

Code of Practice for the Transportation of Clients for the South Australian Disability Service Sector



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Department for Communities
and Social Inclusion

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Introduction

All service providers must ensure that they comply with the service principles as specified in the *Service Agreement – Hosting Services* (clause 11.1.2). This includes compliance with a range of sector-wide policies and guidelines, including this Code of Practice.

All service providers that transport clients as part of service provision are required to comply with this *Disability Sector Code of Practice for the Transportation of Clients* (Code of Practice).

The Code of Practice sets out the minimum standards required of service providers, and drivers when transporting clients. The Code of Practice was developed to ensure that:

- drivers are of good repute; fit and proper people to be responsible for transporting clients; and
- that vehicle transporting clients are safe and clean.

Accreditation for Life Skills Development Programs

The Code of Practice also serves as the **accreditation standards** that must be met by service providers that charge a fare or other consideration (including retaining a client's mobility allowance) to carry passengers for life skills development programs.

Service providers that transport clients in this category are, for the purposes of the [Passenger Transport Regulations 2009](#), exempt from operator accreditation and associated vehicle standards. Drivers are also exempt from driver accreditation as required under the [Passenger Transport Act 1994](#), provided they meet the standards set by the Department for Communities and Social Inclusion as outlined in this Code of Practice.

A life skills development program is defined as a program administered and funded by the Department for Communities and Social Inclusion to assist people with disability to participate to a greater degree in the life of the community through the development or improvement of basic life skills. These include programs that provide ongoing day-to-day support for service users to gain greater access and participate in community-based activities. Programs may focus on continuing education to develop skills and independence in a variety of life areas (eg self-help, social skills and literacy and numeracy) or enjoyment, leisure and social interaction.

Service providers transporting passengers for a fare or other consideration outside of a life skills development program will have to meet the requirements for operator and driver accreditation as required under the [Passenger Transport Act 1994](#). For more information see: <http://www.transport.sa.gov.au>

Related Documents

[Passenger Transport Act 1994](#)

[Passenger Transport Regulations 2009](#)

[Road Traffic Act 1961](#)

Definitions

Bus means a motor vehicle, other than a taxi—

- (a) designed for the principal purpose of carrying passengers; and
- (b) designed to carry at least 13-seated persons.

Disability Services Provider Panel is a panel of approved service providers formed to ensure quality in the provision of services to people with disability and to streamline the tendering processes for agencies and the government.

A **driver** is a service provider's staff who is required to transport clients as part of the delivery of a disability service.

A **service provider** means the service provider as specified on the cover page of the Master Agreement and, where appropriate to the context, includes its permitted assigns (if any) and the service provider's staff.

Service provider's staff means all employees, agents, contractors or subcontractors employed or engaged by the service provider in respect of the services and includes any person assisting the service provider in respect of the Services in a voluntary capacity or as a volunteer.

Motor vehicle means—

- (a) a vehicle or mobile machine driven or propelled or ordinarily capable of being driven or propelled by an engine, electricity or other form of power, other than human power; or
- (b) a vehicle of a class prescribed by the regulations for the purposes of this definition (if any),

but does not include—

- (c) an aeroplane; or
- (d) a vessel; or
- (e) any other vehicle of a class excluded by the regulations from the ambit of this definition.

Passenger transport service means a service consisting of the carriage of passengers for a fare or other consideration (including under a hire or charter arrangement or for consideration provided by a third party)—

- (a) by motor vehicle; or
- (b) by train or tram; or
- (c) by means of an automated, or semi-automated, vehicular system; or
- (d) by a vehicle drawn by an animal along a public street or road; or
- (e) by any other means prescribed by the regulations for the purposes of this definition,

however, does not include a service of a class excluded by the regulations from the ambit of this definition.

Service Providers

Service providers must:

- have written policies and procedures in place to address the requirements of this Code of Practice;
- use an accredited passenger transport service where possible (if not transporting clients as part of service provision).

Keeping of Records

Service providers must retain records that are required to be kept under this Code of Practice for a period of not less than two (2) years after date of the last entry in it.

Service providers must make available any related records if requested by the Department for Communities and Social Inclusion.

Maintenance of Motor Vehicles

Service providers must have documented policies, procedures and a maintenance program in place for vehicles used in its services (owned, leased or privately owned) to ensure safety, maintenance of roadworthiness/reporting and clearing of defects and appropriate passenger comfort.

Prescribed Scheme of Maintenance for Buses

It is a legislative requirement that all operators of buses registered in South Australia comply with Schedule 5 (1) – Codes of practice for bus operators of the [Passenger Transport Regulations 2009](#).

All buses must comply with section 54 of the [Passenger Transport Act 1994](#) and section 139 of the [Passenger Transport Regulations 2009](#) in relation to inspections and the prescribed scheme of maintenance for buses.

Registration and Compulsory Third Party Insurance

Service providers must have a system in place to ensure that all motor vehicles used to transport clients hold current and valid motor vehicle registration.

Compulsory third party insurance (CTP) that is included within the registration fee, provides compensation to crash victims where the owner or driver of a registered South Australian vehicle is at fault. It may also cover crash victims where a passenger is at fault.

It is the **service provider's** or **private vehicle owner's** responsibility to ensure that the motor vehicles used to transport clients are insured for CTP at the appropriate premium class that is determined by, amongst other things, the type of vehicle and the use of the vehicle.

Penalties apply for failing to insure the motor vehicle at the correct premium. The service provider or vehicle owner may also be liable to recovery action in the event a claim on the policy.

The fees, or premiums, can be viewed in the CTP premium schedule sent out with vehicle registration notices. More information is available from Service SA customer service centres or by calling 131 084.

Insurance

In addition to CTP insurance, **service providers** must demonstrate that all vehicles that transport clients have appropriate insurance cover:

- All motor vehicles owned or leased by service providers must have comprehensive insurance cover.
- All private vehicles used by drivers to transport clients must have at least third party property Insurance cover. Service providers must ensure that the insurance policy is current at the time of transporting clients. Vehicle owners must ensure the insurance policy allows the vehicle to be used in the course of employment.

Employment Screening

Under the [Disability Services \(Assessment of Relevant History\) Regulations 2014](#), service providers must ensure drivers undergo 'Disability Services Employment Screening' by the Department for Communities and Social Inclusion's Screening Unit.

To ensure compliance with the [Children's Protection Act 1993](#) and the [Children's Protection Regulations 2010](#), service providers must ensure drivers providing services to children undergo 'Child-related Employment Screening' by the Department for Communities and Social Inclusion's Screening Unit.

Further information about employment screening requirements please refer to: <https://screening.dcsi.sa.gov.au/home>.

Service providers must demonstrate that a police offender (driving) history policy and procedure is in place for all drivers who will be driving clients, prior to their engagement.

Driver's Licence

Service providers must have a system in place to ensure that all drivers who transport clients have an appropriate driver's license for the category of vehicle used. It is the responsibility of the service provider to ensure that all drivers that transport clients have appropriate training and skill to ensure client safety while being transported.

At minimum, service providers should sight and record sighting staff driver's licences at least on an annual basis.

Obligations of Drivers

Drivers must:

- Maintain a reasonable standard of personal cleanliness and appearance.
- Agree, in writing, to immediately notify the service provider of any medical condition, licence cancellation or other restriction that may affect their ability to transport clients.
- The vehicle must be kept clean when used for carrying clients and free of loose objects.
- Drive to the road conditions and observe the laws that relate to safe driving.
- Drive defensively in the interests of public safety.
- Treat clients with politeness, courtesy, helpfulness and honesty.
- Be particularly sensitive to the needs of people with disability.

Drivers must not:

- Drive the motor vehicle, or attempt to put the vehicle in motion, while there is present in his or her blood any concentration of alcohol and/or drugs, as per current laws.
- Consume or use alcohol or a drug or substance for which the consumption or use of is prohibited by law between the time of commencing work and ceasing work on any day.
- Smoke in the motor vehicle.

Drivers of Buses

Where buses are used to transport clients, drivers will require accreditation in accordance with the [Passenger Transport Act 1994](#).

Log Book

Service providers must ensure that each vehicle has a log book that, as a minimum, records:

- The name and signature of the driver.
- Date and time of journey.
- Record of the odometer reading.

The log book must be filled out by the driver for every journey.

Passenger Safety

- Passenger seating limits are not to be exceeded.
- By law, it is the responsibility of the driver to ensure that all passengers wear a seat belt.
- Where possible, additional staff member/volunteers should travel in vans to assist with supervision.
- Drivers must ensure that clients are not left unsupervised in vehicles at any time.
- Drivers must ensure that recommended safety procedures are followed (e.g. locked doors whilst traveling, appropriate use of parking brake, use of headlights in poor weather conditions etc.).
- Drivers must minimise the risk to clients associated with the provision of transport during hot weather and/or days of high or critical fire danger. Further information about keeping safe in emergencies is available at:
<https://www.dcsi.sa.gov.au/services/disaster-recovery/keeping-safe-in-emergencies>.

Example Templates

Vehicle Roadworthiness Report

Roadworthy against a minimum checklist (at least an annual roadworthy check/ servicing by an accredited mechanic)

Name:

Address:

..... Odometer reading: kms

Vehicle make and type: Registration number:

Compliance plate date (if fitted): or approx year model:/...../.....

Conditions

The inspection to which this report refers is visual only and does not include defects or conditions that may be discoverable by dismantling. Tick indicates OK, X indicates needing attention.

The report applies only to the conditions of the vehicle at the time of inspection, and no liability is accepted for defects or conditions that occur following this inspection. This inspection includes a road test up to 60km/h.

Checklist

- | | | | | | | | | |
|---|--------------------------|------------------|----|--------------------------|---------------------------|----|--------------------------|--------------------------------|
| 1 | <input type="checkbox"/> | Steering | 9 | <input type="checkbox"/> | Headlights/parklights | 17 | <input type="checkbox"/> | Rear vision mirror |
| 2 | <input type="checkbox"/> | Front suspension | 10 | <input type="checkbox"/> | Taillights | 18 | <input type="checkbox"/> | Doors and catches |
| 3 | <input type="checkbox"/> | Rear suspension | 11 | <input type="checkbox"/> | Stoplights | 19 | <input type="checkbox"/> | Seat belts |
| 4 | <input type="checkbox"/> | Chassis frames | 12 | <input type="checkbox"/> | Rear reflectors | 20 | <input type="checkbox"/> | Exhaust system |
| 5 | <input type="checkbox"/> | Brakes – foot | 13 | <input type="checkbox"/> | Number plates | 21 | <input type="checkbox"/> | Road test |
| 6 | <input type="checkbox"/> | Brakes – park | 14 | <input type="checkbox"/> | Turn indicators | 22 | <input type="checkbox"/> | Hoist check
(if applicable) |
| 7 | <input type="checkbox"/> | Wheels and tyres | 15 | <input type="checkbox"/> | Windows/screens | 23 | <input type="checkbox"/> | Other safety |
| 8 | <input type="checkbox"/> | Horn | 16 | <input type="checkbox"/> | Windscreen wipers/windows | | | |

Summary of Defects and Road Test:

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

...../...../.....
(signature) (qualifications) (date)

Private Vehicles – Conditions of Use

I, , agree to the following conditions regarding my use of my own private vehicle for agency business:

1. I will maintain the vehicle in a roadworthy condition, and supply to the office annually, a completed vehicle inspection sheet and evidence of regular servicing.
2. I have provided a photocopy of my current driver's licence and it is my responsibility to provide a photocopy of all renewals to ensure a current copy is always on file at the office. Any changes to my licence conditions will be reported to the office immediately.
3. I have provided a photocopy of my current registration and compulsory third party insurance and it is my responsibility to provide a photocopy of all renewals to ensure a current copy is always on file at the office. Any changes to my registration will be reported to the office immediately (eg change of vehicle or the use of a second car for work purposes).
4. I have provided a photocopy of my current third party property insurance or comprehensive insurance, and it is my responsibility to provide a photocopy of all renewals to ensure a current copy is always on file at the office.
5. I have checked with my insurer that I can use the vehicle for work purposes, including carrying clients, and have complied with any requirement in this regard.
6. I am fully responsible for my vehicle in the event of any claim that arises as a result of an accident, in conjunction with my insurer.

..... /...../.....
(signature) (date)

Approved by Manager: Yes No

..... /...../.....
(signature) (date)

NB: All use of private vehicles for work purposes must be part of the Service Agreement and approved by the appropriate coordinator before you use your vehicle.

Visual Vehicle Inspection Sheet

Vehicle Registration Number:

Items	Last Checked	Defect	Rectified
Lights			
Headlights			
Park			
Low Beam			
High Beam			
Indicators			
Hazard lights			
Brake lights			
Reversing Lights			
Tyres			
Front			
Rear			
Spare			
Seat Belts			
Front			
Rear			
First Aid Kits (check expiry dates)			
Fire Extinguisher			
Hoist/Restraints			
Hoist Control			
Floor Restraints			
Brakes			
Front			
Rear			
Handbrake			
Oil			
Engine			
Transmission			
Battery			
Water and Leads			
Radiator – Coolant			
Windscreen and Windows			
Windscreen Wipers			
Exhaust System			
Registration Current			

..... /..... /.....
 (signature) (print name) (date)