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## Corporate Road Safety: an opportunity to reduce the road toll through integrated Government policy

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### Introduction

As a component of its National Road Safety Partnership Program draft strategy, the Australian National Transport Commission (NTC) recently consulted with stakeholders regarding the future for Corporate Road Safety in Australia, focusing on the major role that industry can play in improving road safety in Australia. This paper draws on and extends our submission, which can be seen in full on the NTC website [1].

Contemporary road safety focuses on key public safety factors, yet globally few governments have explored road safety from an occupational perspective. Road travel is the biggest traumatic cause of worker fatalities in most westernised countries, and an increasingly recognised injury and fatality burden in many others [2].

Corporate road safety is poorly addressed in existing Australian and other international regulatory regimes, with the work-road injury burden frequently falling between work and road safety policy and regulatory practice [2]. In contrast, Work Health and Safety (WHS) regimes are well established in many countries. It is proposed that these existing WHS systems could be effectively applied to work-road safety to provide a framework for co-ordinated policy and cost-effective strategies to reduce the road toll.

Based on experience and a systematic literature analysis, gaps were identified in existing policy and practice.

Evidence-based recommendations were then developed to focus on reducing the road toll and related business costs. These include the implementation of strategic corporate road safety systems underpinned by existing WHS data, systems, strategies and policies.

### Corporate road safety research, policy and practice in Australia

Over the past 15 years a small number of researchers, practitioners and policy makers have provided significant evidence around the significance of corporate road safety in Australia. This clearly supports the societal, business, legal and financial case for action. From a financial perspective, Davey and Banks [3] and others before them (including Murray et al. [4]), have shown that the hidden costs of at-work collisions for society, organisations and individuals, are real and significant. It is clear that some evidence of sound organisational practice already exists in Australia, although to date little has made its way into the peer reviewed literature. Recent good practice examples include the Australasian Fleet Managers Association (AfMA) Fleet Safety and other award winners ([www.afma.net](http://www.afma.net)) such as Roche Australia [5] and Redland Shire Council [6].

Despite these isolated examples, corporate road safety in Australia remains fragmented between the State and Federal agencies involved in road safety, compulsory third party insurance, workers compensation and work health

and safety, as well as law enforcement [6]. Many of these stakeholders and related researchers and agencies are isolated, and often appear to be working in separate silos.

It is imperative that key stakeholders in research, policy development and WHS/road safety practice (including industry and suppliers) collaborate in a national and integrated process to embrace corporate road safety. This would provide a powerful strategic initiative towards further reducing the road toll and lowering workplace fatalities and injuries, thereby significantly cutting injury and damage costs to industry and society.

## Corporate road safety is an Occupational or Work Health and Safety (WHS) issue

In line with the strategic direction of the National Road Safety Plan, actions need to engage with a large proportion of Australian organisations. For example government (federal, state and local) is collectively the country's largest purchaser of vehicles, and one of the largest employers of contracted and sub-contracted organisations using the road. Government should therefore lead by example in terms of policy and practice in relation to its own corporate road safety.

The comprehensive enforcement of WHS and Chain of Responsibility (COR) requirements pertaining to business and government organisations as a means to engage smaller contractors in road safety, would be a good starting point. For example, supply chain partners could be required to: purchase only five-star vehicles; demonstrate robust driver recruitment, induction, risk assessment and controls; and, have monitoring programs for all their employees required to travel in the course of work.

Without regulatory inducements many organisations will not engage and implement corporate road safety strategies. Therefore, a more harmonised and robust interpretation, combined with integration and enforcement of existing Chain of Responsibility (COR), WHS and road traffic regulations are essential to achieve significant improvements in corporate road safety.

Furthermore, currently many gaps and inconsistencies are undermining the existing structures. These include inconsistent enforcement, WHS application and regulation, and communication to organisations; lack of accurate and detailed crash and licence data; inconsistency between heavy vehicle and occupational light vehicle regulation, and fragmented workers compensation and insurance structures [2]. All of these issues are compounded by the current parochial jurisdictional systems and the lack of standardisation or harmonisation across Australia.

The new reform incorporating the National Heavy Vehicle Regulator (for > 4.5 tonne) which began in January 2013 and manages enforcement of the Heavy Vehicle National Laws is a welcome initiative. Such regulations governing large and heavy vehicles are more extensive and rigorous than those governing small and light vehicles. WHS requirements also tend to focus on large and heavy vehicles.

As discussed by Stuckey and LaMontagne [7], such legislative changes and the good practices they support and encourage, have so far had minimal impact on the significant number of light and small commercial vehicles and cars being driven for work – although many good practice processes could be applied in a similar manner irrespective of vehicle type. Murray [8] focused more attention on the potential applications of WHS policy principles and good practice for corporate road safety in Australia, where vehicles on roads are recognised as a workplace, but as yet only limited regulation and enforcement has been undertaken to address related risks [2].

WHS compliance is a requirement of all organisations in all sectors, therefore a national harmonised corporate road safety WHS Code of Practice (COP), supported by communications, education and enforcement, is a good starting point to engage the vast majority of organisations whose people interact with the road. Such an approach should provide a clear minimum standard for everyone to work to – much like the joint Health and Safety Executive (HSE) and Department for Transport (DfT) '*Driving for Work*' guide in the UK, which was launched in 2003 [9]. This COP should be supported by closer collaboration between WHS agencies, Road Authorities and the Police in terms of enforcement and post event investigation. Similarly, existing transport and COR regulations are effective for larger vehicles, but more enforcement and a similar approach should also be considered for occupational light vehicles.

Such recommendations are not about developing a whole set of new systems. They are about using the systems which are already in place to improve the overall regulatory outcome. State level guidance documents already exist, such as in Victoria [10], which spell out the responsibilities clearly under Victorian OHS law. Given such existing frameworks, it is argued that Australia does not actually need another regulator, but rather enforcement of the existing regulation. All the WHS acts require risk identification, risk assessment, risk quantification and risk control. There is clear evidence of a quantifiable injury and fatality risk, a range of relevant risk factors – what is lacking is the efficient and effective enforcement of the prevailing regulation.

A COP should engage WHS professionals in corporate road safety and provide practical guidance for organisations to

achieve minimum Duty of Care obligations and standards. To some extent, this is already happening in relation to vehicles used off-road on traditional worksites. A COP would also provide WHS inspectors with guidelines when auditing and enforcing an organisation's WHS practices. There are a number of existing examples of enforcement (breaches of the COP in regards to managing plant) which can be used to support this approach. These include the following vehicle and fatigue based cases:

- [http://www.safework.sa.gov.au/uploaded\\_files/20110526\\_mihalopoulos.pdf](http://www.safework.sa.gov.au/uploaded_files/20110526_mihalopoulos.pdf)
- <http://www.theage.com.au/national/1000-charges-raft-of-road-charges-levelled-at-trucking-bosses-20120510-1yeez.html>
- <http://www.theage.com.au/victoria/justice-for-dead-brother-20100428-tsic.html>
- [http://www.workcover.nsw.gov.au/formspublications/publications/Documents/health\\_aged\\_care\\_industries\\_minimising\\_fatigue\\_0230.pdf](http://www.workcover.nsw.gov.au/formspublications/publications/Documents/health_aged_care_industries_minimising_fatigue_0230.pdf)

These cases illustrate that WHS agencies and road authorities typically do get involved if apparent causation relates to a vehicle fault and or specific safety risk such as fatigue, which had not been systematically addressed by the organisation.

It also appears from the publicly available cases that such prosecutions generally occur in relation to heavy vehicles or vehicles driven by emergency service workers, where there is an overt public risk, or the vehicle is clearly being driven for work purposes – and generally where there has been a lot of publicity about potential risk factors in a sector prior to the event.

The jurisdiction of risky or hazardous driver behaviour is more typically enforced by the police focusing on fault, liability and negligence – and is generally not recognised or acknowledged as related to work, organisations or the purpose of journey in any way.

To summarise, corporate road safety, for all vehicles being driven for work irrespective of size or type, is both a road safety and a work health and safety issue. Like any complex matter, a combined approach of both 'soft' and 'hard' measures is required to make real change. Corporate road safety should be managed through the WHS legal and regulatory structures. A legal 'Duty of Care' compliance is required to protect the health and safety of workers driving for work purposes. This legal requirement is included in all Australian WHS acts, including the Model Work Health and Safety Act 2011 [11]. This duty of care applies to all employers, workers (regardless of work arrangement) and 'others' such as non-workers and the general public.

The potential benefits from a collaborative WHS and Road Safety Partnership at State, Territory and Commonwealth

levels need to be promoted widely. This is essentially building on the very significant human factors and behavioural change skills in road safety, whilst using the powerful regulatory tools available to the WHS authorities of Australia. State and Territory jurisdictions already have in place an Interagency Agreement or Memorandum of Understanding between the WHS and Workers' Compensation regulators throughout Australia, Road Authorities and the Police.

Currently, there does not appear to be a consistent approach for escalation to WHS regulators of work-related road traffic incidents - in particular for light vehicles. Also, fatalities are more likely to be escalated, whereas serious injuries are less likely or rarely escalated. Minor incidents that do not require police presence, should be recorded by an organisation as an incident regardless of the level of damage, as for any other type of WHS incident, and made available for inspection. Obtaining such collaboration between road enforcement and WHS agencies will require the building of a case by NTC though the relevant Ministerial Councils, to endorse a genuine national partnership that will capitalise on the workplace as a 'new frontier' for road safety improvements.

It is clear that this concept of 'escalation' of road safety to WHS regulation is implicit in the NTC's National Road Safety Partnership Program. Currently, it is not explicitly outlined as to how this interface between road safety regulation and WHS regulation would operate. Accordingly, a much stronger and genuinely regulatory approach needs to be made clear to enable the step change that is needed. The implementation of a harmonised pan-Australian WHS Code of Practice on Managing Risks for Work-related Vehicles would be the most responsible approach to underpin and practically support this outcome.

Other strategies to assist in improving compliance include access to driving licence data to allow checks on people required to drive as part of their work. This could bring many benefits to work-related road safety across the whole of Australia. The truck sector is already requesting it in Australia, and organisations in New South Wales and South Australia have systems in place which allow them to currently conduct online checks of individual licences of employees with their written consent.

If Australia could adopt a similar model to the well-established UK Driver and Vehicle Licensing Agency (DVLA) electronic check or the US Motor Vehicle Record (MVR) a great deal of bureaucracy could be reduced. Licence checks could provide the first step in risk assessment and benefit the many organisations in Australia which require their people to use the road as part of their work. This could assist them to check on-going driver road-law compliance and further develop risk based models for driver recruitment, management and monitoring.

Currently, many Government agencies in Australia appear to cite privacy and data security as reasons to not be proactive in making such data more readily available for WHS surveillance. Australia could learn a great deal from the more developed US, UK and New Zealand practices to institute such systems. As long as drivers provide explicit, freely given, fully informed consent, appropriate compliance and risk-based data could be transferred, stored and utilised in a secure environment. Based on the US and UK models, this approach also offers a potential income stream for the licencing authorities, which can sell the data to employers and third party intermediaries.

The NTC proposed National Road Safety Partnership Program is a welcome initiative, but its membership appears quite narrow and needs to be expanded to include mechanisms for other critical sectors and organisations to be involved in the on-going deliberations, including representation from some or all of the following:

- Australasian College of Road Safety
- Australasian Fleet Managers Association (AfMA)
- Safe Work Australia
- State, Commonwealth and Territory WHS agencies
- Workers Compensation Insurers
- Police
- Government fleets – which remain the biggest purchasers of vehicles in Australia
- Vehicle leasing, supply and finance sector – including manufacturers
- Bus and rail sector
- Lead researchers in the area of work-related road safety such as CARRS-Q, MUARC and other University based researchers
- Compulsory Third Party and private motor insurers
- Occupational Health and Safety Professional bodies including bodies represented by the Health and Safety Professionals Alliance (HaSPA)
- Other industry and professional bodies

## Conclusion and recommendations

To be effective, workplace safety requires comprehensive regulatory regimes with significant enforcement. Corporate road safety is gaining recognition in many countries as a viable strategic focus to address the growing global road toll. In Australia, most initiatives result from individual employer-based strategies rather than systematic government regulatory interventions.

Corporate road safety should be managed through the existing WHS legal and regulatory structures in partnership with existing road safety programs.

It is recommended that:

1. A pan-Australia Code of Practice which addresses work-related road risk should be written and implemented as soon as possible.
2. A National work-related road risk management memorandum of understanding should be established between State and Commonwealth WHS agencies, Road Authorities, and Police Agencies to assist in the enforcement of corporate road safety obligations under current WHS laws.
3. The national road safety strategy and jurisdiction equivalents need to incorporate corporate road safety as part of on-going strategies.

These recommendations address occupational travel risks, and the possibilities for the application of integrated and systematic road-safety and WHS strategies. They present unique opportunities for significant reductions in the social and economic injury-burden, and approaches to managing related damage costs for participating nations and organisations. Systematic implementation at regulatory and industry levels should provide compliance, economic and risk management benefits to every workplace using road vehicles.

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# Children locked in vehicles: implications for organisational and community safety

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## Introduction

While state motoring clubs around Australia are well known for their motoring advocacy work and membership advantages, roadside assistance for broken down vehicles remains a key activity. The Royal Automobile Club of Queensland (RACQ) alone receives up to 4,000 calls for assistance each day from motorists. The majority of these calls will be associated with vehicle mechanical or electrical issues, but on average around 10 calls a day will be due to a baby, adult person or animal being accidentally locked in a vehicle.

These lock-in calls are almost always as a result of an unintentional act on the part of the driver. Typically the keys are given to the child to hold while the driver performs some other task. If the remote locking button has been pressed the locking system secures all closed doors leading to a situation where once the remaining door is closed the security system then completes its locking sequence, preventing the driver from gaining access to the vehicle. At this point the driver realises they have a highly stressful situation unfolding.

RACQ research has found that vehicle interior temperatures rise very rapidly and from around 19°C can reach the critical (according to medical authorities) temperature of 40°C in about eight minutes on a typical, clear summer day in Brisbane [1]. Peak cabin temperatures can go on to reach approximately double the ambient temperature [1].

Due to the risk to the health of the baby, adult or animal locked in the vehicle it becomes a matter of urgency that the locked-in person or animal is rescued as soon as possible. RACQ responds to such calls for assistance as a community service. This means that RACQ will assist as a priority any person, regardless of RACQ membership status given the safety risks to the individual or animal locked in the vehicle.

Responding to emergency calls of this nature increases the pressure on the RACQ and its staff. From the call centre staff who take the calls and arrange the Club's response, to the RACQ patrol staff who are despatched to attend the vehicle, there is a coordinated, prioritised approach to assisting the individual or animal locked in the vehicle as quickly as possible.

2011	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD Total
<b>BABY</b>	153	174	231	209	218	217	199	218	197	244	182	192	2434
<b>DAILY AVERAGE</b>	4.94	6.21	7.45	6.97	7.03	7.23	6.42	7.03	6.57	7.87	6.07	6.19	

Figure 1: Baby locked in car calls and average daily calls per month 2011