



## **BSS Management Committee – Confirmed Notes**

### **BSS MANAGEMENT COMMITTEE #94, FRIDAY 16 MARCH 2018, MARY SUMNER HOUSE, LONDON, SW1P 3RB**

#### **Present:**

Executive Chair

Canal & River Trust Member

Environment Agency Member

Association of Inland Navigation Authorities

BSS Manager

User Group Representative

Examiner Body Group

Marine Trade Representative

Chair of the BSS Advisory Committee

Chair of the BSS Technical Committee

BSS Comms Manager

BSS Quality & Technical Manager

BSS Business & Technical Manager

#### **94.1 Apologies and introductions**

94.4.1 Apologies were recorded from the Broads Authority rep.

The Senior Advisor, Navigation, represented the Environment Agency.

The new BSS Business and Technical Manager was introduced.

#### **94.2 Confirmation of notes of last meeting and matters arising not otherwise taken on the agenda**

##### **Matters arising**

94.2.1 Marine Trade Representative wished future notes to have the actions separately listed.

The User Group Representative raised suggested editorial comments concerning the previous notes. The Chair noted these changes and stated that minutes from previous meetings with these amendments were accepted.

It was concluded that the increase to BSS certification charges had been accepted largely without reaction due to a general perception that BSS was a necessary safeguard for users

#### **94.3 Report of the Executive Members pre-meeting**

94.3.1 A discussion took place concerning the shift in the use of boats from leisure towards residential; tenanted boats and sub-let boats. There appeared a rise in landlords with multiple boat ownerships.

There is a need to promote the role of BSS examiners, the different role of Navigation Authorities and any need for dialogue and understanding of how future interactions, including any whistle-blowing facility. From this debate the planned joint AINA/BSS meeting was agreed and that the subjects should

include the shared-ownership private boat/hire boat issue and RCD II, etc.

It was reported that BSS finances were exactly on track as per the plan.

Marine Trade Representative asked if the financial statement could be circulated at the end of the financial year. BSS Quality & Technical Manager agreed that the draft public document will be circulated after sign-off by the Executive Committee.

#### **94.4 Update on the Hire Boat Code revision**

- 94.4.1 Canal & River Trust representative informed the committee that a near final version of the Hire Boat Code is almost complete – subject to proofing. The consultation will be facilitated by the Maritime & Coastguard Agency, however, the review and feedback will be provided by AINA.

Supporting work concerning the high-risk category boats and the low-risk category boats is almost complete. There is confidence that it will be easy to apply. Navigation authority reps agreed that the Code was likely to be implemented as a licensing condition at least for some, in advance of next year's registration round.

The AINA rep said it will involve updating the 2009 version and was keen to recognise the great investment in time and money by the BSS, the marine trade and AINA members

#### **94.5 Report from the Chair of the BSS Technical Committee**

- 94.5.1 Concerning the introduction of the BSS Hire Boat Requirements (HBR) in April 2017, the BSSTC continue to review implementation and work to refine some supporting documents was ongoing.

After the first season of HBR 2017 examinations, the main failures were concerning existing and not newly introduced requirements. There are compliance issues for some Broads traditional yachts and this subject is to be approached pragmatically as it involved a very limited fleet and one navigation authority.

There is potential for current BSS down-flooding checks to be removed from the BSS hire boat requirements once the Hire Boat Code is implemented.

- 94.5.2 Carbon monoxide (CO) safety activity included a scientific research by BRE, sponsored by BSS, into transfer of pollution and toxins from sources on adjacent boats that could get into boats moored nearby.

The work was in support of the risk review and assessment aimed at deciding whether to recommend introducing CO alarms. It is planned that BSSTC will make a recommendation to BSSAC, following their April meeting.

- 94.5.3 The BSS Risk Management Process revision was progressing without major changes, other than the introduction of a formal Risk Register for the Chair of Committees to look into routinely.

- 94.5.4 The BSS Examiner Environment Monitoring Project was launched in December and is an important project to help assess the environment examiners operate in. Fourteen volunteer BSS Examiners are equipped with gas detection devices calibrated for CO, oxygen depletion, carbon dioxide and flammable vapours to alert them to any risks when going into a boat. The data the initiative is producing, not least device activations, will be followed up with the help of external consultants.

- 94.5.5 The project was continuing carrying out the comparative review of LPG tightness testing. The Examiner Body Rep had been the BSS consultant on this for several years and it was important to conclude with BSSTC. Smaller boats were much more sensitive to leakage than larger boats. The outcome will likely be revised BSS LPG manometer and bubble test procedures.
- 94.5.6 Interim review of the private boat BSS Examination Checking Procedures was being carried out in order to assess whether the Checks remained relevant and mainly in order to assess whether examiner consistency improvements can be achieved.
- 94.5.7 The Chair applauded the work of BSSTC since the last meeting.

## **94.6 Report from the Chair of the BSS Advisory Committee**

- 94.6.1 **Shared ownership boats as hire boats** - The Marine Trade Representative asked for an update regarding BSS examinations on shared-ownership boats. The BSSAC Chair outlined that they had not yet determined the legal position in terms of relying on the BSSTC risk assessment. The Chair felt the risk could be managed by ensuring all owners were aware of how the risk was being managed.

BSSAC members wanted BSSMC to discuss the merits in exploring an HSE exemption from the Gas Safety (Installation & Use) Regs. Members considered the BSSAC question for BSSMC namely, whether or not to reopen discussions with HSE/Gas Safe Register about excluding the BSS activity from the gas regulations. The conclusion was that there was no appetite to make a formal approach and no agreement on an informal approach to GSR or HSE on this subject, indeed there was concern that an informal approach to the HSE was not possible

- 94.6.2 **Trusted Messenger initiative** - The BSSAC Chair explained that they needed the learning module from the consultant and that the examiners had not yet agreed to a consistent message, although they had agreed to the process. Concerns were raised by the Examiner Rep, that the practitioners are not expecting intensive training. Their time is at their cost. The BSS manager assured the committee that it would be a relatively short and straightforward 30-minute online module.
- 94.6.3 **Review of BSSAC Membership** - The increasing number of tenants in boats and their subsequent lack of representation, or rather lack of it, at BSSAC was discussed. The BSS Manager had written to all BSSAC members and asked to raise this as an issue and consider whether current national reps that sit as user reps on the Advisory Committee could effectively tap into the views and any concerns of this group.

- 94.6.4 **Proposed new Guidance concerning the BSS Examiner Conditions of Registration** - Concerning the proposed new guidance supporting the CoR in respect of Examiners co-operating with formal BSS investigations. The proposal had met with resistance from two examiner body reps at BSSAC who thought their members could only co-operate with the express permission of their insurers.

The BSS Manager had written to the three insurers and two had replied that they would accept examiners cooperating with the investigation. Some examiners were adamant that the third insurance company would give instructions to say nothing and they were awaiting a response. The BSS Manager and BSSAC Chair will continue to plan a way forward.

## **94.7 BSS Manager's report**

- 94.7.1 It was agreed that the quarterly incident report at BSSMC should change to better identify any trends and an analysis identifying the 'so what's'.

With reference to the report with members, Navigation Authority staff should be further encouraged to report incident information, who, what, why, and when. 21 instances of fire were noted without a recorded cause.

The Environment Agency Member suggested the BSS and AINA shared the incident report template with other members.

The Chair of BSSTC counted 60 incidents of fire, which was a concern to the BSSTC. He noted that electrical causes remain unclear for the data.

The BSS Manager stated that they had just had a meeting with 12 experts about solid-fuel stoves and how to break the cycle of incidents. The work of this group could help reduce stove fire and CO incidents going forward.

- 94.7.2 The BSS Quality & Technical Manager noted the likely actual income would match the business plan.

## **94.8 Remaining 2018 BSSMC meetings – venue Mary Sumner House Meeting Rooms, 24 Tufton Street, London, SW1P 3RB, unless otherwise specified**

- 94.8.1 One remaining meeting this year on 13 December, venue to be at Tufton Street, London. Reports will be received in lieu of a meeting in July

## **94.9 Any other urgent business**

- 94.9.1 Reference was made to BSS Quality & Technical Manager who was on a three-day week until end of June. The Chair noted their appreciation in the BSS Quality & Technical Manager's help at a difficult time.

The Chair also thanked the Canal & River Trust Member's long service to the BSSMC in his last meeting as he was leaving the Trust end of June.

## **94.10 Post meeting note – Case Review**

- 94.10.1 Following the meeting a BSS Examiner case review was heard concerning an examiner who had resigned as soon as the allegations were made known to him. The outcome was to deny any re-application unless i) full re-training is undertaken, ii) presuming passing the course, undergoing a full BSS Examiner Field Assessment at his own expense after having completed ten BSS examinations, iii) before any application can be accepted, provide full and satisfactory responses to two additional complaints viewed at the case review