

Code of conduct for Queensland Accredited Rider Trainers

Effective from 21 January 2022

Department of Transport and Main Roads

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Terms, abbreviations and acronyms

Terms, abbreviations and acronyms	Definition
accredited rider trainer	a person who holds an approval under Part 2 of the AOP Regulation as an accredited person with the function of a rider trainer
AOP Regulation	the <i>Transport Operations (Road Use Management – Accreditation and Other Provisions) Regulation 2015</i>
ART	accredited rider trainer
chief executive	the Director-General of TMR and officers allocated the legislative responsibilities and functions under an instrument of delegation
the Code	this <i>Code of Conduct for Queensland Accredited Rider Trainers (2021)</i>
complaint	the verbal or written expression of dissatisfaction about the provision of Q-Ride training
learner rider	a person who is undertaking rider training within the Q-Ride scheme
qualifying licence	a current valid open licence authorising the holder of the licence to drive the class of motor vehicle (as defined in section 27 of the AOP Regulation)
Q-Ride training	The three (3) Q-Ride courses, that is, Pre-learner, Restricted (RE) and Unrestricted (R), that form a standardised competency-based training and assessment program in Queensland's motorcycle licensing system. The courses are provided by registered service providers and delivered by accredited rider trainers
registered service provider	a person or entity approved by TMR to provide Q-Ride training
student	a learner rider or returning rider who is eligible to receive Q-Ride training
TMR	the Department of Transport and Main Roads

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Effective date

This policy version will take effect from 21 January 2022.

1. Purpose

The purpose of the Department of Transport and Main Roads' (TMR) *Code of Conduct for Queensland Accredited Rider Trainers* (the Code) is to provide clear standards of conduct that accredited rider trainers (ARTs) must adhere to at all times in association with activities connected to, or associated with, the delivery of Q-Ride training.

TMR, the community and the motorcycle rider training industry have an expectation that all ARTs will put students first, have a comprehensive knowledge of the road rules, demonstrate safe motorcycle riding behaviours and attitudes that promote road safety and display professional and respectful conduct.

This Code can be found on the TMR website at <https://www.tmr.qld.gov.au/business-industry/Accreditations/Driver-and-rider-trainers> and should be provided to students and members of the public if requested.

2. Legislative authority

The Code is authorised under section 19 of the *Transport Operations (Road Use Management – Accreditation and Other Provisions) Regulation 2015* (AOP Regulation). This section allows the chief executive to make a code for the conduct of ARTs relating to Q-Ride training.

3. Scope

The Code applies to a person who holds a current rider trainer accreditation under Part 2 of the AOP Regulation.

The Code applies at all times in association with activities connected to, or associated with, the delivery of Q-Ride training and includes the use of personal information provided to the ART by a student to undertake Q-Ride training.

ARTs must comply with the Code and breach/es may result in TMR suspending or cancelling a rider trainer's accreditation.

The Code applies in addition to, and does not supersede, any other legal obligations that apply to ARTs in the course of conducting activities connected to, or associated with, delivery of Q-Ride training.

4. The Code

4.1 Safety and standards

Q-Ride training is the most direct way to improve safety outcomes for motorcycle riders by providing students with the relevant skills and experience to ride a motorcycle safely on the road. The importance of students being adequately trained and assessed by an ART, on behalf of TMR, cannot be understated. ARTs have a responsibility to demonstrate a high standard of safety in the delivery of Q-Ride training.

ARTs are required to comply with a number of requirements in the AOP Regulation that exist to ensure the safety of the students during Q-Ride training. For example, ARTs must:

- maintain their competency to deliver Q-Ride training
- ensure the ratio of students to ARTs is no more than 5:1
- not issue a Q-Ride competency certificate to a student who cannot demonstrate they are competent in all elements of the course.

At all times when delivering Q-Ride training, ARTs must appropriately manage hazards and risks to their students, themselves and to other road users. This includes preparing road ride risk assessments, wearing protective clothing, checking equipment and ensuring their students are wearing protective clothing.

Q-Ride training not only focuses on fundamental motorcycle handling skills and techniques, but also on higher order skills and behaviours such as rider attitude, hazard perception, the importance of safety gear and ensuring consistent road safety messages are conveyed. Therefore, it is imperative that ARTs model and promote positive road safety behaviours and attitudes to their students. This includes knowing and following all road rules and avoiding comments or actions that may encourage or normalise risk-taking.

4.2 Professional and respectful conduct

As ARTs provide a valuable and critical role in the motorcycle graduated licence system on behalf of TMR and are trusted representatives of the rider training industry, they are required to demonstrate integrity and impartiality by:

- committing to honest, fair and respectful engagement with the community
- showing respect towards their students, TMR employees and the general public
- acknowledging any conflicts of interest and resolving or managing these appropriately in favour of the public interest
- demonstrating a high standard of professional workplace behaviour and personal conduct.

Any unprofessional or unacceptable conduct, substantiated complaints or breaches of the Code may result in TMR suspending or cancelling a rider trainer's accreditation (refer to Section 6: Compliance and enforcement).

ARTs are required to display professional and respectful conduct at all times in association with activities connected to, or associated with, the delivery of Q-Ride training.

An ART must not engage in any unacceptable conduct or behaviour, in association with activities connected to, or associated with, the delivery of Q-Ride training. This includes, but is not limited to, the following examples:

- making discriminatory or derogatory comments about a person's age, disability, gender, racial or ethnic background, religion or sexual orientation
- intimidating, abusing or threatening the student, TMR employees or any other persons
- rude, disrespectful or aggressive behaviour towards students, TMR employees or the general public This could include disrespectful retorts or arguing with TMR employees about audits or policies. It also includes nonverbal gestures that are rude or hostile in nature. Behaviours could also include continual passive aggressive comments that persist after requests to cease the behaviour. Abusing or swearing at TMR employees or other students in front of students is also considered unacceptable.
- demonstrating inappropriate behaviour towards students, including touching, conversations and showing images
- taking photographs, recordings or other images of students, TMR employees or any other persons for any purpose, without consent
- allowing third parties to observe, take photographs, recordings or other images of students for any purpose without consent
- sharing or publishing photographs, recordings or other images of students, TMR employees or any other persons, or allowing third parties to do so, for any purpose, without consent
- inappropriate and/or derogatory comments and posts on websites and social media
- acting in a manner that brings the Q-Ride scheme, the rider training industry, other ARTs or driver trainers and/or TMR into disrepute.

4.3 Diversity and inclusion

TMR supports an inclusive and diverse workforce that reflects the community it serves.

ARTs are required to uphold the principles of diversity and inclusion by recognising and respecting the skills and insights of learner riders, the rider training industry and TMR employees regardless of age, disability, gender, ethnicity, religion or sexual orientation.

4.4 Conflicts of interest

ARTs assess students' competency to be issued a motorcycle licence by TMR. An ART should avoid assessing students where a conflict of interest may exist between their roles and responsibilities of their accreditation and their private interests. A conflict of interest for an ART may include personal relationships, employment in other industries, membership of special interest groups or ownership of shares, companies or property. A conflict could influence, or be seen to influence, their role and responsibilities as an ART. For example, a student may be a family member or another person whom the ART has a relationship with.

Conflicts of interest may be:

- Actual — where there is a direct conflict between your role and responsibilities as an ART and your private interests
- Potential — where your private interests could conflict with your role and responsibilities as an ART in the future
- Perceived — where it could be perceived, or appears, that your private interests could improperly influence the performance of your role and responsibilities as an ART, whether or not this is the case.

When such a situation arises, the ART should take action to manage or resolve the conflict, depending on whether the conflict is actual, potential or perceived, and make a record of the action taken. Approaches can include:

- **Restricting** your involvement in the matter
- **Removing** yourself from the matter
- **Relinquishing** the private interest that is creating the conflict of interest.

ARTs should ensure that any conflicts are resolved in a fair and timely way.

Example: Alex is an ART whose cousin books a Q-Ride pre-learner course with the RSP where they are employed. When Alex finds out, they discuss this with their RSP. While Alex believes they would be able to assess their cousin fairly, they and their RSP decide to book their cousin on a course when another ART is rostered on to avoid the perception that a family relationship may have influenced the assessment of the student's competency. They and their RSP make a record of the action taken.

4.5 Fraud and corrupt conduct

TMR requires ARTs to display conduct that demonstrates integrity and impartiality by committing to honest, fair and respectful engagement at all times in association with activities connected to, or associated with, the delivery of Q-Ride training. An ART must hold and maintain a current valid open licence authorising the holder of the licence to drive the class of motor vehicle (qualifying licence) and current qualifications (as prescribed by TMR) at all times. An ART must not provide false or misleading information to students, prospective students or to TMR. When verifying entries in student training and assessment records, ARTs must provide accurate and correct information about the training they have provided.

4.6 Information privacy

The ART and their RSP must only collect, use, store and disclose the personal information of students, or their parent/guardian (where applicable), for the express purpose of delivering Q-Ride training, assessment and licensing functions and the retention of training records in accordance with the AOP Regulation and Q-Ride Business Rules.

An ART must not disclose or use any personal information collected by an ART or their employer to a third party without the learner rider's express written consent or if required by a court order. This includes taking photographs, recordings or other images of the learner rider or other learner riders for any purpose without consent.

5. Complaints relating to the Code

The ART must advise the student prior to, or at the commencement of, the first Q-Ride training course of their own or their employer's complaint management policy and procedure. Complaint management policies should cover the following:

- Most complaints about the behaviour and **conduct** of an ART should be directed to, and addressed by, ARTs or their employer in the first instance. Where a resolution is not reached or is not satisfactory, students may direct their complaint to TMR at <https://www.tmr.qld.gov.au/Contact-us>. For serious or sensitive matters, customers may choose to report the complaint to TMR directly in the first instance.
- Complaints about **fees** charged for lessons should be directed to ARTs or their employer in the first instance. Where a resolution is not reached or is not satisfactory, a student may direct their complaint to the [Office of Fair Trading \(Qld\)](#) (Department of Justice and Attorney-General).
- Complaints relating to **discrimination** should be referred to the [Australian Human Rights Commission](#) or the [Queensland Human Rights Commission](#) (formerly the Anti-Discrimination Commission Queensland).
- Complaints relating to conduct of a **criminal** nature (such as assault) should be referred to the [Queensland Police Service](#). These matters may also be reported directly to TMR. TMR takes such complaints very seriously and has legislative grounds to amend, suspend or cancel approvals, on public safety grounds.

All complaints received by TMR relating to the conduct of ARTs will be managed in line with TMR's [Complaints Management Policy](#) and TMR's Q-Ride Complaints Management Procedure found [here](#). This includes an assessment and evaluation of the relevant information by an impartial decision-maker, applying procedural fairness and providing reasons for the decision and applicable review rights.

An immediate decision to suspend an accreditation may be made where a complaint involves public safety concerns.

6. Compliance and enforcement of the Code

Breaches and suspected breaches of the Code will be investigated and may result in:

- education
- audit
- action against a rider trainer's accreditation, including amendment, suspension or cancellation
- referral to other agencies, such as the Australian Human Rights Commission or the Queensland Police Service.