How do I manage contractor safety in my trucking business?

Contracts and subcontractors - checked 7 Nov 2026

Treat contractors as part of your safety system, not outside it. Under the chain of responsibility, you and your contractors each have a duty for the safety of the transport work you share. Check them before they start, agree who does what, induct them, and keep an eye on them while they work for you.

Who counts as a contractor

- Subcontract drivers and owner-drivers
- Other carriers you pass loads to
- Labour hire drivers and yard staff
- Mechanics, tyre fitters and other trades

Your duty doesn't move to them

Under the Heavy Vehicle National Law, every party in the chain of responsibility must ensure, so far as reasonably practicable, the safety of their transport activities. Using a contractor doesn't hand your duty to them - you both have one. WHS laws work the same way: where duties overlap, you must consult, cooperate and coordinate with each other.

Five steps

1. Check

Before they start: ABN, licences, rego, insurance, and any accreditation they say they hold.

2. Agree

Put in writing who manages fatigue, loading and maintenance for the work they do for you.

3. Induct

Take them through your site rules, your procedures and how to report incidents and hazards.

4. Monitor

Keep an eye on hours where you schedule the work, daily checks, incidents and complaints.

5. Review

At least once a year, and after any incident. Keep a record.

Don't push them

Rates, deadlines or schedules that can only be met by speeding or breaking hours put you in breach too. Chain of responsibility covers the people who set them.

Subcontractors under your accreditation

- Under Heavy Vehicle Accreditation, subcontractors can be included in your accreditation if they work full-time for you and agree to comply with the accreditation standards.
- Their vehicles are nominated and managed like your own - including maintenance and mass management.
- Your system has to show they are meeting the same standards as your own drivers and trucks.

The NHVR has a quick guide and a third-party engagement checklist template to help you set this up.

General information, not legal advice.

Sources

NHVR - Regulatory advice: the primary duty - https://www.nhvr.gov.au/safety-accreditation-compliance/chain-of-responsibility/regulatory-advice/the-primary-duty

NHVR - SMS quick guide: third party interactions - https://wws.nhvr.gov.au/files/201805-0803-sms-quick-guide-third-party-interactions.pdf

NHVR - HVA scheme operator guideline 2026 - https://wws.nhvr.gov.au/files/media/document/925/202607-1778-hva-scheme-operator-guidelines.pdf