

Code of Conduct for Accredited Driver Trainers – December 2015

Purpose of code of conduct

This code applies to a person who has been granted driver trainer accreditation as a driver trainer under Part 2 of the *Transport Operations (Road Use Management – Accreditation and Other Provisions) Regulation 2015*.

The code sets the standard of conduct expected of accredited driver trainers in Queensland and can be made available to learner drivers and members of the public so that they know what behaviours to expect from accredited driver trainers.

Learner drivers and the general public have a reasonable expectation that a person being granted accreditation as a driver trainer will be a safe and competent driver, have a comprehensive knowledge of the road rules and model safe driving behaviours and professional conduct.

This code of conduct is made under section 19 of the *Transport Operations (Road Use Management – Accreditation and Other Provisions) Regulation 2015*.

Under Schedule 1 of the *Transport Operations (Road Use Management – Accreditation and Other Provisions) Regulation 2015*, accredited driver trainers must comply with the code of conduct as a statutory condition of accreditation.

Contravention of a statutory condition of accreditation may result in the driver trainer or rider trainer accreditation being amended, suspended or cancelled.

Definitions

In this code:

Driving lesson means a period of time where teaching, training, or tuition is provided to a learner driver by an accredited driver trainer.

Driver training means advice, demonstration, instruction or training for driving a motor vehicle.

Learner means a person who is undertaking driver training and holds a driver licence authorising the person to learn to drive the class of motor vehicle for which the training is given.

Refer Schedule 7 of the *Transport Operations (Road Use Management Accreditation and Other Provisions) Regulation 2015*.

Legislative requirements

Under section 12 of the *Transport Operations (Road use Management – Accreditation and Other Provisions) Regulation 2015*, driver trainer accreditation is automatically suspended or cancelled if the driver trainer's driver licence is suspended or cancelled.

It is an offence under section 28, for a driver trainer to continue to provide driver training while their driver licence is cancelled or suspended. Under section 37 of the *Transport Operations (Road Use Management – Accreditation and Other Provisions) Regulation 2015*, a rider trainer accreditation is automatically cancelled if their driver trainer accreditation is amended to no longer include class R motorbike or if their driver trainer accreditation is cancelled, suspended or surrendered.

Other requirements and offences are detailed in Part 2 of the *Transport Operations (Road Use Management – Accreditation and Other Provisions) Regulation 2015* and in Schedule 1 Part 1.

Privacy/abuse of power or information

The driver trainer shall respect the privacy of learner drivers or former learner drivers and in particular, must not distribute or make use of any personal details of learner drivers or former learner drivers without their express consent.

This includes, for example, the inappropriate use of any other person's licence details for the purpose of securing a driving test booking.

A driver trainer shall not provide false or misleading information to learner drivers, prospective learner drivers, family members, or guardian.

When verifying entries in learner driver log books, driver trainers shall provide true and correct information about the training they have provided.

Conflict of Interest

The driver trainer shall avoid any conflict between personal interests and official duties.

Punctuality towards learner driver

A driver trainer shall arrange his or her affairs so as to ensure, as far as practicable, that an appointment with a learner driver for instruction or assessment is not delayed. Where a delay or cancellation is unavoidable the driver trainer shall endeavour to contact the learner driver to advise him or her of the extent of the delay.

Under these circumstances the driver trainer shall provide an opportunity for the learner to cancel the appointment and make other arrangements.

Courtesy

A driver trainer shall behave courteously towards any persons with whom he/she comes in contact when providing pre-licence driver training.

Such persons may include learner drivers, family members, guardian of the learner driver, or any TMR staff member.

A driver trainer shall present themselves in a professional manner, and demonstrate respect for a person's individual rights.

While undertaking pre-licence driver training, driver trainers shall apply themselves solely to the task and not engage in other activities that are not associated with the delivery of training or assessment services.

Behaviour

A driver trainer must not engage in unacceptable behaviour towards a learner driver, a family member or guardian, any TMR staff or other driver training industry members. Unacceptable behaviour includes:

- To intimidate, abuse, insult, make physical advances or threaten a person
- To make offensive remarks, or publish defamatory material (including through social media) which may cause distress to others
- To otherwise act in a manner to bring into disrepute TMR, the driver training industry or individual driver training industry members.

Driver trainer presentation

A driver trainer should dress in a neat, conservative and tidy manner.

The vehicle the driver trainer provides to give training must be clean, tidy and free of odours, and comply with section 29 of the *Transport Operations (Road Use Management – Accreditation and Other Provisions) Regulation 2015*.

Mobile phones and other distractions

Driver trainers must not cause themselves or the learner to be distracted, for example, by:

- The use of mobile phones,
- Reading,
- Smoking,
- Eating, or
- Drinking during the course of giving instruction.

Third parties in training vehicle

A driver trainer shall not allow third parties in the training vehicle without first gaining advanced consent of the learner driver, family members or guardian.

Lesson fees

A driver trainer shall inform the learner driver, family members or guardian, before or at the commencement of their first driving lesson of the fee/fee structure for the lesson, or package of lessons, and of any refund policy, cancellation policy, and of the acceptable methods of payment.