RIIGOV401D

Apply, monitor and report on compliance systems

THIS UNIT FORMS PART OF THE

RIISS00045 Work Zone Traffic Control Guidance Plan
Developer Skill Set

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Knowledge and Skills

- routinely reviewing work practice to identify and define problems to systems of work
- adjusting systems of work to minimise risk, increase productivity and meet contractual obligations
- prioritising others and work practice to meet contractual and compliance obligations
- providing coaching, information and support to others to maintain the standards compliance
- establishing training programs for others to improve or develop practice for systems of work
- providing verbal feedback to others in carrying out their work practice
- establishing performance management programs for others who are struggling to meet compliance
- maintaining written records and reports for system of work activity, contract obligations, personnel and noncompliance
- relevant taxation and related legislative requirements and legal rights and responsibilities related to the business (where applicable)
- bookkeeping and record keeping procedures to meet minimum financial and legal requirements (where applicable)
- industrial law relevant to performance management, recruitment and dismissal of employees
- creation and termination of relevant legal contracts
- duty of care imposed by the Law of Torts (where applicable)
- work procedure/instruction writing in compliance with legal requirements and company policy

Expectations

This is a level 4 mapped unit of competency from the RII Resources and Infrastructure Training Package.

At this level you are expected to meet the following learner outcomes;

- Apply sound solutions in preparation and planning
- Read and interpret plans and instructions and legal documents
- Demonstrate a strong understanding compliance and business requirements
- Obtain, read and interpret risk management documentation and procedures
- Have a strong and sound understanding of legislative, statutory and jurisdictional requirements
- Able to make adjustments based on a methodical approach
- Implement and monitor plans
- Coach and train staff

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Unit of Competency

RIIGOV401D	Apply, monitor and report on compliance systems
Application	This unit describes a participant's skills and knowledge required to apply, monitor and report on compliance systems in the Resources and Infrastructure Industries. This unit is appropriate for those working in a supervisory role where compliance needs to be managed.
Elements	Performance Criteria
Identify, share and implement regulation and business requirements	Access, interpret and apply regulatory and business documentation, and ensure the work activity is compliant Provide verbal and written regulatory and business requirement information using language, style and format which is easily understood by others Clarify implications of noncompliance to the business and regulation requirements to others
Plan and implement systems to meet regulation and business requirements	Work with others to plan systems of work that ensures compliance Implement planned systems of work and ensure compliance Maintain and promote the standards of systems of work and adjust performance to comply Identify and support training needs of others in carrying out systems of work Maintain the legal obligations of the business when carrying out systems of work
Monitor, revise and report performance to ensure legal and contractual compliance	Identify, revise and report actual and potential problems to supervisors Manage work activities and ensure legal and contractual compliance Submit written recommendations on improvements to comply with legal and contractual requirements Secure contractual procurement rights for goods and services and support a business plan that is shared with all Maintain systems, written and verbal records and reporting procedures
Investigate, report and action non-compliance	Investigate noncompliance to regulation and business requirements Collaborate with others to identify options and solve problems that remedy noncompliance Select and implement options that resolve noncompliance Implement training and adjust work practice to support others to effectively carry out systems of work Review and monitor behaviour and work practice once training has concluded Maintain individual written records where noncompliance has been substantiated

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1. Identifying, share and implement regulation and business requirements

What is Compliance?

We have all the term 'compliance' plenty of times in the workplace, in business, in our everyday lives, but what does it really mean?

In a nutshell it can be seen an organisation obeying all of the legal laws and regulations in regards to how the business is managed, how staff are managed and the treatment towards customers. The concept of compliance is to make sure that business acts responsibly within the law and any specifications.

1.1 Access, interpret and apply regulatory and business documentation, and ensure the work activity is compliant

As always, there will be a number of documents, forms, polices in place to ensure that those responsible for the management of an organisation have an obligation to protect the interests of its stakeholders.

You will come across a variety of regulatory, statutory and industry specific documents created and designed to assist in ensuring that our work activities are compliant.

Business Documentation

Business document are generally company centric as they will form the basis of a quality management system. Business documents will before to as policy and procedures and standard operating procedures. These documents will be designed to suit the business requirements, unique product and services offered.

Policy and Procedures may include;

- Equipment maintenance
- Human resources (recruitment, training, discipline)
- Work Health and Safety
- Reporting
- Record management
- Administration
- Ethics and standards
- Risk management
- Continuous improvement
- Pay and leave entitlements
- Book keeping, if you are dealing with contracts and invoicing
- Possible taxation requirements if you are an employer

What are some of the business documents that may be relevant to the traffic management industry?

- Personal Protective Equipment (PPE)
- Hazard identification and risk assessment
- Personal health and hygiene
- Working with hazardous substances
- Environmental protection
- Fire prevention and fire fighting
- Site communications
- Emergency response

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- Tagging and isolation
- Defect reporting system
- Standard Operating Procedures
- Work instructions
- Risk register
- Hazard reporting forms

Regulatory Documents

Regulatory documents may be dictated by a jurisdiction, state or commonwealth and they may also include industry codes of practice and standards.

Some examples may be

- WHS Act and Corresponding Regulations
- In regard to traffic control, it may refer to field guides, standards, and manuals
- In NSW we have 2 important documents that must be followed to make sure we comply. The first if the RMS Traffic Control at worksite manual and the Australian Standard 1742.3 Manual of Uniform Traffic Control Devices.

1.2 Provide verbal and written regulatory and business requirement information using language, style and format which is easily understood by others

Business documentation by its nature can be complex, technical and detailed, as they are designed based on larger more complex, legislative and statutory records and citations.
Reading these types of documents does not come easy, and it can be quite time consuming and frustrating navigating through clauses, sections, parts, paragraphs, summaries and introductions.

In most cases these types of documents can come in various volumes, multiple chapters, appendices and companion guides, not to mention table of contents, glossaries and indexes. As there are varying levels of staff members within organisations, literacy levels will be different as well as the levels of authority to read these types of documents.

The objective is to distil and decant the most salient and relevant information, and present it in a way that is easier to read and translate and can be understood across the organisation. Also in a format that is easy to read, and in a format that can be translated verbally as part of an instruction/information approach.

What needs to be done

- Consider what language will be used
- How will it look, what formats should be used for staff
- Keep the information relevant and to the objective
- Keep the information in small compartments
- Remove any ambiguity, legalese and technical data
- Ensure that the information contained is logical and practical
- Ensure that you can support with diagrams images
- Incorporate a 'frequently asked questions (FAQ) section, with model answers
- Can the information be easily accessed
- Provide some guides n how to report or how to identify
- Provide links to contact numbers
- Provide examples and case studies to assist with context

1.3 Clarify implications of non-compliance to the business and regulation requirements to others

Non-compliance or breaches to systems, rules and regulatory requirements can have significant impacts and consequences across the business and potential flow-on to stakeholders and business partners. Within high risk environments such as traffic control, the consequences can also impact the public, road users and the wider community.

It can be easy to berate and take a negative approach to non-compliances, although this approach will be met with….

- You have a responsibility to ensure that workers are informed of the non-compliance and to highlight the implications.
- Adults need to have an understanding of what they are doing and the outcomes, therefore you will need to have a structured approach.
- What needs to be considered with clarifying these issues?

Effective communication to staff is the key. You need to consider the following:

Format
In what way can the information be prepared and made available, is it easy to access, portable and transferable

Language
How have you translated or converted the detailed and technical components

Visual
Is there in some way that some of the detail can be accompanied by visual representation, such as simple graphs, diagrams or images

Formality
When there is any issue regarding business or a legal non-compliance, formality is very important, whilst is can be simplified and portable, it should still be formalise within the structure and documentation requirements

This information can be conveyed via:
- Reports
- Pre checks
- SWMS
- Toolbox talks and briefings
- Ready reckoner
- Handbooks

Let's take a look at some of the direct consequences:
- Direct consequences
- Excessive costs
- Immediate loss of contract
- Investigations by authorities
- Immediate shut down of worksites
- Removal or suspension of licenses and qualifications

It should be apparent to all workers why following compliance requirements is essential.

This will ensure that all personnel/workers in the workplace are fully informed, and able to perform their work roles effectively.

2 Plan and implement systems to meet regulation and business requirements

Regulatory requirements will require a structured and planned approach for execution and delivery. For some internal tasks to occur, you may well need to carry out a statutory requirement that links to the final outcome.

A regulation within traffic control may refer to a 'Road Occupancy Licence' (ROL) which will include specific timeframes and rules on how you will proceed. To ensure that you meet the ROL requirements, you will need to plan and coordinate and implement your policy & procedure and instructions.

This section will look at planning phases and implementation. One good business tool is the Deming Cycle the PDCA.

PLAN	Identifying and analysing the problem.
DO	Developing and testing a potential solution.
CHECK	Measuring how effective the test solution was, and analysing whether it could be improved in any way.
ACT	Implementing the improved solution fully

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2.1 Work with others to plan systems of work that ensures compliance

Planning is one of the key aspects of a successful project or activity and ensuring that you plan can be implemented effectively is paramount. There are numerous activities and systems within workplaces that do not occur with scheduling and planning.

Having a systematic, logical and methodical approach to achieve your goals, will ensure safety, consistency and will contribute to a complaint operation. Your organisation will have its own systems, SOP's, procedures and instructions; they still need comply with any legislative requirements.

You will have multiple activities running concurrently being carried out by various team members, therefore communication and planning is vital. So how do you go about putting these plans together to ensure everything is in its place and all outcomes are achieved?

Step 1 - Responsibility

Ensure that a person of responsibility is selected with the appropriate level of authority, this person will need:

- Strong communication skills to share the vision and plan
- Ability to multi-task, delegate and empower when needed
- Be organised and have strong time management skills
- Have a clear picture of the outcome
- Have all the tools required

This person will also need to have a strong technical appreciation for the planned activities and an innate knowledge of the systems and compliance methodology.
They will also need to have a strong understanding of their own compliance requirements, KPI's and key result areas.

Step 2 - Plan format

What format will the plan be presented; generally operational plans will contain information, such as:

- Budget
- Outcomes
- Key milestones or performance indicators
- Resources
- HR
- Timelines
- Communication
- Contingency
- Work processes, policy and procedures

In the traffic management environment, some of these examples may be;

- Outcomes: What work will be carried out and how will traffic be managed
- Resources: Signage and devices, TCP/TCGS/TMP
- HR: Qualified traffic controllers
- Timelines: Work schedules, road occupancy restrictions
- Processes: Safe Work Method Statements
- Performance: Plan monitoring, vehicle movement queue lengths, construction

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Step 3 - Consultation

You will not be implementing the plan in a vacuum; you will require colleagues and other stakeholders. Within the traffic management environment, these people may include

- Traffic controllers
- TMP developers
- Plant operators
- Labourers
- Road authority representatives
- WHS representatives
- Project managers
- The community

This list is quite comprehensive and depending on the scale of the plan, you may not consult or work with all of them at the same time. Consultation is ongoing, 2 way and requires the contributions of all that are involved, as each may have a different perspective or knowledge to share.

Who, what, how, when, why are some of the general questions that will generate the discussion and lead to an outcome.

Step 4 - Endorsement

Once you have received feedback, you are now in a position to make an informed decision, endorse the plan and sign off. You will then need to disseminate the information within the plan, allocate the resources, conduct briefings and finalise SWMS. You will be in a position to move to step 5.

Step 5 - Implement

This will be covered next.

Step 6 - Monitor

Step 7 - Close out and review

2.2 Implement planned systems of work and ensure compliance

If you have prepared well, informed all the relevant staff and stakeholders, conducted training and briefings, then you will be able to proceed and implement any plan. Implementing a plan is like any process, there is a beginning and an ending, there are assigned responsibilities, monitoring and evaluation as well as reporting.

When implementing the planned systems consider:

- **Accountability**: Assign clear accountability for accomplishment of specific plan objectives and tactics to individuals not groups. When "everyone" is accountable, "no one" is accountable.
- **Target**: Set a completion time, date, a finite outcome
- **Communicate**: Don't wait until your strategic plan is complete and ready to implement before developing your communication plan. Begin planning for communication early in the process, and communicate regularly, so you can hit the ground running once the plan is complete.
- **Availability**: ensure that the plan is on hand for all to read and see, ensure that the key personal are on hand
- **Monitoring**: How will you monitor the progress, how will this be communicated, what methods will you use to monitor and report
- **Measuring**: How and what will you measure to ensure the plan is implemented

- Coordinate: Who what where and when, how will all the pieces fit together, who will coordinate the process
- **Momentum**: Keep the plan "alive" by using it as the basis for meeting agendas at every level of the organization. This is a good way to continually reinforce that the plan is directly the activities of the organization and is not just a writing exercise.
- **Feedback**: Incorporate a feedback loop to receive feedback about the content of the plan and recommendations for future plans. The planning process should be iterative, each subsequent plan building upon what has been learned from the former plan.

2.3 Maintain and promote the standards of systems of work and adjust performance to comply

'*Your workplace is not a cocktail lounge*' Stephen M Paskoff 2011

Maintaining minimum performance and benchmark standards will contribute to a consistent and effective work place. Once you have set these standards in place, you will need to ensure that they are communicated, promoted and when needed, enforced.

These are known as conditions of employment, when recruiting or engaging contractors always ensure that they are aware of the conditions of employment, so there is no disparity.

A couple of approaches may be:

Make the rules matter (Perform Workplace Inspections to check if procedures are being followed)
- Workers need to know that the rules are important to their team and to them personally.

Make the rules simple
- Workplace behavioural problems can occur when there are barriers to understanding the rules. Where possible have a range of smaller, simple rules that make sense and are operationally easier to follow

Make the Rules Stick:
- One-time announcements or training is not enough, supervisor/manager must continually talk about workplace behavioural standards, conduct meaningful training linked to organisational objectives, and create a culture that allows employees to ask questions and voice their concerns.

Promote systems by ensuring they are part of any operational activity and outcome. Encourage workers to check bulletin boards, briefing notes, read signs and become familiar with plans

2.4 Identify and support training needs of others in carrying out systems of work

Training should not be seen as a luxury or strategic necessity whereby you need it to stay compliant. Do not become a manager that regards training as a nice-to-have instead of a must-have?

Some of the negative approaches to training may be:
- Training gets in the way of getting the job done.
- I believe in training as long as it doesn't take me or my staff away from "important" tasks that must get done.
- There is no way to link our success to our investment in employee development.
- Takes to long
- It can be expensive
- Staff do not get involved

If you change any system, the best thing you can do during this process is to involve staff through consultation and collaboration; if you do this, there will be no surprises. If you involve staff from the beginning, the resistance toward training will be less as they know it is coming and they know what it is for, and the transition will be easier.

Hopefully throughout the consultation phase, you may have identified any skills gaps or shortages with those involved. This will assist you in your training strategies and where to focus your attention and energy. When you need to identify what is needed, make sure that the initial training needs analysis focuses first on what the learners will be required to do differently back in the workplace, and base the training content and exercises on this end objective.

What is an **effective training needs** analysis may include the following questions:?

- Does the staff member need the training?
- Was this conducted at induction?
- Is this a new system or process?
- Is this a change in a current system?
- Is this a statutory or legal requirement?
- Does the staff member have the relevant language literacy and numeracy skills?
- Will the staff member be willing to participate?
- What will the outcome be?
- How long will it take?
- What support is required?
- Will this training improve standards and efficiency?
- Will the training improve morale and motivation?
- How will I know it has been successful?

Staff may also require training due to:

- Illness or rehabilitation
- An accident or incident
- Remedial actions
- Increase confidence
- Build better skills
- They have asked for more training
- Improve employability
- Promotion within the business

2.5 Maintain the legal obligations of the business when carrying out systems of work

Employers have a number of obligations to adhere to, including legal obligations, paperwork and records, staff health and safety in the workplace, anti-discrimination practices and insurance, licensing and permits as well as environmental issues. It is an obligation of the employer to provide a safe workplace that employees can feel comfortable working within.   It should be free of physical hazards as well as possible issues relating to employee mental health.

Employers should aim to reduce the dangers that their employees are exposed to by following the Work Health and Safety guidelines. Employers should ensure that the workplace is compliant and acts within the legal parameters so staff will feel comfortable in the long term success of the organisation. They can achieve this my performing regular **workplace inspections**

The main elements may include:

- Superannuation
- Pay & leave
- Insurances
- Taxation
- WHS
- Wellbeing
- Fair work practices

In the context of traffic control, the legal obligations may include:

- Implement TCP's as per legal and contractual requirements
- Supply of plant and equipment
- WHS and wellbeing
- Work rotation and fatigue management
- PPE
- Permits and licenses
- Emergency equipment and systems
- First aid
- Training and supervision

All of the above should be maintained through systems, policy and procedures, quality manuals, also having the right people in the right positions such as:

- First aid officers
- Safety inspectors
- WHS representatives
- Qualified planners and developers
- Contract managers
- Quality officers

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3 Monitor, revise and report performance to ensure legal and contractual compliance

For compliance management to be effective, performance of the compliance management processes should be continually monitored and measured. You need to measure of the systems is effective and is working to the level of compliance required.

3.1 Identify, revise and report actual and potential problems to supervisors

Your position will require you to report on daily, weekly and routine activities and issues. Your experience in the workplace systems and operations will make it easier for you to identify issues, breaches, problems and place you in a position to report it appropriately.

When you identify a compliance issue, or you believe that a compliance issue could develop, you will need to make a formal report to your manager. Reporting is completed in many ways, although the essential part is that it needs to be formal and it needs to be conducted with urgency.

Reports may be:
- A general update on systems and activities or
- A description of a problem or potential problem, breach or non-compliance

When there is a non-compliance or breach, you need to report without prejudice or bias and report in a way that is constructive and effective.

Reporting may be completed by:
- Telephone
- Face to face
- Email or fax
- Through pro formas
- Intranet

Whatever method you use, ensure that the report is tracked, recorded and followed up.

What are some of the areas that you might report on?
- Business registration
- Duty of care
- Work procedure and instructions
- Contact issues
- EEO
- WHS issues
- Industrial relation
- Environmental impact
- Permits and licenses

3.2 Manage work activities and ensure legal and contractual compliance

Managing and maintaining compliance on worksites requires, knowledge, systems, a level of authority and the ability make informed decisions. Policy and procedures are in place for a reason, they make up the very essence and core of a business, therefore policy and procedures should become the everyday norm. This approach takes commitment, dedication and a best practice approach.

In traffic control, not only do you have responsibility to the company to ensure the practices are appropriate, you may also be required to ensure contractual compliance with other stakeholders such as:

- Jurisdictions and road authorities
- Unions and employer groups
- Industry leaders
- Local and state governments

If you take traffic control you may be responsible for the following:

- Ensuring that the TMP is compliant by getting a subject matter expert to check it
- Ensuring that the TCGS/TCP is implemented correctly – workplace inspections
- Ensure staff are prepared and qualified – planning and checking
- Complete hazard and risk assessments – with every job
- Complete WHS documents and briefings - together

All of the examples listed above will be linked to an appropriate Policies &Procedures and therefore will need to be managed, checked, monitored, adjusted, closed out and reported.

3.3 Submit written recommendations on improvements to comply with legal and contractual requirements

Risk management and continuous improvement should form part of any organisations business DNA, it is how you should be doing business. Continuous improvement is a business philosophy and approach to management and this process encourages team members to work constructively.

The fundamentals of improvement:

- Improvement should be implemented across all areas of the business
- Everyone in the business should be involved
- Improvement should be staged and planned
- The improvement process is never ending

Most improvement practices are centred on sound business decisions that relate to costs, waste, streamlining, competition and innovation. The same effort should be placed on improvements based on legal and contractual requirements.

A lot of the time improvement processes are derived from incidents, a reaction of some type or out of necessity. Improving legal and contractual needs will benefit from a structured continuous improvement action plan. A good way to look at this is to identify these requirements and set them out in an action plan to be reviewed on a regular basis.

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For example every quarter, a quality circle will review the contracts it has with the road authority, see the table below:

Item	Who is responsible	What is required	Date	Action required	Sign off
Agreement with road authority	Manager	Review KPI's, reporting and if there have been any amendments Frequency: Quarterly	Oct 1st	Update internal fact sheets and safety manual due to contract amendments. Record changes and provide tool box talks and additional training if required	Signature
Traffic flow data	TMP developer	Identify if new data is available Frequency: Quarterly	Sept 30th	Ensure all records indicate the new statistics released. Ensure developers are aware of the updates, conduct a briefing and ensure all sign off on the updates	Signature
PPE Policy	WHS rep	Check the AS have not been updated or amended Frequency: Annually	Jan 1st	TBA	Signature

The above table is very useful for long term requirements, although the same approach can be made to short term requirements. You will be in a position to provide recommendation on your key findingsIn the traffic control industry this may take the form of a TMP or a TCGS/TCP, SWMS.

The same process can be applied although this can occur on a hourly or daily basis.

Item	Who is responsible	What is required	Date	Action required	Sign off
TCGS/TCP signage	Team leader	Conduct drive through to ensure that all signs are correctly positioned Frequency: Quarterly	today	Replace	Signature

3.4 Secure contractual procurement rights for goods and services and support a business plan that is shared with all

What is procurement?

Procurement can be seen as acquiring and/or sourcing goods and services from a supplier. You may not enter into high levels of contract and supply negations, although on an operational level, you may need to procure goods and services on a small scale.

In the context of traffic control, this may include:

- Additional staff, such as labour hire
- Additional signs and devices
- Additional and or supportive plant and equipment
- Accommodation services
- Catering
- Transportation
- Waste removal
- Maintenance and repair
- Replacement and or substitution

It is hopeful that you will be provided a list of preferred suppliers as well as the ability to engage these suppliers, through credit, accounts or credit cards. You need to have an understanding of the policies and procedure for acquiring these services as there is likely to be mini contracts and agreements that need to be verified and signed. Short term agreements will have minimum terms and conditions, warranties and insurance requirements.

Any dealings with a supplier will be represented in consumer/vendor relationship and will be covered under consumer laws, trade acts of legislation. Regardless, both parties have certain minimum obligations and responsibilities to ensure the exchange is carried appropriately and legally.

Longer term contracts and agreements will require negotiation and legal representation to ensure that both parties agree and understand each other's responsibilities.

Always consider:

- Know the workplace policy and procedures for procurement and securing goods and services
- Ensure that you have the authority to act and when in doubt seek permission
- You may be required to complete some procurement forms or purchase order requests to submit for approval
- Deepening of the agreement you have in places and policies, you may need to seek a number of quotes in an effort to get the best deal, or at least the best quality service for your needs
- Always keep records of transactions, payments, invoices and receipts for reconciliation
- Never sign on the dotted line until you get legal and or the proper go ahead form management

3.5 Maintain systems, written and verbal records and reporting procedures

Maintaining records

There are a number of reasons why you should keep and maintain strong and detailed records of your business transactions:

- Makes it easier for you to meet your legal and business obligations
- Makes it easier for you to understand how your business is doing
- Helps you make good business decisions.
- Aids in auditing processes

Record keeping is a legal requirement, by law you must keep business records for a minimum amount of time, either on paper or electronically. Depending on your processes and systems, you should be filing and archiving records on a regular basis.

This is a good habit to get into as it provides a level of risk management to ensure that work is saved and archived, chronologically and logically. This systematic approach to filing records also assists in auditing and quality assurance practices.

When filing records you must consider the types of documentation, location and sensitivity of the documents. Make sure that you follow all relevant policy and procedures, as well as fulfil any statutory requirements (such as the length of time records should be maintained).

On a final note, ensure that your record management system is logical, and can be accessed when needed (always have a back up procedure)

Some of these records may include:

- Peer reviews
- Licences
- Legal advice
- Professional services such as contractors
- Accidents and incidents
- Non-compliant behaviour
- Training records
- Project progress
- Budgets and spending

In the event of a serious incident or compliance breach, or in the event of an audit, your reports may be used as evidence. There can be serious penalties for a lack of reporting, or for false or misleading information in reports.

4 Investigate, report and action non-compliance

4.1 Investigate noncompliance to regulation and business requirements

Systematic, impartial and robust investigations must be carried out on any non-compliance to the business activity or any regulatory breaches to find the ==root cause==. Investigations can only take place if the system or activity can be measured, hence the importance of recorded and verifiable policy, procedures and benchmarks.

Once you have conducted an initial comparison for the non-compliance against the standard, and the issue is clear, then proceed with an impartial and thorough investigation. The main objective of an investigation is prevention. A good investigation aims to establish a series of events that should have taken place and compares it to what actually happened to identify areas that need changing.

An investigation may also provide immediate corrective action to a non-compliance to ensure it ceases and is maintained.

Generally you will need to staff to:
- Cooperate with all reasonable requests
- Recount information as accurately and honestly as possible

Investigation procedures need to be systematic. For any investigation you should:
- Act as soon as possible after the incident;
- Visit the scene before physical evidence is disturbed;
- Not prejudge the situation;
- Not remove anything from the scene;
- Enquire if anyone else has moved anything; and
- Take photographs and/or sketches to assist in reconstructing the incident.

After the initial investigation is complete the team should:
- Identify, label and keep all evidence. For example, tools, defective equipment, fragments, chemical samples etc.;
- Interview witnesses separately;
- Check to see if there have been any 'near misses' in similar circumstances;
- Note down all sources of information;
- Keep records to show that the investigation was conducted in a fair and impartial manner;
- Review all potentially useful information, including design specifications, operating logs, purchasing records, previous reports, procedures, equipment manuals, job safety analysis reports, records of training and instruction of the people involved and experiences of people in similar workplaces/industries; and
- Reconstruct the incident (while ensuring that another incident does not occur) to assist in verifying facts, identifying what went wrong and what can be done to prevent it happening again

This list of questions may assist the investigation to establish the facts.

WHO
- breached the process?
- else was involved
- had instructed and/or assigned the job?
- has information on circumstances/events prior to the incident?

WHAT

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- is the damage or loss?
- was the person/s doing?
- is the work process?
- had the person/s been instructed to do?
- tools were being used?
- machinery/plant/equipment was in use?
- previous similar incidents have occurred?
- action had been taken to prevent recurrence?
- did the person/s and any witnesses see?
- safety rules were violated?
- safe systems or work, permits to work, isolation procedures were in place?
- training had been given?
- were the contributing causes of the incident?
- communication system was in use?

WHEN

- did the incident occur?
- did the damage become evident?
- did the person/s start the job?
- did the supervisor last see the person/s?
- was something seen to be wrong?

WHY

- did it occur?
- did communication fail?
- was training not given?
- were there unsafe conditions?
- was the system of work inadequate or inappropriate?
- was there no safe system of work, permit to work or isolation procedure operating?
- were specific safety instructions not given?
- was the supervisor not consulted when things started to go wrong?
- was the supervisor not there at the time?

WHERE

- did the incident occur?
- did the damage occur?
- was the supervisor at the time?
- were the witnesses at the time?

HOW

- did it occur?
- could the incident have been avoided?
- could the supervisor have prevented the incident?
- could better design of plant or systems of work help?

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4.2 Collaborate with others to identify options and solve problems that remedy noncompliance

Collaboration and consultation is the key to successful team work, goal management and ownership of behaviour and performance. In regards to identifying problems, most of the time frontline staff have a good idea on what is not happening in the workplace and will be a great resources to assist with remedying non-compliance.

We never work in a vacuum and we need to ensure that we communicate and gain valuable feedback and intelligence form those around us.   Collaboration is not restricted to within the business itself; collaboration can extend to other stakeholders, such as major contractors, road authorities, and industry groups.

How do we collaborate?

- Get everyone on the same page
- Have strong communication processes
- Involves all parties
- Encourage participation
- Plan where possible to meet
- Recognise the contribution of others
- Tool box talks, briefings

4.3 Select and implement options that resolve noncompliance

Selecting and implementing options and actions, is part of making informed decisions, this is achieved by having the right information to begin with. Experienced operators will always have an array of options and contingencies to fall back on.

Your evaluations of non-compliances will lead you to a selection of options as a remedy or temporary resolution until a broader and more detailed approach is instigated.

When considering your options, you may need to ask:

- Is the option, or decision a long term or a short term fix
- Will this solution ensure compliance?
- Will the solution require additional training
- Will there be a financial impact?
- Can this be resolved in the appropriate time frame
- Will there be any barriers regarding sign off and authorisation
- Will you required additional resources, equipment or personnel

The next step is the Implementation of the proposed solution:

- Plan the implementation
- Assign the correct resources and people
- Ensure timelines are achievable
- Seek approval at all times
- Communicate, communicate, and communicate
- Monitor and report progress
- Document and review

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4.4 Implement training and adjust work practice to support others to effectively carry out systems of work

Training assists in changing behaviour; effective, focused and relevant training will prepare you and your teams to deal with and work within a compliance frame work. Effective training will provide standards that will support effective compliance systems within the workplace.

There will be occasions where conditions will change and work practices will need to be adjusted. Having regular, flexible and dynamic information systems and briefings will allow you and the team to respond to any adjustments, and remain with in compliant systems.
You do not want t be in a position whereby a staff member states, 'I was not told of the change' or 'this is how we always do it'.

You should also consider:

- Ensure that the start of each training session alerts learners of the behavioural objectives of the program - what the learners are expected to be able to do at the completion of the training.

- Make the training very practical, remember, the objective is for learners to behave differently in the workplace.

- Bring the training room into the workplace where possible

- Ensure that learners' managers and supervisors actively support the program,

- Integrate the training with workplace practice by getting managers and supervisors to brief learners before the program starts and to debrief each learner at the conclusion of the program.

- The final tip is to conduct a post-course evaluation sometime after the training to determine the extent to which participants are using the skills.

Supporting the training needs of your team:

- Providing feedback on their performance and suggestions for improvements

- Recognising when they have performed as desired or expected

- Providing one-on-one support where the team member is struggling with a new skill or idea

- Signing off on their workplace activities, such as in a logbook or through supervisor reports

Once the training has been completed, make sure you have an appropriate monitoring and feedback process. You may see a decrease in incidents and near misses, an improvement in traffic flow, communication may have improved, customer interactions may have improved. Ensure that you speak with staff shortly after training to gain feedback on the process, but also provide feedback to then about their performances after training.
As with any change or system improvement, record it and maintain accurate and appropriate records

4.5 Review and monitor behaviour and activity to ensure its effectiveness

If there is an occasion to adjust your systems you will need to monitor the activity and the overall effectiveness of the activity outcomes. You can only be in a position to monitor behavioural change if you have conducted training and briefings for all staff involved.

If training has been successful, you should note a change in behaviour and the adoption of the new system fairly quickly. The only way to do this is through an effective performance management process. Make sure that you have the right collection tools to monitor the behaviour and performance, this may occur through:

- Peer reviews

- Formal Q&A and interviews

- Data analysis

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- Check of plant and equipment
- The monitoring of incident reports
- Feedback from stakeholders

You may find that the changes have not affected the work activity in the way that you thought they would, or that personnel are having trouble adapting to the changes. If you notice problems like this, you may need to repeat some of the stages of the process until you are sure that the work activity is being performed in a client manner.

4.6 Maintain written records of the non-compliance and the activities undertaken to remedy the breach

Because compliance systems need to be transparent, keeping records of any activity to address non-compliance is important. As noted earlier, record keeping is a legal requirement, by law you must keep business records for a minimum amount of time, either on paper or electronically.

Be systematic in your approach to maintaining written records as it will assist in auditing and quality assurance practices. Make sure that you follow all relevant policy and procedures, as well as fulfil any statutory requirements (such as the length of time records should be maintained).

On a final note, ensure that your record management system is logical, and can be accessed when needed (always have a backup procedure).

Some of these records may include:
- Investigations
- Interviews
- Inspections
- Audits
- Reports form work safe authorities
- Corrective action by the road authority
- Workers compensation and claims
- Reports to stakeholders
- Licences renewals
- Fines for non-compliance
- Court proceedings
- Legal advice
- Accidents and incidents
- Non-compliant behaviour statistics
- Training records
- Project progress

In the event of a serious incident or compliance breach, or in the event of an audit, your reports may be used as evidence. There can be serious penalties for a lack of reporting, or for false or misleading information in reports.

Not only does it show that you have resolved specific issues, but it also demonstrates that you have been engaging in a process of continuous improvement.

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