

CODE OF PRACTICE

KEYS2DRIVE-ACCREDITED INSTRUCTOR



KEYS 2 DRIVE

it's in your hands

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1. INTRODUCTION

Keys2drive is an Australian Automobile Association (AAA) road-safety initiative. Funded by the Australian Government and supported by Australia's state and territory-based motoring clubs, Keys2drive aims to minimise the risk of harm – particularly in the first six months – for new solo drivers and their passengers. Participants learn ways to build a foundation of knowledge and skills for a lifetime of safe driving.

Currently, the moment learners gain their provisional (P) licence and drive unsupervised, their risk of being in a crash where someone is hurt increases about thirty times. This risk remains high until it gradually decreases after six to twelve months of solo driving.

Keys2drive works with learner drivers and their parents or supervisors to help new drivers learn how to be safer solo drivers **before** they drive solo. Keys2drive uses a 'train the trainer' approach to teach supervising drivers how to pass on safe and correct habits and driving practices to learner drivers. Supervising drivers learn first how to share and then gradually and safely **let go of control** of the vehicle. Progressively, learner drivers learn to **take control** and safely navigate the early stages of solo driving, aiming for six months with zero harm.

Accredited driving instructors play a critical role in Keys2drive. Teaching learner drivers how to be safer solo drivers and coaching their supervising drivers requires special capabilities. Keys2drive-accredited driving instructors have a genuine commitment to road safety, superior knowledge, and a willingness to share their learning.

2. PURPOSE AND OBLIGATION

This Code of Practice (Code) states clearly the standard of conduct the AAA requires of Keys2drive-accredited driving instructors. This means:

- Keys2drive-accredited driving instructors know exactly what is required of them
- Learner drivers and their supervising drivers can be assured they will receive the level of service the AAA has promised them.

Keys2drive-accredited driving instructors agree to abide by this Code at all times. Learner drivers and their supervising drivers may judge Keys2drive-accredited driving instructors by this Code.

The requirements of this Code cannot be changed or amended to suit what a Keys2drive-accredited driving instructor might see as a different business approach or philosophy.

The AAA recommends that Keys2drive-accredited driving instructors make the Code available to learner drivers, their supervising drivers, and to members of the general public.

Keys2drive-accredited driving instructors are obligated to support the principles in this Code as part of their Keys2drive accreditation and for the advancement of driver training and education.

In the event of any inconsistency between this Code and any legislative or regulatory requirements imposed on Keys2drive-accredited driving instructors, the latter will apply to the extent of the inconsistency.

3. DEFINITIONS

In this Code, unless the contrary intention appears:

AAA – the Australian Automobile Association

Bribe – anything given, promised or offered to improperly influence a driving instructor

Client – a Keys2drive learner driver and/or a supervising driver

Code – the Keys2drive-accredited driving instructor Code of Practice

Driving instructor – a person granted a licence as a driving instructor under the applicable state or territory legislation

Driving lesson – a specified period of time in which a driving instructor teaches and/or assesses a learner driver

Driver training – advice, demonstration, instruction or training for the driving of a motor vehicle

Dual controls – devices which duplicate brake and, where required, clutch and accelerator foot controls

Employ – includes any engagement, whether or not for remuneration

Instructor basic training program – a Keys2drive-devised program that includes, but is not limited to, an online training package

Instructor deed – a deed signed by a Keys2drive-accredited driving instructor, which outlines the terms and conditions under which the driving instructor has been accredited to provide the Keys2drive free driving lesson

Keys2drive – the Keys2drive safer solo driving program and its various elements

Keys2drive-accredited driving instructor – a driving instructor accredited to deliver the Keys2drive program

Keys2drive administration team – any or all member(s) of the Keys2drive staff

Keys2drive free driving lesson – a specified period of time in which a Keys2drive-accredited driving instructor provides teaching and support to a learner driver and their supervising driver

Keys2drive learner driver – a person registered as a new driver at www.keys2drive.com.au

Learner driver – a person granted a learner licence by the relevant state or territory authority, or any other person receiving pre-licence driver training

Services – any tuition, advice or education a Keys2drive-accredited driving instructor provides to a client or individual

Supervising driver – the person overseeing the Keys2drive learner driver who is:

- legally authorised to be a supervising driver under the relevant state or territory legislation
- not the driving instructor
- registered as a supervising driver at www.keys2drive.com.au

Teaching – includes any form of training, instruction, coaching, or assessment

Unacceptable behaviour – includes, but is not limited to, intimidation, abuse or threats to a person; offensive jokes or language; suggestive or derogatory comments about a person's racial or ethnic background, sex, sexual preference, disability, physical appearance or religion; using stereotypes such as making assumptions about a person's peer group behaviour, values, culture or abilities; abusive or derogatory comments about a person's learning or driving ability; comments or questions about a person's sex life or any other personal issues; deliberate touching of the learner driver; the display of pictures or other material which can be interpreted as offensive and/or obscene; coercive behaviour intended to inappropriately influence the learner driver or a supervising driver; discrimination against a person on the basis of

their age, race, ethnicity, gender, nationality or politics; and misrepresenting the instructor's experience or training history.

4. REQUIRED BEHAVIOUR

4.1 BEHAVE WITH THE UTMOST INTEGRITY

A Keys2drive-accredited driving instructor will:

- behave fairly, honestly, courteously, transparently, and not engage in unacceptable behaviour in person and/or online
- provide only accurate (not false or misleading) information to learner drivers, prospective learner drivers and supervising drivers
- work in harmony with other Keys2drive providers
- be the sole person responsible for facilitating any Keys2drive lessons booked in their name
- as soon as reasonably practicable report any impropriety, bribe, or threat they become aware of to the Keys2drive administration team and applicable regulatory authority
- as soon as reasonably practicable inform a member of the Keys2drive administration team if their driver's licence and/or driving instructor licence has been suspended or cancelled
- not charge an eligible learner driver or supervisor for a free Keys2drive lesson
- inform the learner driver before, or at the beginning of their first driving lesson, of the normal fee structure for a lesson (or package of lessons) and of the acceptable methods of payment, as well as details about the refund and cancellation policies
- express opinions, make statements, or give evidence only on the basis of appropriate knowledge and experience
- willingly cooperate with any person appointed by the AAA to assess compliance with the Code
- comply with relevant requirements in the Code when engaging in Keys2drive-related social media discussions and forums.

4.2 ALWAYS EXCEED THE MINIMUM TEACHING STANDARD EXPECTED OF A DRIVING INSTRUCTOR WITH A CERTIFICATE IV IN DRIVING INSTRUCTION

A Keys2drive-accredited driving instructor will:

- provide a physically and emotionally safe learning environment at all times
- follow a well-considered teaching process that is clear to the learner driver
- facilitate purposeful and appropriate learning experiences
- provide clear instructions and directions
- adapt learning experiences to suit changing situations
- deliver program-relevant, valid and reliable content
- teach the learner driver correct driving skills
- ensure the learner driver has the necessary skills to safely and competently drive a motor vehicle unassisted and in compliance with road laws
- provide timely, and meaningful feedback
- provide meaningful practice guidelines at the end of lessons
- reflect on, and work to improve, their teaching practices during and after lessons
- keep complete and accurate training and assessment records.

4.3 COMPLY WITH CHILD SAFETY STANDARDS

A Keys2drive-accredited driving instructor will adopt minimum child safety standards to help protect learners aged under 18 years. In addition to the behavioural standards set out in the Code, Keys2drive-accredited driving instructors must:

- hold a valid Working with Children Check or state/territory equivalent (police checks will not be accepted)
- encourage parental/guardian participation in non-Keys2drive driving lessons
- avoid special relationships with learner drivers, including in person and online through Facebook or other social media platforms.

4.4 PROVIDE A SUITABLE SAFE CAR FOR LEARNER DRIVERS TO LEARN IN

In recognition of the updated Keys2drive curriculum, which now includes a new module on the importance of vehicle safety, all Keys2drive-accredited driving instructors will need to conduct lessons in the safest possible vehicle.

Driving instructors seeking Keys2drive accreditation from the date of this Code onwards must use a vehicle for driving instruction that was rated five stars by ANCAP Safety at the time of manufacture and is no more than seven years old.

Driving instructors accredited under the Keys2drive program prior to the date of this Code may use a vehicle for driving instruction with a minimum four star ANCAP Safety rating at the time of manufacture (in accordance with the definition of a compliant vehicle in the Instructor Deed) for a transitional period ending 1 July 2021.

From 1 July 2021, all vehicles used for driving instruction must have received a five-star ANCAP Safety rating at the time of manufacture, and be no more than seven years old.

Further to this, a Keys2drive-accredited driving instructor must ensure the vehicle used for driving instruction is, at all times:

- clean and tidy, with no loose objects inside or out
- maintained to the manufacturer's recommended service requirements
- checked daily to ensure at least the following are safe and legal: windscreens and windows, lights, tyres, mirrors, fuel, oil, and reservoirs for coolant, wipers, brakes and steering
- in excellent body condition (no dents, broken lights, broken mirrors etc.)
- fitted with dual controls
- smelling only of fresh air (no cigarette smoke or other odours)
- air-conditioned and able to maintain a comfortable interior temperature
- fitted with an additional interior mirror(s) for the driving instructor's use
- compliant with the applicable state or territory regulations for a driver-training vehicle
- compliant with the registration and insurance requirements in accordance with applicable state or territory regulations.

4.5 HELP NEW DRIVERS BECOME SAFER SOLO DRIVERS

A Keys2drive-accredited driving instructor will:

- integrate safe solo-driving themes in all learner driver lessons whenever practicable
- teach only Keys2drive content during free Keys2drive lessons
- at the beginning of all free Keys2drive lessons, orientate the learner driver and supervising driver towards the safer solo driving target
- fully explain how Keys2drive can help the learner driver and supervising driver to achieve the safer solo driving target
- adapt the free Keys2drive lesson to suit the context and needs of the learner driver and the supervising driver
- provide prompt and accurate feedback to the learner driver and the supervising driver
- promptly report on lessons and provide feedback to the Keys2drive administration team as applicable
- encourage ongoing participation by learner drivers and their supervising drivers in the Keys2drive program in the car and online
- mentor supervising drivers and encourage them to come back for further help and to watch lessons as their learner progresses.

4.6 BE AN AMBASSADOR FOR KEYS2DRIVE

A Keys2drive-accredited driving instructor will:

- display a sign on the premises and/or vehicle, which indicates that the driving instructor is accredited to participate in the Keys2drive program
- have a summary of the Code available for reference if requested by the learner driver or their supervisor
- actively promote the Keys2drive program and its purpose to learner drivers and their supervisors
- use Keys2drive resources, training materials, and the Keys2drive website
- supply Keys2drive information to learner drivers and their supervising drivers
- report Keys2drive-related problems, incidents, or issues using the correct process and channels.

Any Keys2drive-accredited driving instructor who owns or manages a driving school, or other business conducting Keys2drive free lessons, must ensure that all staff and contractors understand and promote the Keys2drive program in a positive and professional manner.

4.7 MODEL EXCELLENT DRIVING BEHAVIOUR AT ALL TIMES

A Keys2drive-accredited driving instructor will:

- have a comprehensive knowledge of the road rules and will obey them at all times
- model accurate, smooth, systematic and courteous driving behaviour
- model safe driving behaviour and maintain a speed and position that minimises the chance of a crash
- have safety as their strongest motivator whenever in a vehicle
- critically review the role they played in any driving near-miss or crash incident, whether or not they are legally in the right
- reflect on, willingly talk openly about, and fix their own mistakes
- be medically fit to drive and immediately notify relevant service providers of any medical condition, licence cancellation or other restriction that may affect their ability to transport clients
- be 'fit to drive' while at work, which means, among other things, not being under the influence of alcohol, drugs, prescription medication or otherwise impaired, including by fatigue
- have the competence to use the various training controls and to drive the motor vehicle should it be necessary at any stage during the course of a driving lesson.

4.8 LESSON TERMINATION

A Keys2drive-accredited driving instructor has the right to terminate a driving lesson under reasonable circumstances, such as if:

- the learner driver continues to drive the vehicle in a way that is expressly against the instruction given and/or is considered dangerous
- there is wilful vehicle abuse
- the learner driver smokes during the training session
- the learner driver engages in unacceptable conduct.

4.9 DISTRACTION

A Keys2drive-accredited driving instructor must not cause themselves or the learner driver to be unreasonably distracted, for example by:

- the use of mobile phones or other electronic equipment
- reading
- smoking
- eating
- drinking during the course of giving instruction.

4.10 KEEP LEARNING THROUGH FORMAL AND INFORMAL EDUCATION

A Keys2drive-accredited driving instructor will:

- meet the pre-entry requirements for accreditation training
- satisfactorily complete the instructor basic training program
- satisfactorily complete post-course self-coaching tasks
- promptly and satisfactorily complete Keys2drive professional development activities such as maintenance or reflective tasks.

4.11 FOLLOW PROFESSIONAL BUSINESS PRACTICES

A Keys2drive-accredited driving instructor will:

- obey all relevant state and federal legislation and guidelines pertaining to business management; these can include, but are not limited to, privacy, occupational health and safety, and road and child protection legislation
- keep sensitive client information private and obey all privacy laws
- indemnify and keep indemnified the AAA and its officers, employees, contractors and agents from and against all actions, claims, demands, costs and expenses (including the costs of defending or settling any action, claim or demand) which may arise from or as a consequence of any act or omission by the instructor
- keep and maintain accurate business records
- provide a tax receipt for all monies received for the provision of services
- have a policy, written in plain English, in relation to refunds, the collection of advanced payments, and cancellation fees for services to be rendered

- be diplomatic and tactful when responding to any complaint
- use a complaints resolution/recording procedure consistent with the outline in Appendix A
- willingly participate in an audit by authorised AAA personnel or officers of the applicable regulatory authority.

4.12 FOLLOW PROFESSIONAL INDUSTRY PRACTICES

A Keys2drive-accredited driving instructor will:

- display their current driving instructor's licence and their authority to train for the respective vehicle classes so it can be clearly seen by the learner driver and supervising driver
- focus solely on teaching activities during driving lessons and not perform other activities such as shopping or errands
- ensure that the only third parties in the car will be the supervising driver, assessor, or other person involved in the lesson and only with the permission of the learner driver
- inform learner drivers and/or supervising drivers of the presence or use of any in-vehicle recording devices (such as dash cams)
- dress neatly and conservatively and wear safe, practical footwear
- have good personal hygiene
- be prompt and punctual for lessons and, where a delay is unavoidable, attempt to contact the learner driver to inform them of the extent of the delay. Where a cancellation is unavoidable, the instructor must contact the learner driver and attempt to rebook the lesson
- identify the general geographical locations (such as streets and suburbs) where the driving lesson will occur; if the learner driver is under the age of 18, then this information must also be provided to a parent or guardian, if requested
- only employ or contract a person to give pre-licence driver training for a fee or reward when that person is licensed as a driving instructor in the applicable state or territory
- comply with all relevant regulatory requirements applicable to the operation of the registered training organisation where he or she is an assessor for vehicle licensing purposes
- ensure that any social media posts or other communications for marketing purposes comply with privacy and data protection legislation pertaining to digital communication, the laws regarding spam, copyright and other online issues.

4.13 USE SOCIAL MEDIA RESPONSIBLY AND PROFESSIONALLY

Keys2drive-accredited driving instructors must use social network sites responsibly and professionally; this includes, but is not limited to:

- ensuring that clients' personal information is not compromised
- treating other social media users, including clients and colleagues (and their views and opinions) with respect
- being careful not to damage the reputation of colleagues, the AAA or the Keys2drive program and staff
- not distributing, circulating, or publishing footage taken from Keys2drive lessons from in-car cameras, without written permission from both the Keys2drive administration team and the learner driver
- removing or editing a post or advertisement as soon as practicable if instructed by the Keys2drive administration team.

5. FAILURE TO ABIDE BY THE CODE

The Code is administered by the Keys2drive administration team. A Keys2drive-accredited driving instructor must comply with the Code at all times.

A breach of any Code condition, as detailed in Section 4 of this document, may result in the Keys2drive-accredited driving instructor being cautioned, counselled or having their accreditation under the Keys2drive program suspended or cancelled.

Keys2drive-accredited driving instructors shall have a customer complaints procedure as outlined in Appendix A. If a learner driver, parent/guardian or supervising driver makes a complaint suggesting a breach of this Code, a member of the Keys2drive administration team will contact the Keys2drive-accredited driving instructor and request a formal response. If the complaint is of a serious nature, the Keys2drive-accredited driving instructor's accreditation will be suspended and their details removed from the Keys2drive website until the complaint is resolved.

If the complaint is proven to be unfounded, Keys2drive accreditation will be reinstated. If the complaint is proven, the Keys2drive-accredited driving instructor will have their accreditation cancelled or suspended, depending on the seriousness of the complaint.

All complaints will be handled in strict confidence. Any complaint relating to impropriety, criminal activity and/or sexual misconduct will immediately be referred to the appropriate authorities.

6. DISPUTE RESOLUTION

The AAA will convene a Dispute Resolution Committee (Committee) when a dispute is logged with the Keys2drive administration team regarding the suspension or cancellation of a driving instructor's Keys2drive accreditation.

The Committee shall consist of:

- a chairperson, appointed by the AAA
- a member of the Keys2drive administration team
- a person appointed by the Australian Driver Trainers Association.

A member or proposed member of the Committee shall advise the chairperson, and take no further part in any dispute resolution proceedings, where he or she has:

- a direct interest, pecuniary or otherwise
- an interest which could otherwise conflict, or appear to conflict, with the proper performance of his or her duties as a member of the Committee.

A member or former member of the Committee shall ensure confidentiality and shall not, unless required by law, disclose any information acquired as a consequence of his or her position.

A member or former member of the Committee shall not be liable for any action, or lack of action, in good faith or in connection with any duties relating to this Code.

The chairperson may replace a Committee member with another eligible person in the event that the chairperson has reasonable grounds to believe that the member has a conflict of interest.

The appointment of a member to the Committee is not invalidated, and shall not be called into question, by reason of a defect or irregularity in, or in connection with, the appointment of the member.

The decision of the Committee will be final.

7. ACKNOWLEDGEMENT

This Code was developed in line with similar documents from a number of Australian driver training professional associations, in particular the Australian Driver Trainers Association Code of Conduct. Keys2drive acknowledges and greatly appreciates the support and assistance of the various driver training professional associations around Australia.

APPENDIX A:

CUSTOMER COMPLAINT PROCEDURES

Keys2drive-accredited driving instructors are required to have a complaints resolution/recording procedure that is consistent with the outline below.

- Instructors should advise the learner driver, before or at the beginning of the first driving lesson, that there is a procedure in place for learner drivers to make a complaint about the driving instructor. If requested, the complaints procedure should also be made available to the learner driver's parent, guardian or supervising driver
- Any complaints from the learner driver regarding the quality of the training, the driving instructor's conduct, fees or service contract matters, should be directed to the driving instructor or the driving instructor's employer in the first instance. If there is no satisfactory resolution of the complaint, the learner driver is to be directed to the Keys2drive administration team for review and adjudication
- At any time a learner driver may make a complaint about a driving instructor to the applicable driver training professional association and/or the applicable regulatory authority. Such a complaint should be submitted in writing and should include all pertinent details
- Complaints regarding criminal matters, such as assault, should be reported to local police. The complainant should also inform the Keys2drive administration team and the relevant regulatory authority in writing of pertinent details of the complaint
- For issues regarding discrimination, the learner driver may contact the relevant Anti-Discrimination Commissioner (or equivalent) or local police. The complainant should also inform the Keys2drive administration team and the relevant regulatory authority in writing of pertinent details of the complaint.



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