integrity, transparency and quality of the Training Courses and Assessments and the safety of Applicants. It is the Provider’s responsibility to obtain its own legal advice in relation to such monitoring and recording activities. Any monitoring or recording is performed by the Provider as principal and not as a Transport agent.

RTOs are contractually obliged to monitor and record HVCBA on-road components of all FCAs/CTs conducted, including the introductory and post-assessment scripts via in-cabin video cameras, as specified by Transport. A video camera must be in operation inside the cabin of the vehicle during the FCA/CT in order to capture and record the end-to-end on road assessment.

Please refer to the HVCBA Scheme Specification - Monitoring Heavy Vehicle Assessments using In-Cabin Cameras for detailed requirements.

In the event that a camera is identified as being not fully functional during the first 20 minutes of the FCA/CT, the FCA/CT must be rescheduled /repeated once the issue is fixed. Subsequent
bookings must be made within a minimum of 1 hour prior to commencement. The subsequent FCA/CT must be conducted by the same Assessor or 24 hours’ notice will be required for a change in Assessor.

3.12.3 **Self-disclosure of non-compliance**

In the event that a camera is identified as being not fully functional after the first 20 minutes of the FCA/CT, the FCA/CT can be continued, however the **self-disclosure of non-compliance with in-cabin camera requirements form** must be completed by the Assessor and RTO and submitted to Transport for NSW by the RTO.

The Assessor must complete Section A and then submit the form to the RTO within 24 hours of the FCA/CT.

The RTO must complete Section B and then email completed form to in-camera.non-performance@rms.nsw.gov.au within three days of the FCA/CT.

Note: While Transport for NSW collects and analyse data in regard to in-cabin camera non-compliance, it remains the RTO’s responsibility to manage the individual performance of their Assessors and RTOs must ensure that future incidents of in-cabin camera non-compliance do not occur.

Video footage review forms can be downloaded by clicking on the form name below:

**HVCBA RTO Footage Review Form**

**Self-disclosure of Non-Compliance with In-cabin Camera Requirements**

3.13 **Reporting Completion Criterion**

On completion of a criteria session Trainers/Assessors must report completed criteria to Transport for NSW via the Heavy Vehicle Criteria Online Reporting System (HVCORS) within 24 hours.

**NOTE:** There are some circumstances in which HVCORS cannot be used. Please refer to sections on using the Heavy Vehicle Competency Online Reporting System.

3.14 **High Risk Variations – Exemption from Clause 4.2(d)**

There are a number of requirements that Registered Training Organisations (RTO) and Heavy Vehicle Competency Based Assessment (HVCBA) Assessors (HVCBA) must meet to apply for a variation to the requirements of separation of training and assessment (Clause 4.2d).

Clause 4.2(d) of the HVCBA Accreditation Agreement states that the RTO must ensure that the same Assessor who delivers the Training Course for an Applicant cannot conduct the Assessment. The Clause is designed to maintain the integrity of the HVCBA Scheme and to mitigate fraud and corruption risks and conflict of interest.

Transport has acknowledged that there are identified locations and specific situations within NSW where an RTO/Assessor may be unable to comply with the requirements of Clause 4.2(d). In these situations, RTOs may submit an application for a high risk variation to the requirements of Clause 4.2(d). Applications must be submitted on the HVCBA Clause 4.2(d) High Risk Variation Form with the required supporting documentation. Applications will be assessed by Transport against a stringent list of criteria.
Please ensure to read and follow the instructions when submitting an application for a high risk variation. Applications that do not follow the stipulated guidelines will not be approved.

RTOs and Assessors must comply with the following mandatory requirements in relation to conducting training and assessment.

3.14.1 Variation to the Requirements of Clause 4.2(d)

An application for variation to the requirements of Clause 4.2(d) must be submitted by the RTO in writing to the Senior Manager, Education & Training, Transport for NSW. Applications must provide specific evidence as to why the RTO or an Assessor is unable to comply.

All applications for a variation to the requirements of Clause 4.2(d) will be assessed by Transport against a rigorous set of criteria.

Approval for variation to the requirements of 4.2(d) will only be granted in exceptional circumstances where an RTO is able to demonstrate that its business cannot viably operate if clause 4.2(d) applies.

Approval granted for variation to the requirements of 4.2(d) will stipulate to the RTO how the FCA/CT is to be conducted and/or reviewed in specific circumstances and within defined timeframes.

Transport reserves the right in its absolute discretion to grant or refuse variations from Clause 4.2(d).

3.14.2 Breaches

Transport will be performing audit on a regular basis in order to monitor compliance by RTOs and Assessors with this specification. Any non-compliance will be reviewed and may result in sanctioning by Transport for NSW.

3.14.3 Application criteria

Applications for a high risk variance to the requirements of Clause 4.2(d) will only be considered for the following reasons:

- Transport Identified Geographical Location
- Market Depth/Proximity to other HVCBA Assessors

All applications must include the following specific details:

<table>
<thead>
<tr>
<th>Reason</th>
<th>Minimum Training Course Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transport has Identified Geographical Location (i.e. locations where training and assessment has previously been conducted, but with only one Assessor currently operating in that area)</td>
<td>Please refer to the list of identified locations below: Broken Hill Griffith Moree</td>
</tr>
<tr>
<td>Market Depth/Proximity to other HVCBA Assessors (i.e. the number of Assessors in a particular area for specific licence classes)</td>
<td>No other HVCBA Assessors with the required licence class, currently operating within 100kms of your location.</td>
</tr>
</tbody>
</table>
All applications must be completed using the [HVCBA Clause 4.2(d) High Risk Variation Form](mailto:HVTraining@transport.com.au) and submitted to the attention of the Senior Manager, Education & Training by email to HVTraining@transport.com.au

RTOs will be formally advised of the outcome following the review of their application.

### 3.14.4 Additional audit and procedural requirements for HRVs

An RTO that receives Transport approval for a high risk variation to the requirements of Clause 4.2(d) will be required to comply with the following additional audit and procedural requirements. Failure to comply with these requirements may result in a breach of the HVCBA Accreditation Agreement and result in disciplinary action taken against the RTO and/or Trainer/Assessor. This may include a penalty, and/or cancellation or termination of the HVCBA Accreditation Agreement.

**Procedure:**

- The Training Course is delivered by the Trainer so that the Applicant is eligible to attempt an FCA. All documentation is completed including the issue of a Certificate of Attendance.
- Assessor 1 books and conducts the FCA in accordance with requirements. On completion, the Assessor delivers the result to the Applicant. If unsuccessful, normal FCA re-booking procedure for a failed FCA will apply. The RTO is not required to review the failed FCA footage prior to the second or subsequent FCA being conducted.
- If the Applicant is successful the Assessor advises the Applicant that the In-Cabin Camera footage must be verified by the RTO prior to the issue of a Certificate of Competency. This procedure may take between three to five days.
- FCA in-cabin camera footage and copies of all training and assessment documentation including Assessor and Applicant log book entries and FCA scoresheet are despatched securely to the RTO of the Assessor conducting the FCA within 24 hours.
- The RTO is responsible for checking all documentation and for viewing and validating 100% of the FCA in-cabin camera footage. The footage must be validated by an approved Assessor (Assessor 2) who has the same or higher class of driving instructor licence as the Assessment being validated.
- Assessor 2 views 100% of the in-cabin camera footage. Footage viewed must not be fast forwarded, as the audio recorded forms an integral part of the audit and validation process. Assessor 2 must complete the FCA Assessment Summary Form and verify the result and advise the RTO.
- If the FCA was conducted in accordance with requirements, the RTO is responsible for recording the results on HVCORS. The Driving Instructor Licence number and name of Assessor 2 must be recorded in the free text area of the note section. Once recorded the RTO is to advise Assessor 1 that the Certificate of Competency may be issued. The Certificate of Competency is to be endorsed in the space directly above the RTO number with the following wording "CoC has been sent or given to the applicant on (insert date) and (assessor signature)."
- The RTO must retain for audit purposes copies of all in-cabin camera footage and documentation in accordance with requirements.
• If the RTO/Assessor validating the footage determines that the Applicant should not have passed the FCA, the RTO should advise Assessor 1 who conducted the FCA that the result is incorrect and that the Applicant must repeat the Assessment in accordance with usual FCA procedures.

• The Assessor must advise the Applicant that the FCA will need to be completed again.

• Where an Applicant is determined by the RTO/Assessor reviewing the FCA footage to have not passed the FCA Assessment, a Report of Non-Compliance FCA/CT form should be completed and together with a copy of the Assessor Audit Form, forwarded to in-camera.non-performance@rms.nsw.gov.au

• Where issues are found upon review of the in-cabin camera footage that are of a serious nature, RTOs are to formally report these to the Accreditation Branch, in-camera.non-performance@rms.nsw.gov.au

Note: Issues of a serious nature refer to those that relate to fraudulent activity and/or directly impact road safety.

3.14.5 Application for an unanticipated high risk variation to 4.2(d)

An unanticipated high risk variation is where an Assessment has been arranged in accordance with the requirements of Clause 4.2(d) and Assessor 2 is unable to complete the FCA due to an unavoidable reason occurring at short notice for example illness or injury.

Assessor 1 may proceed to undertake the FCA if the following requirements are met. Failure to comply with these requirements may result in a breach of the HVCBA Accreditation Agreement and result in disciplinary action taken against the RTO and/or Assessor. This may include a penalty, and/or cancellation or termination of the HVCBA Accreditation Agreement.

Procedure:

• Download the Application for HVCBA Clause 4.2(d) High Risk Variation form, which when completed is to be emailed to HVTraining@rms.nsw.gov.au

• Application must be submitted one hour prior to the scheduled FCA time by emailing to HVTraining@rms.nsw.gov.au

• Assessor 1 books and conducts the FCA in accordance with requirements. On completion the Assessor delivers the result to the Applicant. If unsuccessful, normal FCA re-booking procedure after a failed FCA will apply. The RTO is not required to review the failed FCA footage prior to the second or subsequent FCA being conducted.

• If successful Assessor 1 completes the Certificate of Competency (CoC). **Under no circumstances is the Assessor permitted to give the CoC to the Applicant prior to a review of the in-cabin camera footage and RTO approval.** The Assessor advises the Applicant that the In-Cabin Camera footage must be verified by the RTO prior to the issue of a Certificate of Competency. This procedure may take between three to five days

• FCA in-cabin camera footage and copies of all Training and Assessment documentation including Assessor and Applicant log book entries are despatched securely to the relevant RTO within 24 hours
• The RTO is responsible for checking all documentation and for viewing and validating 100% of the FCA in-cabin camera footage. The footage must be validated by an approved Assessor (Assessor 2) who has the same or higher class of driving instructor licence as the Assessment being validated.

• Assessor 2 views 100% of the in-cabin camera footage. Footage viewed must not be fast forwarded, as the audio recorded forms an integral part of the audit process. Assessor 2 must complete the FCA Assessment Summary Form, verify the result and advise the RTO.

• If the FCA was conducted in accordance with requirements, the RTO is responsible for recording the results on HVCORS. The Driving Instructor Licence number and name of Assessor 2 must be recorded in the free text area of the note section. Once recorded the RTO is to advise Assessor 1 that the Certificate of Competency (CoC) may be issued. The Certificate of Competency is to be endorsed in the space directly above the RTO number with the following wording CoC has been sent or given to the applicant on (insert date) and (assessor signature) with the signature and date that Assessor 1 forwarded the CoC to the Applicant.

• The RTO must retain for audit purposes copies of all in-cabin camera footage and assessment documentation in accordance with requirements.

• If the RTO/Assessor validating the footage verifies that the Applicant should not have passed the FCA, the RTO should advise the Assessor who conducted the FCA that the result is incorrect and that the Applicant must repeat the Assessment in accordance with usual FCA procedures. The completed CoC must be cancelled and signed and endorsed with the following statement “CANCELLED, result not validated by RTO.”

• When validation of the footage identifies a different result for the Applicant a Report of Non-Compliance FCA/CT form should be completed. In addition a copy of the completed FCA/CT Assessment Summary should be attached then forward to in-camera.non-performance@rms.nsw.gov.au. Please refer to Page 52 for links to these forms.

4. Record Keeping

The following section outlines:

• The record keeping and data management requirements of Registered Training Organisation (RTOs), Trainers and Assessors accredited under the HVCBA Scheme; and

• Appropriate record keeping principles to be employed by RTOs, for training and assessment records and data.

All NSW Government agencies are required to ensure that public records are properly managed in accordance with the NSW State Records Act 1998. HVCBA training and assessment records as defined below are considered public records and must be managed accordingly.

It is an offence to destroy public records without proper authority.

This guide supports Section 10 of the Accreditation Agreement for Heavy Vehicle Competency Based Assessment.

HVCBA training and assessment records include:

• Applicant enrolment form
- HVCBA Log Books - Learner
- HVCBA Log Books – Trainers/Assessors
- FCA/CT video recordings
- FCA/CT Score Sheets (E-form and hardcopy)
- Trainers/Assessors are required to send HVCBA Learner Log Books to RTOs within 24 hours of completion of the FCA.
- FCA/CT Assessment Summary (for HRVs)

4.1 Record keeping requirements

- RTOs are to retain all training and assessment records for a period of seven years from the date of the last entry.
- All training and assessment records must be managed in accordance with the Privacy Act.
- RTOs must make the training and assessment records available to Transport for inspection when requested to do.
- RTOs must maintain the training and assessment records and keep them at the location specified in their HVCBA Accreditation Agreement.
- RTOs may archive records which are more than 12 months old at another location, provided the other location is also nominated in the Accreditation Agreement.
- RTOs must keep all records secure, comply with all directions of Transport in relation to the security of records, and maintain confidentiality in relation to the records.
- RTOs must notify Transport immediately of any loss or destruction of any records.
- All records must be kept in English, and legible.
- With the exception of HVCBA Learner and Assessor log books, training and assessment records may be logged and stored electronically provided that the hard copies are archived. When Transport exercises its audit rights, RTOs must provide either hard copies or copies of the electronic records as requested by Transport.
- RTOs may safely and securely destroy some records which are more than seven years old provided that the RTO first gives 30 days written notice to Transport, and Transport does not object to the proposed destruction and the method to be used.

4.2 Destruction of Records

- Prior to destruction of records, RTOs must advise and seek approval from TfNSW. This is in accord with clause 10.1 of the agreement
- Provider must email HVTraining@rms.nsw.gov.au with details of the request including advice of the proposed method of destruction. TfNSW
- Destruction of records must be irreversible. Failure to ensure the total destruction of records may lead to the unauthorised release of information and potential breaches of the Privacy and Personal Information Protection Act 1998
• The destruction of digital records is different to the destruction of hardcopy records. In particular, simply pressing ‘delete’ does not necessarily mean that the records are completely gone. While the link used to access them may be removed, they may still exist in a data store or on a server in the organisation.

• Records should always be disposed of with the same level of security that was maintained during the life of the records.

• For hardcopy records lockable ‘wheelie’ bins should be used. Sensitive records may also be shredded ‘in-house’ before being sent for pulping.

• The destruction of all records must be appropriately documented, so that your organisation is able to ascertain if and when a record has been destroyed.
5. Appendix 1 Introductory Assessment Script

Instructions:
The following script is to be read out by the Assessor at the beginning of each FCA/CT.
Please ensure that all pre-assessment checks have been completed for the Applicant and the vehicle being used for assessment.
Set up the camera and turn it on.
Once you have recorded all the required information in the following blanks, you can read out the script.

---Beginning of Introductory Assessment Script---

I have completed a check on the in-cabin camera. It is turned on and working as required.
A pre-assessment check has been conducted on the Applicant, including a check that they hold a current Australian Driver’s licence and the photo matches the Applicant. (Hold the licence in front of the camera for five seconds to ensure that all details are captured clearly). I have checked the assessment vehicle, as per the HVCBA Operating Procedures and it is the correct type, loaded as required, and in a roadworthy condition.
My name is ……………………………………………… and
My Assessor (Driving Instructor) number is ………………………………….. (Hold Driving Instructor licence in front of camera for 5 seconds)
I am now about to conduct the FCA/CT for …………………………………………………
The Applicant’s licence number is ………………………………….. and
The FCA/CT booking ID / Manual Booking Reference number is ………………………….. The vehicle being used for this assessment has been supplied by the ………….RTO/Assessor/Applicant.
This FCA/CT is for licence class ……
The vehicle registration number and state is …………………………………
The location and route being used for this assessment is ……………………………
The date today is ……………………………
The time now is …………………
The current odometer reading is ……………… kms.
We are now about to begin the assessment. Are you ready to drive?

--------End of Introductory Script--------
6. **Appendix 2 – Post Assessment Script**

Instructions

The following script is to be read out by the approved Assessor at the end of each FCA/CT conducted by a Transport for NSW accredited RTO.

Please ensure that all required on-road components of the assessment have been completed and the in-cabin video camera is still on.

Once you have recorded all the required information in the following blanks, you can read out the script:

------------Beginning of Post-Assessment Script-----------

We have now come to the end of the on-road components of the assessment.

The time now is ....................

The current odometer reading is .................... kms.

The result of this assessment is .................... (PASS/FAIL)

The number of errors made in each section is

Section A - ........ Description of error/s..................................................

...........................................................................................................

Section B - ........Description of error/s..................................................

...........................................................................................................

Section C - ........Description of error/s..................................................

...........................................................................................................

Section D - ........ Description of error/s..................................................

...........................................................................................................

Section E - ........ Description of error/s..................................................

...........................................................................................................

(Question to the Applicant) – Do you have any questions or comments before we finish recording?

(wait until the Applicant has finished speaking)

The camera is now being turned off.

---End of Post-Assessment Script---
## 7. Glossary

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABN</td>
<td>Australian Business Number</td>
</tr>
<tr>
<td>ACN</td>
<td>Australian Company Number</td>
</tr>
<tr>
<td>Accreditation Agreement</td>
<td>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</td>
</tr>
<tr>
<td>Address</td>
<td>The address of a party specified in item 2 of the Agreement</td>
</tr>
<tr>
<td>Applicant</td>
<td>Individual undertaking assessment</td>
</tr>
<tr>
<td>Application Criteria</td>
<td>Application criteria specified in the HVCBA Scheme Policies and Procedures</td>
</tr>
<tr>
<td>Agreement</td>
<td>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</td>
</tr>
<tr>
<td>Assessor</td>
<td>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</td>
</tr>
<tr>
<td>Auditor</td>
<td>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</td>
</tr>
<tr>
<td>Business Day</td>
<td>A day that is not a Saturday, Sunday or public holiday in New South Wales</td>
</tr>
<tr>
<td>Clause 4.2d</td>
<td>A certificate, in the form required by Transport for NSW confirming that an Applicant has satisfied the requirements of an Assessment</td>
</tr>
<tr>
<td>Code of Conduct Policy</td>
<td>The Transport for NSW Code of conduct policy as updated by Transport for NSW from time to time</td>
</tr>
<tr>
<td>Confidential Information</td>
<td>Any information provided by Transport for NSW to RTO or any of its Personnel in connection with this agreement or Transport for NSW.</td>
</tr>
<tr>
<td>Conflict of Interest</td>
<td>Any circumstances that exist or arise which:</td>
</tr>
<tr>
<td></td>
<td>- constitute an actual conflict;</td>
</tr>
</tbody>
</table>
- constitute a known risk of conflict; or
- may be perceived by others to be a conflict, between the duties of RTO or its Personnel to Transport for NSW and their duties to another person in relation to the activities under this agreement.

**Consumer Guarantee**

Consumer guarantee applicable to the HVCBA Agreement under the Australian Consumer Law

**Criteria**

Skills as detailed in the National Heavy Vehicle Assessment Guide and Guide to HVCBA numbered 1-15 that are required to be demonstrated by the Applicant during Training Course and/or Assessment

**CT**

Competency Test

**Disability**

[Link to Transport for NSW Definition](#)

**Driving Instructor**

The meaning given in the Driving Instructors Act

**Driving Instructors Act**

*Driving Instructors Act 1992 (NSW)*

**Driving School**

Has the meaning given in the *Driving Instructors Act*

**Evaluation**

Has the meaning of assessing an Applicant’s competency to perform all relevant criteria 1-15 during the Training Course to the required standard

**FCA**

Final Competency Assessment

**Fit and Proper Persons**

A person that meets the requirements of any Transport for NSW “Fit and Proper” policy in place from time to time.

**GCM**

Gross Combination Mass

**GVM**

Gross Vehicle Mass

**Health and Safety Incident**

Any occupational health and safety related incident that is notifiable under the WHS Laws

**Heavy Vehicle**

A light rigid vehicle, a medium rigid vehicle, a heavy rigid vehicle, a heavy combination vehicle or multi-combination vehicle as defined under the Road Transport (Driver Licensing) Regulation 2017 (NSW)

**Heavy Vehicle Licence**

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)
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>HVCBA Scheme</td>
<td>The Heavy Vehicle Competency Based Assessment Scheme described in the HVCBA Scheme Policies and Procedures.</td>
</tr>
<tr>
<td>HVCBA Scheme Policies and Procedures</td>
<td>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 Scheme.</td>
</tr>
<tr>
<td>ICAC</td>
<td>Independent Commission Against Corruption</td>
</tr>
<tr>
<td>Laws</td>
<td>All laws of any jurisdiction including rules of common law, equity, statutes, regulations, proclamations, rules, regulatory principles and requirements, by-laws, writs, orders and judgements, and all codes of conduct, industry standards, requirements and directives of any government or governmental body, agency or authority.</td>
</tr>
<tr>
<td>Location Visit</td>
<td>An RTO Representative attends to complete a check of either the training course or assessment process.</td>
</tr>
<tr>
<td>Misconduct</td>
<td>The meaning given in the Driving Instructors Act.</td>
</tr>
<tr>
<td>Online Access Terms</td>
<td>Any terms notified by Transport for NSW from time to time in relation to access to and use of Systems or otherwise required to be agreed by a user of Systems (including by way of electronic acceptance at the time of accessing Systems).</td>
</tr>
<tr>
<td>PCBU</td>
<td>Person Conducting a Business or Undertaking</td>
</tr>
<tr>
<td>Personal Information</td>
<td>Has the same meaning as in the Privacy Laws</td>
</tr>
<tr>
<td>Personnel</td>
<td>Officers, employees, agents and contractors, and of RTO includes Trainers, Assessors and approved subcontractors.</td>
</tr>
<tr>
<td>Privacy Laws</td>
<td>Privacy and Personal Information Protection Act 1998 (NSW), the Privacy Act 1988 (Cth), any applicable codes of conduct or directions issued under the Privacy and Personal Information Protection Act 1998 (NSW) or the Privacy Act 1988 (Cth), and all other applicable Laws relating to Personal Information.</td>
</tr>
<tr>
<td>Probity Event</td>
<td>An event, matter, situation or thing that in Transport for NSW Transport for NSW ’ reasonable opinion:</td>
</tr>
</tbody>
</table>
- has a material adverse effect upon the character, honesty or integrity of a RTO, its Personnel or Transport for NSW,
- 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
- that involves a material failure by RTO or its Personnel to achieve or maintain:
  - reasonable standards of ethical behaviour;
  - 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
  - standards of behaviour expected of a person operating with a government approval.

<table>
<thead>
<tr>
<th>Records</th>
<th>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</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registered Training Organisation (RTO)</td>
<td>A training organisation registered as such with Australian Skills Quality Authority established under the National Vocational Education and Training Regulator Act 2011</td>
</tr>
<tr>
<td>RMS Materials</td>
<td>Any materials provided to RTO by Transport for NSW for the purposes of the agreement, including any HVCBA Scheme Policies and Procedures</td>
</tr>
<tr>
<td>Scheme Participants</td>
<td>A person or business accredited by Transport to provide a service to the public on Transport’s behalf</td>
</tr>
<tr>
<td>RTO Induction Training Program</td>
<td>A mandatory training program for new and existing RTOs</td>
</tr>
<tr>
<td>RTO Representative</td>
<td>The person nominated in item 5 of the Agreement Details as they may be substituted pursuant to clause 8.3 and A Trainer/Assessor approved by the RTO to conduct a Location Visit</td>
</tr>
<tr>
<td>Term</td>
<td>The term of the HVCBA Agreement</td>
</tr>
<tr>
<td>Third Party Scheme</td>
<td>A third party scheme is any service, administered by Transport, which is then provided by an accredited individual on Transport’s behalf</td>
</tr>
<tr>
<td><strong>Trainer</strong></td>
<td>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.</td>
</tr>
<tr>
<td><strong>Trainer and Assessor Qualifications</strong></td>
<td>The qualifications set out in the HVCBA Scheme Policies and Procedures which Trainers and Assessors must hold and maintain</td>
</tr>
<tr>
<td><strong>Training Course</strong></td>
<td>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</td>
</tr>
<tr>
<td><strong>Transport Officer</strong></td>
<td>A person employed by Transport for NSW</td>
</tr>
<tr>
<td><strong>Variation to Requirements</strong></td>
<td>An approval granted by Transport to an RTO for a variation to the way training and assessment of an Applicant may be conducted</td>
</tr>
<tr>
<td><strong>Vehicles</strong></td>
<td>The vehicles used by RTO in conducting Training Courses and Assessments</td>
</tr>
<tr>
<td><strong>WHS</strong></td>
<td>Work Health and Safety</td>
</tr>
<tr>
<td><strong>WHS Laws</strong></td>
<td>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</td>
</tr>
<tr>
<td><strong>WHSMS</strong></td>
<td>Work Health and Safety Management System</td>
</tr>
</tbody>
</table>
# Licence Classes

<table>
<thead>
<tr>
<th>Licence Class</th>
<th>Vehicle Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class C – Car</td>
<td>May drive any of the following:</td>
</tr>
<tr>
<td></td>
<td>- a motor vehicle with a Gross Vehicle Mass (GVM) that is not greater than</td>
</tr>
<tr>
<td></td>
<td>4.5 tonnes and that is constructed or equipped to seat not more than 12 adults</td>
</tr>
<tr>
<td></td>
<td>(including the driver)</td>
</tr>
<tr>
<td></td>
<td>- a car-based motor tricycle</td>
</tr>
<tr>
<td></td>
<td>- any tractor or implement</td>
</tr>
<tr>
<td></td>
<td>The holder of a Class C may not drive:</td>
</tr>
<tr>
<td></td>
<td>- a motor bike, or a motor trike</td>
</tr>
<tr>
<td>Class LR – Light Rigid vehicle</td>
<td>The holder of a light rigid vehicle licence may drive a motor vehicle that:</td>
</tr>
<tr>
<td></td>
<td>- has a GVM greater than 4.5 tonnes but not greater than 8 tonnes, or</td>
</tr>
<tr>
<td></td>
<td>- seats more than 12 adults (including the driver) and has a GVM not greater than 8 tonnes</td>
</tr>
<tr>
<td>Class MR – Medium Rigid vehicle</td>
<td>The holder of a medium rigid vehicle licence may drive a motor vehicle that has:</td>
</tr>
<tr>
<td></td>
<td>- two axles, and</td>
</tr>
<tr>
<td></td>
<td>- a GVM greater than 8 tonnes</td>
</tr>
<tr>
<td>Class HR – Heavy Rigid vehicle</td>
<td>The holder of a heavy rigid vehicle licence may drive a motor vehicle (including an articulated bus, but not including any other articulated vehicle) that has:</td>
</tr>
<tr>
<td></td>
<td>- three or more axles, and</td>
</tr>
<tr>
<td></td>
<td>- a GVM greater than 8 tonnes</td>
</tr>
<tr>
<td>Class HC – Heavy Combination vehicle</td>
<td>The holder of a heavy combination vehicle licence may drive:</td>
</tr>
<tr>
<td></td>
<td>- a prime mover to which is attached a single semi-trailer plus any unladen converter dolly, or</td>
</tr>
<tr>
<td></td>
<td>- a rigid motor vehicle to which is attached a trailer that has a GVM greater than 9 tonnes plus any unladen converter dolly</td>
</tr>
<tr>
<td>Class MC – Multi Combination Vehicle</td>
<td>The holder of a multi-combination vehicle licence may drive any motor vehicle or combination of motor vehicles other than a motor bike or motor trike described in points (i) and (ii) under Class C above.</td>
</tr>
</tbody>
</table>
9. 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 Licensing) Regulation 2017
- Work Health and Safety Act 2011(No.10)
- Work Health and Safety Regulation 2011
- Surveillance Devices Act 2007
- Heavy Vehicle National Law (NSW)
## 10. Relevant Policies, Guides and Forms

The HVCBA Operating Procedures replace the following HVCBA policies and procedures:

<table>
<thead>
<tr>
<th>HVGDE 002</th>
<th>Guide: HVCBA Assessment Standards and Requirements V3.0</th>
</tr>
</thead>
<tbody>
<tr>
<td>HVGDE 003</td>
<td>Guide: Conducting HVCBA Assessments V2.0</td>
</tr>
<tr>
<td>HVGDE 004</td>
<td>Guide: HVCBA Record Keeping and Data Management V2.0</td>
</tr>
<tr>
<td>HVGDE 007</td>
<td>Guide: Applying for High Risk Variation - Clause 4.2(d) requirements</td>
</tr>
</tbody>
</table>

The following policies and guides are available for reference and download through the hyperlinks provided.

<table>
<thead>
<tr>
<th>Accreditation Agreement for Heavy Vehicle Competency Based Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becoming a Roads and Maritime Approved RTO/Assessor under the HVCBA Scheme</td>
</tr>
<tr>
<td>Changes from 1 July 2019 and other Scheme Questions</td>
</tr>
<tr>
<td>Code of Conduct - Driving Instructors, Driving Assessors, Registered Training Organisations and Providers</td>
</tr>
<tr>
<td>HVCBA FCA Route Development Guide</td>
</tr>
<tr>
<td>Final competency assessment and competency test for national heavy vehicle licensing</td>
</tr>
<tr>
<td>Fit and Proper Policy Driving Instructors and Assessors policy</td>
</tr>
<tr>
<td>In-Cabin Cameras - Monitoring Heavy Vehicle Assessments</td>
</tr>
<tr>
<td>Interstate licence Applicant - learner log book</td>
</tr>
<tr>
<td>RTO Annual Self-Assessment and Reporting (ASAR)</td>
</tr>
</tbody>
</table>
The following forms are available to download through the hyperlinks provided.

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1711</td>
<td>RTO Heavy Vehicle Competency Based Assessment (HVCBA) Application</td>
</tr>
<tr>
<td>1761</td>
<td>HVCBA Footage review form 1761</td>
</tr>
<tr>
<td>1763</td>
<td>Assessment Summary – FCA/CT</td>
</tr>
<tr>
<td>1764</td>
<td>HVCBA Clause 4.2d High Risk Variation</td>
</tr>
<tr>
<td>1802</td>
<td>Heavy Vehicle Competency Online Reporting System (HVCORS)</td>
</tr>
<tr>
<td>1841</td>
<td>HVCBA FCA/CT Route Template</td>
</tr>
<tr>
<td>1731</td>
<td>HVCBA – Annual Self-Assessment Reporting Tool</td>
</tr>
<tr>
<td>20.172</td>
<td>HVCBA FCA/CT Score Sheet(Digital)</td>
</tr>
<tr>
<td>5626</td>
<td>RTO Location Visit Report Template</td>
</tr>
<tr>
<td>5624</td>
<td>HVCBA Applicant enrolment form</td>
</tr>
<tr>
<td>20.195</td>
<td>Use of Digital Signatures- Fact Sheet</td>
</tr>
</tbody>
</table>