



## BSS Advisory Committee – Confirmed Notes

### BSSAC #79, 28 FEBRUARY 2012, BW OFFICES, HATTON

**Present:**

Chair  
TBA  
IMarEST  
BMF1 - Executive Interests  
BMF3 - Canal-based Comm. Interests  
IIMS  
RBOA  
IWA  
RYA2 Yacht Clubs and Users  
AWCC  
YDSA  
BMF2 – River-based Comm Interests  
ABSE  
NABO

BSSTC Chair -  
BW  
AINA/Broads Authority

**Co-opted & Others:**

BSS Manager  
BSS Quality & Technical Manager

**Apologies:**

MCA  
RYA1 Executive Interests  
Broads Authority  
AINA  
EA

**79.1 Apologies** – Apologies were noted as listed above.

**79.2 Accuracy of the notes of BSSAC meeting #78** – Accuracy was accepted, subject to clarification at 78.4.3, 10<sup>th</sup> bullet point final sentence. It appears that there are differing views as to what was said at the meeting and what should be recorded in the notes. Clarification was offered as follows. The question is - *would the BSS support a registered Gas Safe engineer in a court of law on a matter relating to a gas installations compliance with BSS.* The BSS Manager answered he *could and would not make any such guarantee.*

**Matters arising from the notes of BSSAC meeting #78 [Not covered on the agenda]**

79.2.1

78.4.4– *counter-signing BSS Warning Notices* – with reference to the action at paragraph b), the BSS Manager, reported the BSS Office position not to support the proposal that owners counter-sign BSS Warning Notices to confirm their receipt. Members accepted this position.

79.2.2

78.5.3 – *decommissioned or disconnected or not present systems* – the BSS Manager apologised that the planned support paper had not materialised. He said that the provisional near final version of the advice concerning decommissioned/disconnected system will be with BSSAC examiner body reps in the next few weeks. He confirmed that all BSSAC members will be asked to comment on the near-final version.

BSS  
Secretariat  
(done)

79.2.3

78.12.3 – *media releases and blogs* – the RBOA rep commented that for those enjoying their boating 'under the radar' the use of blogs or internet communications will not be effective in promoting safety awareness. The NABO rep added that some older generation boaters may also be placed in this category. The YDSA rep said that, as a practitioner, he modifies what he says dependent upon circumstances and demeanour of his customers and he stressed that examiners are best situated to 'make a difference' for hard to reach boaters.

It was agreed that the BSS Manager, the RBOA rep and BW's Head of Boating, would develop a strategy to explore how best to reach such boaters and report findings to BSSAC.

BSS  
Manager +  
RBOA rep +  
BW rep

### **79.3 To note actions arising from the BSSMC meeting reports -**

79.3.1 *Supporting Document, Confirmed notes BSSMC #75 [Doc F1, BSSMC #75]*

79.3.2 The Chair invited comments on the BSSMC notes. No comments were received.

79.3.3 Noting the position of BSSMC on the subject, members established a committee view on the NABSE Report on the BSS.

All members confirmed that they had considered the NABSE report and, whilst recognising that some points may merit further consideration, given the amount of work that has been put in over recent years, members considered that the issues raised in the report have been, or are in the very near future likely to be, substantially addressed.

### **79.4 Nominations for BSSAC Chair's position**

79.4.1 *Supporting Document Subject: - None distributed, but BSSAC Terms of Reference apply*

79.4.2 *Context – on an annual basis the election of the Chairman will be decided by those full members present at the BSSAC meeting*

79.4.3 With the chairmanship temporarily resting with the BSS Manager, nominations for BSSAC Chair's position were sought and none were forthcoming. The position of the current Chair to remain in post for at least another year was ratified unanimously.

### **79.5. Review of BSSAC membership and membership types**

79.5.1 *Support paper – current membership list, [Doc E1, BSSAC #79] and BSSAC Terms of Reference apply*

79.5.2 *Context – The BSSAC reviews the membership and membership types annually. This review is subject to ratification by the BSSMC.*

79.5.3 Members considered the membership of the committee in the context of its purpose as defined in the committee's Terms of Reference. Members considered if anything had altered during the past year that may warrant a BSSAC membership change. In general terms members considered that committee membership was fit for purpose.

The following recommendations are made to BSSMC:

- a. The membership status Maritime and Coastguard Agency (MCA) on BSSAC should change from 'full membership' to 'corresponding membership'. This because of the lessening influence of the MCA in inland waterway regulation, the fact that the current representative has never attended a meeting and that the last time a MCA rep attended BSSAC was in June 2010 (#72).
- 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. Similarly, 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. NOTE: This was suggested as a proportionate approach given that the Broads Authority is now within the BSS, and given that BMF reps cover only Rivers and Canals.
- d. Members considered that the size of the committee is large enough and should not increase. It was agreed in principle that at the time any additional member organisations join, one organisation should leave.

79.5.4 The NABSE application to join BSSAC was considered. Members confirmed that they had access to the relevant NABSE documents supporting the application. The overwhelming majority of members agreed that the committee had adequate representation of practitioners, as previously considered during the general review of membership. Members also considered that the NABSE submission supporting the application did not persuade members of any need for the representation to change.

BSS  
Secretariat

The Chair conducted a vote of members' views; no votes were recorded in favour of the NABSE application to join BSSAC and 11 votes (out of 15 eligible to vote) were recorded against. In addition one further member who could not attend the meeting had indicated his objection to the application. The following arguments were recorded in support of the Committee's rejection of the application:

- a. Given the length of time the organisation has existed (since 1/4/11), members did not consider NABSE to yet be a proven organisation;
- b. The fact that many of the named NABSE members were also members of other practitioner bodies having BSSAC membership led to the conclusion that most NABSE members were already represented on BSSAC;
- c. Given the somewhat aggressive and unsubstantiated stance as set out in the NABSE Report on the BSS, members were not persuaded that there was sufficient 'mutual interest' from the NABSE side, accordingly members found it difficult to rationalise the prospect of the 'positive engagement with the Scheme management' and to 'work in close partnership with the owners of the Boat Safety Scheme', as alluded to in the NABSE letters dated 19 September 2011 and 3 February 2012, respectively.

## **79.6 ECP Review Recommendations**

### **79.6.1 Support papers:**

- *ECP Review – Recommendations from ECP Working Group (WG) and BSSTC [Doc D1, BSSAC #79]*
- *Further recommendations agreed by ECP Working Group and BSSTC concerning those technical issues coming through BSSTC – [Doc D2, BSSAC #79]*
- *Technical issues recommended to be taken forward by means other than ECP changes. – [Doc D3, BSSAC #79]*

### **79.6.2 Context – A five yearly review of the ECPs is nearing completion. The process is now with BSSAC.**

**79.6.3** The BSS Manager introduced the outcomes as recorded from the ECP Working Group meeting in late November and more recently as agreed by BSSTC for passing to BSSAC. These were included in three papers for BSSAC members [Docs D1 – D3]. He stressed that intention was mostly to improve consistency of application of the checks by examiners, however there were several technical changes relevant to projects coming through BSSTC. A fourth document *Doc D4* will outline recommended changes to the glossary and other terms, and Appendices.

BSSAC members agreed at the meeting a one month time limit to provide an organisational view on the proposals for ECP change.

All

At the meeting, the user group reps were generally supportive of the proposals, pending a more detailed consideration. Specific initial items raised included:

- the effect of biofuels on ISO fuel hoses;
- questions about the continued use of 'applicabilities' within the checking procedures;
- concerns that the owner may need to be present to pass certain checks;
- petrol stowage arrangements;
- concerns that the proposals for change are supported by technical drivers rather than risk avoidance;
- the definition of self-draining cockpits within the checks.

More full comments are anticipated within organisational submissions.

The BSSTC Chair appeared to question the validity of the ECP review process and the BSS Manager had to robustly assure the BSSAC Chair that a proper process had been used.

The BSSTC Chair also stressed the importance of the checks being logical, non-constructional, legal (in terms of the RCD), appropriate (i.e. risk assessed) and effective.

## **79.7 Report from BSSTC Chair**

79.7.1 *Support paper – Report from BSSTC Chair for BSSAC [Doc J1, BSSAC #79]*

79.7.2 *Context – standing item – a report of BSSTC*

79.7.3 The BSSTC Chair introduced *Doc J1* which largely covered activity in support of BSSTC input to the ECP Review. By way of illustration of the work of BSSTC he described the issues considered by BSSTC concerning the petrol filling arrangements on an imported vessel. The involvement led to contact with the ISO Working Group convenor as the ISO standards did not address the vapour escape risk and this contact helped BSSTC form a view

79.7.4 The BSSTC Chair announced that he was leaving the BMF in July and that as such he would be stepping down from his BSS committee duties.

## **79.8 Quarterly update on the progress of the BSS IT project**

79.8.1 *Support paper - Update on Stage 2 IT [Doc G1, BSSAC #79]*

79.8.2 *Context – standing item – a routine quarterly report by the BSS Quality and Technical Manager and an update on Stage 2 of the IT project. Stage 2 involves boat risk information being recorded online by examiners and changes to BSS documentation.*

79.8.3 The BSS Quality & Technical Manager introduced quarterly report *Doc G1* and emphasised the on-going nature of the project with the Sub-group continuing to help develop the supporting documentation and with a group of examiners carrying Beta testing of Salesforce V5. The Beta testing group includes the IIMS and BMF3 BSSAC reps. The RBAO rep felt that there may well be practitioners on BSSAC who were not invited to participate in the trial, but who might have wished to do so.

Concerning section 4d of the report covering the new waterways charity status for BW, the NABO rep asked if the NABSE query regarding if BSS had been resolved. The issue is whether the BSS is considered a trading function, and if it is, does it sit under the charity or with its trading company. The BSS Manager said that this question was with BW's Legal Director.

Concerning section 5 of the report covering implementation, the RBOA rep said that the paperless aspiration will likely bring concerns to the surface when placed against the need for information to be left with the owner.

## **79.9 Quarterly BSS quality management report**

79.9.1 *Support paper Quarterly BSS Quality Management Report [Doc H1, BSSAC #79]*

79.9.2 *Context – quarterly report is a standing item. BSS core processes are crucial to ensure that the BSS is effective at meeting its purpose and can be used to better support BSSAC in assessing BSS performance.*

79.9.3 The BSS Quality & Technical Manager introduced *Doc H1* and focussed on the section 1a on the improved BSS Examiner Field Assessment process. He confirmed that seven examiners had been through up until the date of the meeting and in total seventeen will have been field assessed using the new process by the end of March. Initial feedback is very favourable especially from the newly qualified examiners assessed. He reported that the outcome of the field assessments in this first batch will be reviewed at a BSS Office meeting on 20 April and that the results will be reported in the next BSS quality management report.

He also referred to boat related incident training and hazardous boat training sessions carried out for the EA over recent months.

79.9.4 The following comments were recorded from members:

- At section 4a, penultimate line, the following addition was agreed, 'Over 51% of all examinations are completed by 38 examiners (out of 220)'.

- 79.9.4 cont/
- The RYA2 rep considered that the number of examiners was the highest for a number of years, and was concerned that this did not affect examiner consistency.

## 79.10 Report from the BSS Manager

### 79.10.1 Supporting Documents:

- *Annual report of incidents and accidents recorded for the year 2011, inferences drawn and proposed 2012 BSS risk-activity [Doc I1, BSSAC #79]*
- *Annual report against planned BSS risk-activity for 2011 [Doc I2, BSSAC #79]*

79.10.2 *Context – standing item, but at this meeting the planned BSS risk avoidance activity for the next year is agreed.*

79.10.3 The Chair invited any comment on *Doc I1*. The following agreements in respect of *Doc I1* were recorded:

- the headlines from the annual BSS report of incidents will be published;
- the date of Boat Fire Safety Week will be included in the above headlines;
- One additional activity is to be included in the plan as a result of the suggestion of the IMarEST rep and as agreed by members - *the BSS will further engage with the RYA Chief Instructor in respect to the Inland Waterways Helmsman's Course to see if petrol safety information can be included.*
- Members agreed that, with the inclusion of the additional activity above, the recommendations for BSS planned BSS risk-avoidance activity can go to BSSMC.

BSS Comms  
Manager

BSS  
Secretariat  
(done)

BSS  
Secretariat  
(done)

79.10.4 A short discussion concerned the BSS monitoring of deliberate fire setting and man-overboard events. It was re-affirmed that the BSS position on these types of events will be considered by BSSMC at the Autumn meeting.

A short discussion about electrical fires took place and the BSS Manager emphasised the causes of electrical incidents remain largely unclear and that as such there is a need for members to feedback near miss experiences in order that a planned report to BSSTC can be more effective at identifying trends in electrical fire causes.

The planned assessment of the effectiveness of older portable fire extinguishers was raised. The BSS Manager reported that this proposal was dropped after BSSMC had determined that '*...recognising that there are no adverse trends to report; members agreed that the responsibility for maintenance and serviceability is with owners and that BSS should continue to guide owners in this respect (72.6.2, BSSMC #72)*'.

79.10.5 The BSS Manager introduced *Doc I2* reporting the BSS risk-activity for 2011 against the plan as agreed by BSSMC at their meeting last March. He said that the activity plan was largely realised with, for example, significant improvements in solid fuel stove risk control measures. He said that deviations from the plan were largely due to prioritisation of work and matching timing and resources to those of partner organisations. He estimated that the plan was 85-90% achieved and thanked members for their contribution to this success. *Doc I2* will proceed to BSSMC for review.

BSS  
Secretariat  
(done)

79.10.6 During this agenda item, and whilst members recognised that it is for an individual navigation authority to decide its risk management approach, members were concerned to be informed by the BW rep that BW have no qualified, nor specifically tasked, staff able to conduct 'spot-checking' of private craft and, more specifically, hire craft to meet BSS requirements. The BW rep said that it had reviewed its risk management processes in this respect and its agreed position was to be reactive to intelligence. Members were disturbed by this response, noting that no previous advice of this position had been brought to BSSAC. The Chair took to raise this at the BSSMC meeting because this appeared to go against the previously published BSSMC view that the role of in-service spot-checking forming part of an appropriate licensing and inspection regime is an essential element for individual navigation authorities to consider.

BSSAC  
Chair (done)

## 79.11 Items for BSSMC

79.11.1 To include – BSSAC membership review, navigation authority in-service spot-checking.

## 79.12 Dates of the confirmed BSSAC meetings

79.12.1 Wednesday 16 May (#80) - confirmed

Tuesday 11 September (#81) - confirmed

Tuesday 27 November (#82) – confirmed

## 79.13 Any other business [AOB]

79.13.1 *BSS committee documents in the public domain* – in response to a question from the NABO rep it was confirmed that minutes of BSSAC and full BSSMC meetings plus all supporting meeting papers are considered public documents.

BSSTC documents are not considered public documents because of the potential for them to be commercially sensitive or perhaps represent 'blue-sky' thinking that could be taken out of context. The fact that BSSTC papers almost invariably arrive at BSSAC at a later date means that the work of BSSTC is open to public view at that time.

The BSS Manager committed to having the BSSAC/MC notes of meetings for three years on the BSS public website by 1 April.

BSS  
Manager

79.13.2 *Data protection and the BSS* – the AWCC rep asked how NABSE had got hold of his email address. It was acknowledged that the NABSE Chair had previously attended the BSSAC as an ABSE stand-in, and as such had access to member's email addresses. In answer to the question the BSS Manager confirmed that the BSS was subject to BW data protection procedures.

It was agreed that BSS committee members' phone numbers and email addresses will not be published by the BSS.

It was recognised that in his role as User Group rep on BSSMC, the NABO rep's contact details would be published, with his agreement, to attract in comments about the BSS from those user groups not represented on BSSAC.

79.13.3 *BSS awareness information* – the RYA2 rep questioned the emphasis of the BSS on awareness information such as solid fuel stove web information, and on promoting smoke alarms, he felt that the BSS should focus purely on the BSS requirements.

In response the BSS Manager reminded members that since 2005 the BSS had been tasked by the navigation authorities to be 'risk based' and alongside verifying the compliance of boats to the BSS requirements, '*the BSS employs education, persuasion and promotion of safety to address accepted risks linked to the use of appliances, engines and associated boat systems and fuels in order to assist owners and other craft occupants to identify and control the risks for which they have a responsibility.*' (Clause D.2, Navigation Authority Agreement)

79.13.4 *Electrical safety – shore supplies* – the ABSE rep requested the IET Wiring Matters article sent to the BSS Manager be circulated to BSSAC. This was agreed

BSS  
Secretariat

79.13.5 *CBA Byelaw 2* – The BSS Manager reported that he is to present a paper to BSSMC concerning the introduction of CBA Byelaw 2, requiring member boat builders to supply a BSS Certificate with each newly-built boat sold (complete or part complete).

He went on to say that the paper will not be inherently against the move, but is intended to lay out the BSS implications for BSSMC, including any potential for an enhanced risk of BSS Examiners becoming criminally liable in the event an incomplete boat is issued with a BSS Certificate from new and there is a subsequent Trading Standards investigation concerning an offence against the Recreational Craft Regulations.