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August 2012

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What does Chain of Responsibility mean for customers and sales staff?



*Important information for
customer and sales staff*

Important information for customers and sales staff

Under Transport Legislation, Chain of Responsibility (CoR) means that anybody in the transport chain – not just the drivers – can be held responsible for breaches of road laws and may be held legally liable. It is a similar legal concept to 'duty of care' that underpins Occupational Health and Safety Legislation.

The Transport Legislation covers:

- Driving hours and fatigue
- Mass and dimension limits
- Load restraint requirements
- Speeding and vehicle standards
- Dangerous goods

While it may not appear obvious as to whether this applies to you, it is important to understand that **all parties** in the supply chain have a shared responsibility for compliance.

Any person can be held legally responsible if **they know** or **ought to know** that their **actions, inactions, or demands** may **encourage** or **cause road safety breaches**. This includes but is not necessarily limited to:

- Customers
- Sales Staff
- Loader Drivers
- Allocations (schedulers) & Batchers
- Site Managers, Terminal Managers
- Consigners, Consignors
- Foreman including Concrete Crew Foreman
- Contract and Contractor Managers
- Site Supervisors
- Construction Managers
- Pump Operators
- Crane Operators
- Clerks of Works

Everyone in the supply chain **must** take reasonable steps to prevent breaches. As a relevant party it is important to understand that **you** have a responsibility for ensuring that any demands do not require or encourage a driver to:

- Exceed permitted driving hours
- Fail to take minimum rest breaks
- Exceed applicable speed limits
- Exceed applicable mass limits
- Carry goods that are not appropriately secured
- Drive while impaired by fatigue
- Drive under the influence of drugs & alcohol

You must demonstrate that you have taken **reasonable steps** to prevent a breach from occurring. There are no limits as to how you may do this. Examples of steps you could take include:

- Request information about what CoR compliance systems are in place within your customers or suppliers operations, to mitigate the risk breaches occurring.
- Providing accurate and timely information to your suppliers in regards to expected loading or unloading durations and changes in demand to allow a driver to manage his fatigue.
- Ensure your supplier is notified of any potential delays on site and all relevant staff and site personnel are aware of their duties and obligations under the applicable road transport laws.
- Ensure risk management systems and compliance reviews are in place between all parties involved in any delivery task.
- Ensure compliance conditions, expectations and regular compliance reviews are imbedded within commercial arrangements.
- Ensure delivery demands made to your suppliers can be achieved legally and within Speed and Fatigue legislative requirements.
- Ensure delivery demands do not require or encourage your suppliers to breach road mass limits.

The CCAA has developed guidelines that will help member companies comply with Chain of Responsibility regulations. The ability of suppliers to comply with the regulations depends greatly upon accurate and timely information being supplied by customers and customers' sites.

It is essential that compliance is made a top priority. If any demands or requests are made that could result in a breach, supply must be halted until a compliant alternative is available.

Customers and suppliers must communicate and share their information to ensure that all parties comply with CoR requirements whilst fulfilling customer needs.

How can you ensure that you prevent breaches from occurring?

