

Gerard Hayes
Secretary
Health Services Union
Level 2, 109 Pitt Street
Sydney
NSW 1215

Our ref: HS24/679

15 July 2024

By email: secretary@hsu.asn.au

HealthShare NSW Heavy Vehicle National Law Compliance – Linen & Food Services

Dear Mr Hayes,

The Heavy Vehicle National Law (HVNL) is a single national system of laws for businesses operating heavy vehicles over 4.5tonnes GVM. The chain of responsibility in HVNL extends legal liability for safe heavy vehicle operations beyond the driver to other parties in the supply chain, recognising that the actions of these roles can have a direct impact of public safety. As a party in the chain of responsibility for heavy vehicles, HealthShare NSW (HSNSW) must ensure the safety of our transport activities by eliminating/minimising risks to public safety.

A review has been undertaken and a program of work developed to ensure that HSNSW is compliant with the Heavy Vehicle National Law and meets its legal obligations as a part of the chain of responsibility for heavy vehicles.

HSNSW has approximately 125 heavy vehicle drivers across its Food and Linen Services.

Three workstreams have been identified to increase HSNSW compliance with the Heavy Vehicle National Law:

- Bi-annual driver licence checks to ensure all drivers are legally licenced to operate a heavy vehicle via the Heavy Vehicle Operator Safety Information Program (HVOSIP) online platform operated by Transport for NSW. A driver consent form will be completed by each heavy vehicle driver every twelve months.
- Random drug and alcohol testing to reduce the risk of heavy vehicle drivers operating heavy vehicles while impaired undertaken by a third-party provider. All heavy vehicle drivers will need to be randomly tested at least once every twelve months.
- Enhance HSNSW current fatigue management system to improve driver safety and the safety of other road users including driver health assessments via Austroads Assessing Fitness to Drive for 49 years and below every three years and 50 years and above annually. Also included will be route risk assessments and improved monitoring and documentation of driver shift records, daily run sheets and work diary.

These recommendations have been made based on the scope of HSNSW heavy vehicle operations compared with other heavy vehicle operators and via benchmarking of other government services such as Transport for NSW (TfNSW).

The proposed program of work aligns with current safe work practices, HSNSW Motor Vehicles - Fleet Vehicle Use (PR2023_11) and NSW Health Code of Conduct (PD2015_049).

HSNSW will consult with its heavy vehicle drivers during July 2024 with a commencement date of these checks from mid-August 2024.

HSNSW will ensure that the data gathered from drug and alcohol testing and licence checking of heavy vehicle drivers is stored securely and ensure that it is compliant with NSW Health policies.

Implementation of these additional controls is required to ensure HSNSW's compliance with the Heavy Vehicle National Law.

HSNSW appreciates the Health Services Union's support of the proposed compliance measures to align its heavy vehicle operations with the Heavy Vehicle National Law and ensure that all parties who play a role in the chain of responsibility of operating heavy vehicles are accountable for the safety of the heavy vehicle, its driver and its load throughout its journey and other road users.

If you would like to arrange a briefing or have any other questions, please contact Garth Worboys, Executive Director, Service System Delivery on 0436 655 765 or Garth.Worboys@health.nsw.gov.au.

Sincerely,

A handwritten signature in black ink that reads "Wendy Hughes". The signature is written in a cursive, flowing style.

Wendy Hughes
Chief Executive