Unauthorised use of TM Designer Credentials

Background

The Department of Transport and Main Roads (the department) has seen several instances of Traffic Management Designers’ (TMD) names, electronic signatures and numbers being used without their authority.

The purpose of this fact sheet is to advise professionals in the traffic management industry that instances of inappropriate and intentionally fraudulent use of TMD credentials do occur, what to do if you identify suspected inappropriate use, and how you can reduce the risk of this happening to you.

This typically occurs due to lax practices and procedures within organisations (for example, an employee accessing and applying a TMD’s electronic signature without express authority). However, there are extreme cases where use of a TMD’s name, electronic signature and number have been intentionally fraudulent.

A recent example

The Board of Professional Engineers of Queensland (BPEQ) has also received reports of similar practices occurring with respect to the inappropriate use of Registered Professional Engineer of Queensland’s (RPEQ) credentials. Recently the QPS successfully prosecuted an employee of a construction company in the Magistrates Court. Such conduct can lead to prosecution by the Queensland Police Service (QPS) for forgery or fraud and can result in a maximum sentence of 5 years imprisonment.

This was for the fraudulent use of the name, signature and RPEQ number of a former employee on Form 16 building aspect certificates for retaining walls. The offending employee was sentenced to a suspended term of imprisonment. You can view a copy of the article via this link.

What to do

If you believe that your credentials are being, or have been, used without your authorisation, take immediate action by obtaining legal advice, making a complaint to the QPS, and notifying the department by contacting Coryn Hedges via TMDesign@tmr.qld.gov.au. If you identify a situation where someone may be fraudulently using the credentials of another TMD, you are strongly encouraged to advise that TMD as soon as possible.
How to reduce risk

The BPEQ has published a series of newsletters regarding this issue, and have compiled the following methods to reduce the risk of someone fraudulently using your TMD credentials:

1. Be highly protective of your credentials. Maintain an awareness of the possibility that your signature may be used without your authorisation.
2. Never provide to any person any authority to attach your credentials to any document without your express and, preferably written, authorisation.
3. Never allow any person out of convenience or convention to form a practice or belief that they can use your credentials without your express authorisation, regardless of the urgency or alternatively routine nature of the matter.
4. Maintain comprehensive records in relation to all engineering jobs (traffic management jobs) to which you have been involved and provided any certification for, including details of design versions.
5. If possible, introduce a unique reference system in relation to any signatures that you apply to certifications.
6. Ensure that your contact details on the TMD register are current so that any person or entities wanting to confirm any matter, including the department, can immediately contact you.
7. Ensure that your records are in a format that is reliable, accessible and portable, so that you have a record of jobs undertaken even after you leave an organisation.

What if you don’t take action?

If you do not take reasonable steps to protect your TM Design there will be a risk to you if someone is hurt on a site with your card number used on the design. The onus will be on you to prove you did not develop the design. An accurate and reliable record management process will assist you in providing the necessary evidence to substantiate your claim.

If you have any questions regarding the fraudulent use of TM Design credentials, if you would like to report potentially fraudulent use, or if you’d like to update your contact details for the TM Design register, please contact Coryn Hedges by email at TMDesign@tmr.qld.gov.au.