



BSS Management Committee – Confirmed Notes

MEETING #76 TUESDAY 13 MARCH 2012, BW PADDINGTON OFFICES

Present:

BSSMC Chair
BSSAC Chair
Broads Authority Rep
British Waterways Rep
Environment Agency Rep
User Group Rep
Examiner Body Rep
BSS Manager

Co-opted & Others:

BSS Communications Manager
BSS Quality & Tech. Manager

Apologies:

AINA Rep
Marine Trade Rep
BSSTC Chair

76.1 MEMBERSHIP & APOLOGIES

76.1.1 Apologies: AINA Rep, Marine Trade Rep and BSSTC Chair.

76.2 MATTERS ARISING AND COMMENTS ON NOTES OF BSSMC MEETING #75 [*not otherwise taken on the agenda*]

76.2.1 No items were raised.

76.3 REPORT OF THE EXECUTIVE PRE-MEETING - [*not otherwise taken on the agenda*]

76.3.1 All matters discussed were on the agenda

76.4 TO CONSIDER THE IMPLICATIONS OF THE INTRODUCTION OF CBA BYELAW 2 [*Doc 11*]

76.4.1 The BSS Manager introduced support paper *Doc 11* setting out the potential implications for the BSS concerning the introduction of a new Bye-law for member boat builders of the Canal Boatbuilders Association (CBA).

Bye-law 2 requires CBA members to provide a BSS Certificate with each new craft built. *Doc 11* sets out detailed and relevant implications for the BSS and includes the views of Trading Standards (as placed before the Government department for Business, Innovation and Skills [BIS]). In particular, *Doc 11* identified that BSS Certificates issued to new incomplete boats, not CE marked, present potential issues for the navigation authorities and BSS Examiners.

Members determined that the CBA initiative aimed at providing 'customer comfort' did not adversely or significantly affect navigation authority interests and as such the move should be accommodated. The following actions were agreed:

- a) BSS Office to review and amend the guidance to BSS Examiners relevant to the BSS Examiner Conditions of Registration as appropriate, concerning new incomplete boats not CE marked. BSS Office
- b) BSS Office to contact CBA and request that the notes and limitations pertaining to BSS Certificates (as printed on the back of certificates) are made clear to their customers so as not to provide any false assurances as a result of the provision of a BSS Certificate. BSS Office

76.5 UPDATE ON THE ECP REVIEW BY THE BSS MANAGER

76.5.1 Referring to detailed notes, the BSS Manager provided a breakdown of the process employed to date concerning the review of the 2005 Examination Checking Procedures (ECPs). He pointed out that the review was focussed on improving examiner consistency with the added task to introduce a few technical changes.

He explained that suggestions for ECP change had been collected from all sources over the previous 5 years. He said that his report was partly in response to an email to members from the BSSTC Chair requesting BSSMC give a steer to BSSTC and BSSAC as to the importance of the checks being logical, non-constructural, legal (in terms of the RCD), appropriate (i.e. risk assessed) and effective.

The BSSAC Chair stated that he was keen that due process was seen to be achieved. The Examiner Body Rep said that in the interests of examiner consistency, the ECP changes were needed urgently.

The BSS Manager reported that the ECP review documents had been agreed by BSSTC to proceed to BSSAC and BSSAC members agreed at the meeting on 28 February a timescale of one month to provide an organisational view on the proposals for ECP change.

Once the BSSAC have agreed recommendations for change the recommendations will arrive at BSSMC. Depending on the nature of the recommendations, BSSMC members agreed an ad-hoc meeting to review them.

Depending on the number and nature of any changes agreed as necessary, the BSSMC will decide if public consultation is necessary; legal advice maybe necessary in this respect. At this stage it is presumed that no formal consultation will be necessary because there are no suggested changes to the BSS General Requirements, upon which the navigation authorities are bound to consult on changes.

Depending on the number and nature of any changes agreed as necessary, examiners may be asked to attend a 'local' seminar to introduce the changes. This is regarded as extremely likely.

The precise date for completion of the ECP Review process can only be determined once comments have been received back from BSSAC members. The aim is to instruct examiners in the revised ECPs and introduce them by late summer.

BSSMC agreed to consider further any need for a fundamental review of the BSS requirements recognising that the Navigation Authorities last agreed their position on this in 2004. It was suggested that a 10 year review period may be appropriate.

In the meantime the BSSMC agreed the following:

- a) that the ECP review process will continue as described;
- b) the process as described to BSSMC be provided to BSSAC members, for completeness;
- c) the criteria currently accepted as applied to the BSS mandatory requirements be provided to BSSAC to help with their deliberations.

BSS Manager done

BSS Manager done

76.6 REPORT FROM THE CHAIR OF THE BSS ADVISORY COMMITTEE [Doc C1]

76.6.1 The BSSAC Chair introduced *Doc C1*.

BSSAC Chair- He confirmed that his position as BSSAC Chair was ratified unanimously for the next year.

NABSE Report on the BSS – Referring to *Doc C1*, the BSSMC Chair asked which

points merit further consideration. The User Group Rep suggested that the process for dealing with technical changes is one such area. It was agreed that BSSAC will identify other points.

BSSAC Chair

Membership review of the BSSAC – BSSMC agreed the BSSAC recommendations for committee membership change as follows:

- a) the membership status Maritime and Coastguard Agency (MCA) on BSSAC should change from 'full membership' to 'corresponding membership';
- b) the BSS Secretariat should make contact with the recently established Roving Canal Traders Association, to allow monitoring of any interest that organisation may have in the BSS;
- c) the BSS Secretariat should make contact with the Broads Hire Boat Federation to establish whether they feel adequately represented through the BMF and into BSS committee structure.

BSS Secretariat

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BW enforcement policy relevant to the BSS scope – The BSSAC Chair referred to *Doc C1* and the entry concerning the BW Rep's statement at the recent BSSAC meeting that BW consider there to be no need to staff or police ongoing adherence to BSS requirements on the track. He said that he had spoken with the Marine Trade Rep who expressed the view that this position was 'news to him' and that he had been given previous assurances concerning enforcement. The BSSAC Chair asked for clarity concerning BW's position. The BSSMC Chair said that he would investigate the BSSAC BW Reps view and report back to the BSSAC Chair in time for the next meeting of BSSAC on 16 May.

BSSMC Chair

The Broads Authority Rep said that it was open for navigation authorities to determine their own enforcement approach and that factors such as available resources and available powers may come into play. The EA Rep confirmed that the EA had warranted powers.

The BSSAC Chair said also relevant is the review of BSS hire boat requirements and the need to have in place a robust and proportionate approach that satisfies the main regulator – MCA.

NABSE application to join BSSAC – BSSMC ratified the BSSAC rejection of NABSE's application to join BSSAC. The BSSMC Chair will write to NABSE to deliver the decision and at the same time confirm the outcome of BSSAC's deliberations concerning the NABSE Report on the BSS.

BSSMC Chair done

76.7 REPORT FROM THE CHAIR OF THE BSS TECHNICAL COMMITTEE [Doc E1]

76.7.1 In the absence of the BSSTC Chair the BSS Manager introduced *Doc E1*. Recognising that the report covered in the main the ECP review previously discussed, members accepted the report as read.

76.8 BSS MANAGER'S REPORT

76.8.1 ANNUAL REPORT OF INCIDENTS AND ACCIDENTS RECORDED, INFERENCES DRAWN AND PLANNED BSS RISK-ACTIVITY FOR 2012 [DOCS F1 & F2]

76.8.1.1 Members received the annual report of incidents as a matter of record [*Doc F1*].

76.8.1.2 The recommended BSS risk management activity for 2012 as contained in *Doc F1* was fully agreed and endorsed by BSSMC.

76.8.1.3 The BSS Manager introduced *Doc F2* concerning the annual report against planned BSS risk-activity for 2011. He reported an estimated 85% success in achieving the plan with changed risk priorities amending the plan slightly during the year.

76.8.2 UPDATE ON THE BSS IT PROJECT [Doc G1]

76.8.2.1 The BSS Quality and Technical Manager introduced *Doc G1*, which was largely taken as read.

76.8.3 QUARTERLY QUALITY MANAGEMENT REPORT [DOC H1]

76.8.3.1 The BSS Quality and Technical Manager introduced *Doc H1*.

Field Assessments - He reported that 18 BSS Examiner Field Assessments using the new format field assessment will have been conducted in the period Feb- to the end of March 2012. Initial indications are that the new format is being received well. A report concerning the initial batch will be made to BSSAC at the next meeting.

The rest of the report was taken as read.

76.8.4 QUARTERLY FINANCIAL PLANNING & CONTROLS REPORT

76.8.4.1 The BSS Quality and Technical Manager provided a verbal report. The current financial situation for the BSS is that the overall situation is within 1% of the business plan. Certificate sales have met predicted cyclical expectations.

The one significant increase in unplanned cost is related to the BSS Administrator's maternity cover. However the costs are within manageable limitations.

He reported financial reporting improvements as agreed by the BSSMC Executive:

- a) annual sign-off of BSS year-end accounts by BSSMC Executive; and,
- b) annual sign-off by BSSMC Executive of the budget for the next financial year, together with publication in BSSMC notes of income and cost headlines including the main areas of professional or training fees and any envisaged changes to staff costs.
- c) at the other quarterly BSSMC meetings a short financial statement will be made available to all members. It would be intended to publish this statement with the BSSMC notes.

BSS Quality &
Technical Manager

76.9 ANY OTHER URGENT BUSINESS

76.9.1 No AOB matters were recorded.

76.10 DATE AND TIME OF NEXT MEETINGS

76.10.1 Tuesday 26 June, (BSSMC #77) – circulated reports only)

Tuesday 2 Oct, EA Head Office, Millbank (BSSMC #78)

Tuesday 18 Dec, venue TBA due to impending office relocation (BSSMC #79)

Note that an ad-hoc BSSMC meeting concerning the ECP Review recommendations may prove necessary.