



BSS Advisory Committee – Confirmed Notes

BSSAC #75, 22 FEBRUARY 2011, BW OFFICES, HATTON

Present:

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

BMF1 - Executive Interests
BSSTC Chair

Co-opted & Others:

BSS Manager
BSS Quality & Technical Manager

Apologies:

MCA
YDSA
Broads Authority
EA

Not Present:

RYA1 Executive Interests

75.1 Apologies – Apologies were noted as listed above.

75.2 Accuracy of the reports in lieu of BSSAC meeting #74 – Accuracy was accepted.

Matters arising from the reports [Not covered on the agenda]

75.2.1 The following matters arising were reported by the BSS Manager:

- *LPG gas locker check 7.2.1 [74.2.2]*— no further movement at this time but will be addressed before next meeting alongside the BSS Examiner Examination Checking Procedures (ECP) review. The ABSE rep said ABSE had offered a solution. The RYA2 rep reported that sinkings through rusty lockers was prevalent; members were not keen to take responsibility for any further BSS involvement in this subject.
- *HHO generators [74.2.2]* – BSS Examiners have been informed of the risks and expectations on them to report finding a HHO generator and a media update will include the BSS position on HHO generators.
- *PI/PL examiner insurance* the ‘block’ policy renewals have gone out to over 180 examiners. A better deal has been negotiated by Michael Hall Associates, Ltd for the £5m cover but the overall figure will look high to examiners on the ‘block’ policy.

75.2.2 *Low Sulphur Fuel Directive* – The BSSTC Chair reported that there is to be a DfT meeting on this subject next week and that at this time the guidance remained as previously published. He said that RYA also had guidance on their website.

Concerns about some suppliers not knowing the precise fuel they sell or not being able to supply FAME-free red diesel were aired. The advice was for boaters to continue to seek an assurance from suppliers of FAME-free red diesel. The BSSTC Chair said that in areas where the supplier supplied FAME red diesel to the agricultural industry, they may be reluctant to offer FAME-free fuel if the market for it was relatively small.

The AWCC rep said he thought this subject was not well known amongst boaters.

75.3 To note actions arising from the last BSSMC meeting #71

75.3.1 71.4.1 - The BSSTC Chair said that the 1st bullet point setting out the primary function of the BSS appeared not to have been published before. The BSS Manager said that it had.

75.4 Update on the review of the CoC and investigation procedure

75.4.1 *Support papers – Draft BSS Examiner Conditions of Registration [Doc F1, BSSAC #75]
The existing BSS Examiner Code of Conduct BSSQA0018 [Doc F2, BSSAC #75]*

75.4.2 *Context – the introduction of the BSS Examiner SLA opens up the opportunity for the language of BSS Examiner Code of Conduct to change, the draft BSS Examiner Conditions of Registration have been developed. The investigation procedure is also to be reviewed and simplified.*

75.4.3 The BSS Manager reported that the draft version of the proposed BSS Examiner Conditions of Registration (CoR) had been as developed in conjunction with an ABSE rep. The BSSAC ABSE rep said that the draft currently with members had been discussed between the BSSAC examiner body reps and that they were largely happy with it but had some comments. The BSS Manager said that the main comment concerned suggesting removal of the clause covering boats subject to the recreational craft regulations and relying on the general clause for examiners to follow the instructions published on the website. He said he agreed this change.

75.4.4 The NABO rep was concerned that reference to ‘published guidance’ was not a ‘get out’ for examiners. The assurance given was that it was not. He also sought assurances about any implications that there are two contracts, one between examiner and BSS and one between examiner and boat owner. The BSS Manager said that the relationship between examiners and the BSS was not ‘contractual’ in its legal sense, but that examiners are ‘bound’ by the conditions of registration.

The RBOA rep called for examiners to adopt a uniform approach to being clear upfront about the service they offer and their charges. The AINA rep agreed that it is not helpful to customers to be unsure about fees, which appear to vary widely.

There was a short debate about the safety responsibilities of examiners and in particular about the potential risk presented by owners known by navigation authority staff to be aggressive. It was agreed not to invoke any system of proactive warnings unless an extreme warning has been issued to waterway staff by a particular authority. It was agreed that examiners concerned for their safety can contact local waterway staff for advice.

75.4.5 It was agreed that the draft Conditions of Registration can be recommended to BSSMC to go forward for consultation with all BSS Examiners, subject to legal advice.

BSS
Secretariat

75.4.6 In answer to the Chair, the BSS Manager reported that the review of the investigation procedure is nearing completion, again in conjunction with an ABSE rep, and a draft will be available in advance of the next meeting.

75.5 Report from BSSTC Chair

75.5.1 *Support paper – Report from BSSTC Chair for BSSAC [Doc J1, BSSAC #75]*

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

75.5.3 The BSSTC Chair gave a verbal report because the report had not been sent out to members. The report is to be attached to these unconfirmed notes.

BSS
Secretariat

AC electrical risks – The RBOA rep said that issues concerning portable generators should not be excluded, It was generally agreed that shore leads present on the boat should be examined for condition by examiners.

Technical appeals - The RYA2 rep, in his capacity as a BSS Examiner, said that the outcome of appeals to BSSTC must be made known to the examiners involved with the owner and ultimately to all examiners.

75.6 Efficiency - Update on the progress of the BSS IT project

75.6.1 Support papers

Update on the progress of the BSS IT project [Doc G1, BSSAC #75]

Stage 2 IT and BSS Documentation Changes [Doc I2, BSSAC #75]

75.6.2 Context – standing item – a routine quarterly report by the BSS Quality and Technical Manager and a paper setting out the anticipated outcomes and the high level principles influencing Stage 2 of the IT project. Stage 2 involves boat risk information being recorded online by examiners and changes to BSS documentation.

75.6.3 The IT update [Doc G1] was taken 'as read' by members. The BSS Quality and Technical Manager reported that only 12 examiners were yet to complete their 'sandbox' examination reporting training and nearly all were anticipated to have done so within the next week or so.

75.6.4 The Chair referred to *Doc I2* and members agreed the approach to allow a BSSAC sub-group to firm up the detail for the full committee to view in time for the next meeting. The group will include a representative from the navigation authorities, one from the user groups, and an examiner rep.

BSS Quality
& Technical
Manager

The Chair invited any comments on matters of principle concerning *Doc I2*. The BMF3 rep referred to the hand-held data loggers mentioned in *Doc I2*, the Chair said that this was for Stage 3 and not for discussion now.

The BMF3 rep requested that a system be developed for the trade, such as brokers, to be able to establish that a craft carries a current BSS Certificate and the terms upon which the Certificate was issued (e.g. with a warning notice or some advisory items non-compliant) along with appliances installed. This was echoed by the user groups. This was added to the brief for the BSSAC sub-group on the matter.

A short discussion covered the subject of what was to be left with the boat owner in the context of the potential risks associated with 3rd party disclosure. It was agreed that this can be looked at by the sub-group but at present it was intended to leave customers with a receipt confirming the boat had passed a BSS examination.

The RYA2 rep, in his capacity as a BSS Examiner, said that he was concerned that the Appliance Record details should be retained and that further information could be added to aid re-examination, e.g. the location of the LPG test-point.

75.6.5 The ABSE rep outlined how moving to reporting BSS examinations online potentially weakens an examiner's ability to receive contractual payments, in circumstances that payment is due after the examination and where the online confirmation is known by the customer to have been submitted.

The BSS Manager said that the circumstances are no different from before and that payment terms are a matter for examiners and cannot be linked to either BSS Certificate issue or online reporting. He said that payment 'on the day' or in advance of an examination was an option for examiners and it was up to customers to accept an examiner's terms or not.

It was agreed that this subject can be discussed at the sub-group and that the circumstance where payment has been made by the customer and the examiner delays delivery of the Certificate or confirming online, should be added for balance.

75.7 BSS Quality Management Report

75.7.1 Support papers - The BSS Quality Management Annual Report. [Doc K1, BSSAC #75]

Draft Quality Management Statement [Doc H1, BSSAC #75]

75.7.2 Context – standing item and a draft Quality Management Statement intended to feature in support of the planned Navigation Authority Agreement and setting out how the BSS operates to achieve its objectives. This commitment includes support committee members.

75.7 3 The BSS Quality Management Annual Report [Doc K1, BSSAC #75] was taken 'as read' by members.

75.7 4 The BSS Manager presented the draft Quality Management Statement [Doc H1, BSSAC #75] committing BSS office staff and BSS support committee members to quality management principles. It was reported that this document is intended to support the proposed Navigation Authority Agreement (NAA) document.

The BSS Manager explained the importance of quality management principles in ensuring that BSS outputs are effective and sustainable in support of Navigation Authority interests and their objectives for the Scheme. Although most members struggled to grasp the full impact of what was being said they agreed to consider the commitment to quality as 'work in progress' and were assured a draft of the NAA and an amended quality statement will be available prior to the next meeting.

The NABO rep said that the *Doc H1* appeared to explain quality management rather than form a commitment to it. He said the high level documents should not be detailed.

The AINA rep said that the initiative should not add costs for the BSS; the BSS Manager agreed and said the focus was on sustainable and efficient improvements.

The Chair said that it is certain that input will be required from the Navigation Authorities to enable BSSAC to review the NAA at the next meeting and that he would take this need to the forthcoming BSSMC meeting.

It was agreed that an amended and re-named quality management 'commitment' and the first draft NAA will be available before the next meeting. Once BSSAC members have reviewed these two documents recommendations can be made to BSSMC.

BSS
Manager

The BSS Manager explained his belief in the need for, and sought approval for his attendance on, an EFQM course to further his Quality Management skills. Members, whilst uncomfortable with any unnecessary costs at the present time, felt that this was a matter for the BSS Manager and the BSSMC and outwith the terms of reference for BSSAC as previously clarified by BSSMC. The Chair agreed to report these views to BSSMC at the next meeting.

75.7.5 In the context of BSS business planning the BSS Manager reported that British Waterways has released the impact of the Govt. spending review and he briefly explained what was to happen. <http://www.britishwaterways.co.uk/newsroom/all-press-releases/display/id/2983>

The BSS Manager said that the BSS had been subject to the same level of scrutiny as all other BW departments and would continue to be so. One BSS Administration Assistant post terminated on Friday and the BSS specialist contract consultant is not to return from illness, it follows that the work load will continue to be spread out amongst existing BSS Office staff and will have a short to medium impact on throughput.

He said that the BSS budget plans for the next year had been signed off and that this budget and future budgets were dependent upon further cost savings.

75.8 Report from the BSS Manager

75.8.1 *Supporting Document, Annual report of incidents and accidents recorded for the year 2010, inferences drawn and proposed 2011 BSS risk-activity [Doc D1, BSSAC #75]*

75.8.2 *Context – standing item, although the annual report is essential in helping BSS target activity to address the key risk areas as agreed by stakeholders.*

75.8.3 Members reviewed the annual report and supported the list of planned activity it contained. The BSS Manager said this list would now go forward to BSSMC.

The Chair responding to a point made by the RYA2 rep said that it is recognised that there are difficulties concerning safety messages not getting through to all boaters but it was generally accepted that the BSS can do no more than publicise the risks in the boating media, place awareness material on the BSS website and have in place reasonable BSS examiner checks.

75.8.3 Cont/ The AINA rep described the ability of the Broads Authority to use a system of Rangers to target boat safety issues. It was suggested that volunteers could perhaps be used to spread awareness on other waterways.

The NABO rep recognised that the BSS has had some recent successes including raising the awareness of 'bullseye' decklight fire risks.

75.9 Items for next BSSMC #72, 15 March 2011

75.9.1 The Chair said he would take to the meeting the need for the Navigation Authorities to help bring together the Navigation Authority Agreement and associated supporting documents.

75.10 Dates of BSSAC meetings, all Tuesday's at BW Offices Hatton

75.10.1 The dates of next year's meeting are as follows:

7 June, 13 September (changed from 6/9/11) 22 November (changed from 29/11/11).

75.11 Any other business [AOB]

75.11.1 *Boat Fire Safety Week* – The BSS Manager reported that DCLG's Fire Kills office have part funding, subject to Ministerial clearance to run into the next financial year, and so they have every intention of co-ordinating activity around Boat Fire Safety Week again during the week of the end of May Bank Holiday. (30 May – 5 June)

Should Ministers decide that the national campaigning should cease, Fire Kills office intend to issue the briefing pack to fire and rescue services.

Fire Kills office are keen to learn of any local public relations activities that fire and rescue service's might undertake as part of Boat Fire Safety Week.

All

The BSS Manager reported that the Fire Kills stock of 35K 'Fire safety on boats leaflets' is now in BSS possession and some have already been dispatched to fire and rescue services.

75.11.2 *The RCD and BSS Examinations of new hire craft* – The Chair raised the subject in the context of whether examiners would carry out BSS examinations of new hireboats not CE marked and sought views of practitioner reps as to their understanding.

The examiner body reps expressed their understanding that boats built for their own use by private individuals and not placed on the market for five years are exempt from the RCD and that in these circumstances examiners can examine a new non-CE marked boat if the owner agrees to declare their intention not to place the boat on the market.

The BSS Manager said that advice to examiners had focussed on private craft because this was the most likely circumstances to be encountered. This in view of the fact that all the advice available points to new hirecraft having to be CE marked before being put into service. He said that amended advice to be published on the BSS examiner support website would include a sentence covering the need for new hireboats to be CE marked before any BSS examination can be carried out.

Ends