



BSS Advisory Committee – Confirmed Notes

BSSAC #70, 24 NOVEMBER 2009, BW OFFICES, HATTON

Present:

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

Co-opted & Others:

BSS Manager
BSS Quality & Technical Manager
ABSE

Apologies:

AWCC
BSSTC Chair

Not Present:

Broads Authority
MCA
RYA1 Executive Interests
BW – Vacant

70.1 Apologies – Apologies were noted as listed above.

Members welcomed ____ who replaces ____ as the RYA2, Yacht Clubs and Users rep and ____, the new IMarEST rep, a position last filled by _____. _____ was welcomed as a guest of the ABSE rep.

It was reported that BW has appointed the replacement for _____. He is _____ the moorings manager for Southern Waterways, a boater himself. He could not attend at short notice but has committed to attend all next year's meetings.

70.2 Accuracy of the notes of BSSAC meeting #69 – Accuracy was agreed.

Matters arising from the notes of BSSAC meeting #69 [Not covered on the agenda]

70.2.1 [69.2.2 - Update on publishing how the BSS handle complaints] – The BSS Manager apologised for not producing the planned paper in time for the meeting. He reported that a simple overview paper is 90% complete and identifies the various types of complaint and how complainants can take them forward. The approach is intended to be complimentary to the 'Customer Charter' and as with the customer charter it is designed to work well as either a web page or a simple printed document.

70.2.2 [69.2.4 - Update on the 'scope' of the scheme (open boat/outboard) question] The BSS Manager updated members that at the last BSSMC meeting it was agreed that the BSS Office should bring to the BSSMC reasoned and clear suggestions for improving the clarity of the published scope and where possible to base the suggested changes on accepted risk arguments concerning the various open boat configurations. Once acceptable to BSSMC, proposals can be drawn up and the proposals tested for reasonableness at BSSAC. It is anticipated that the suggestions will be brought to BSSMC Navigation Authority members before Christmas.

BSS
Manager

70.2.3 [69.6.5 Bullseye risks] – The BSS Manager reported that following a further review of the evidence, a paper had been submitted to BSSTC in advance of the December meeting promoting the position that fire risks are limited to ‘bullseye’ (domed) decklights and so the amended checks should be worded accordingly and make no reference to ‘prismatic’ decklights.

70.2.4 [69.8.3 – Solid Fuel Stove update] – The RBOA rep asked to be updated. The BSS Manager said the BSI Code of Practice for installing solid fuel stoves in boats was near to publication. At present, some last minute comments from a member of the BSI solid fuel committee were being taken account of. The BSS task to assess the impact of the code provisions against the incident data won’t start until the code text is finalised.

In response to a request, the BSS Manager committed to alerting members as soon as the code is published.

BSS
Manager

70.3 To note decisions and actions arising from the last BSSMC meeting #66

70.3.1 The Chair reported that the next BSSMC meeting is to be cancelled pending any strong views that it should go ahead. It is intended that the BSSMC Exec will meet on 17 December to discuss certificate pricing amongst other matters. The Chair said that he had not objected to the cancellation provided all members of BSSMC get to debate the certificate price rise and that BSSAC views are fully aired. Members supported this approach.

70.3.2 66 2 1 – *Electrocution risks* - The BSS Manager said that the BSS are to commission a consultant to produce a report concerning the nature of the electrical risks presented by boats to visitors to the waterways and waterway staff. The consultant has been identified and timescales to receive the report agreed. Members agreed that the brief should be shared with BSSTC before commissioning the consultant.

70.4 Factors influencing the BSS Certificate selling price 2010-2013

70.4.1 *Support paper – Factors influencing the BSS Certificate selling price 2010-2013 [Doc E1 BSSAC #70]*

70.4.2 *Context – The expiry of the three year period during which the price of the BSS Certificate to examiners is fixed ends on 31 March 2010 and it is intended to fix the price once again for a similar period. The paper sets out the factors influencing the price rise. The task for members set by BSSMC is to comment upon the cost challenges and contributory factors facing the scheme over the next three years that are necessary to allow the scheme to be managed effectively.*

70.4.3 The BSS Q & T Manager introduced the *Doc E1* setting out the cost challenges facing the Scheme requiring the BSS Certificate price to rise. The paper also lists the cost reducing efficiencies achieved. Relaying the task as set by BSSMC, he asked for members comments on the paper.

70.4.4 Members’ were of the opinion that in order to comment they needed to understand the extent of the financial implications rather than rely upon the percentage increases referred to in the supporting paper

70.4.5 It was agreed that, subject to the agreement of the BSSMC Exec, *Doc E1* would be re-submitted with the relevant projected figures included. It was also agreed that relevant financial statements looking back three years and the relevant projected budget figures looking forward would be provided, subject to the comments from BSSMC Exec.

BSS Q&T
Manager

70.4.6 The BSS Manager outlined the cost challenges including setting up courtroom hearings for contested case reviews against examiners, improved quality assurance measures, improved risk management partly aimed at addressing the risk of criminal prosecutions or civil actions; and developing the next stages of the IT project. Members did not have any adverse comments to make concerning this list.

70.4.7 The Chair asked members to comment upon the intended three year plan and whether this should be reduced to annual plans. Members’ did not express strong views either way.

70.5 Progress on the development of the BSS Customer Charter

70.5.1 *Support papers – Progress on the development of the BSS Customer Charter [Doc D1, BSSAC #70]*

70.5.2 *Context – The BSS Customer Charter is one of the suite of three documents being developed in support of the purpose of the Scheme. It sets out the service standards that can be expected by any customer contacting the BSS Office, together with the qualities and values of the BSS Office. Members are requested to comment on the first draft.*

70.5.3 The BSS Manager introduced *Doc D1* and said that it reflected the style and approach of similar documents adopted by well established organisations and was heavily influenced by the Environment Agency's customer charter.

70.5.4 The following comments were recorded to help refine the draft into a final version:

- the BMF3 rep said that a statement should be added as to what is a customer;
- the RYA2 rep challenged the reference to 'safer boaters' and offered to provide an alternative form of words;
- the NABO rep questioned the wording of aim to answer 90% of calls within 10 seconds and said maybe the aim should be to answer all calls in that period but 90% success would be considered acceptable;
- the BMF3 rep said the levels of service should align with those in the planned Service Level Understanding/Agreement;

RYA2 rep

It was agreed that any further comments from members would be forwarded to the BSS Manager before the end of December.

All

A final draft version will be circulated in advance of the next meeting.

BSS
Secretariat

70.6 Progress on the development of the Navigation Authority Agreement

70.6.1 *Support papers – None – verbal update*

70.6.2 *Context – The Navigation Authority Agreement is one of the suite of three documents being developed in support of the purpose of the Scheme. It is intended to be a formal agreement between the Navigation Authorities through BSSMC (& possibly AINA) and the BSS Office setting out the purpose, aims, scope, activities and services and service levels, methods and values and value-basis (cost & effectiveness), change-management (decision making) tools (i.e. risk-based, better regulation), management & funding arrangements and committee structure and purpose.*

70.6.3 The BSS Manager provided the following verbal report of progress.

He said that since the decision at BSSMC not to amend the MOU between BW and EA this document has taken on primary importance. The update is that efforts are ongoing on developing this and the first draft is around 40% complete.

The exercise is bringing to the fore various aspects of how the BSS have communicated what the scheme is and does and how it does it. For example this simple task needs to take account of fact that the BSS is any and all of the following three aspects, in the eye of the beholder.

- it is the **BSS Requirements**; and/or,
- it is a small BSS Office **administration** made up of five staff who are focussed on the needs of customers; and/or,
- it is the body of **independent examiners** who examine boats to the requirements.

70.6.3 cont/ Another challenge is to describe **how** the BSS does what it does in a clear and succinct way. In its current stage of the development the draft document points to processes – For example **Management processes**, such as **Business Planning** - to ensure that BSS activities are efficiently directed towards delivering the objectives. **Change-Management** – through the BSS committees to ensure there is an effective governance structure in place and that performance is managed for the achievement of all business objectives. Finally there are **BSS Quality Management and Communication Protocols** – to ensure the business objectives are as efficient as possible and communicated effectively and that ‘Quality Management’ principles underpin all that the BSS does.

It is then intended to identify **Core processes** such as the **Risk management process** - To ensure that ‘real’ and accepted risks are identified and that risk management recommendations to the Navigation Authorities are appropriate and balanced. Again to illustrate the work going on in the background, to get the Navigation Authorities to re-affirm the policy in respect of the ‘risks’ that are managed is critical to the movement forward of the risk management process and risk model.

Finally we have **Support processes** such as **Examiner Provision** - To ensure that there exists an adequate supply of qualified BSS Examiners who can effectively deliver the requirements of the BSS. Also in this category is **BSS Complaints Handling**

Underpinning the processes will be the **Qualities** the BSS strive to apply such as **openness, accountability and inclusivity**

As the document drills down into the detail the document describes the requirements, activities and services and service levels, and the committee structure and purpose etc.

For example when describing the BSS requirements the document will explain why these are necessary and any limitations of scope. It will also describe how requirements are introduced and the criteria new requirements must meet.

70.6.4 Members generally supported the approach as described. It is anticipated that the first draft will be available in advance of the next meeting

BSS
Secretariat

70.7 Progress on the development of a BSS Service Level Understanding

70.7.1 *Support papers –*

- *Submitted by the examiner bodies - SLU_Comparison [Doc J1, BSSAC #70]*
- *Progress on the development of the Service Level Understanding [Doc J2, BSSAC #70]*

70.7.2 *Context – The BSS Service Level Understanding (SLU) is one of the suite of three documents being developed in support of the purpose of the Scheme. It is intended to be an agreement between all examiners and the BSS Office covering all aspects of the interaction and aimed at achieving the consistent application of BSS requirements and enhancing the reputation of the BSS in the eyes of customer groups.*

70.7.3 The chair introduced the guest from ABSE to give a presentation on behalf of the Examiner Bodies.

In support of the Examiner Bodies’ *Doc J1* the ABSE guest gave a presentation outlining the historical examiner concerns about the ‘treatment’ and support of examiners and the recent meetings on this subject plus how the text supported the objectives and aims.

70.7.4 In response the BSS Manager reminded members of the action from the last meeting to widen involvement to all examiner bodies and develop an initial draft SLU in time for the next BSSAC meeting. He said that initially joint working was going well but that following the meeting of all Examiner Bodies this changed and he expressed disappointment and regret concerning their decision to develop their own version for promotion to BSSAC [*as incorporated within Doc J1*]. The BSS Office document *Doc J2* outlines the many concerns about the unilateral document. The BSS Manager considered the Examiner Bodies decision to ‘go it alone’ in promoting a unilateral document to BSSAC as regrettable. The BSS Manager said that it is only by working closely together that we can ensure a smooth transition to a mutually beneficial working relationship.

70.7.4 cont/ The YDSA rep stated that it was the intention of the Examiner Bodies to work with the BSS Office in producing an agreed SLU, but that time constraints had prevented it for this meeting. The document presented was to show progress and allow any BSSAC member to pass comment.

70.7.5 The Chair invited comments from the various interests represented by members. The Navigation Authority reps generally expressed disappointment that the opportunity to create an agreed joint position had not been grasped.

The user groups had a range of comments from 'the document is too woolly', a preference for the term 'Service Level Agreement' (rather than 'Service Level Understanding'), a preference for bullet pointed and measurable actions and one user group member said 'this isn't the document to drive through long-standing examiner demands of the BSS Office'. The NABO rep was keen that the agreement did not end up in a condition that could cause detriment to user interests.

70.7.6 The Chair asked if the two sides can present a negotiated document in advance of the next meeting and the answer from the Examiner Bodies and the BSS Manager was yes.

It was agreed that the Examiner Bodies would work with the BSS Office to develop the jointly agreed draft version and that if agreement could not be achieved that the AINA rep and the RBOA rep would act in the role of 'honest brokers' to help mediate success. It was agreed to seek to reach agreement by the end of January.

BSS
Manager/
Examiner
Bodies/AINA
Rep

70.8 Update on the annual review of the CoC and investigation procedure

70.8.1 *Support paper – Examiner Bodies – CoC_CoR_Comparison (AC_SUBMIT) [Doc K1,BSSAC #70]*

70.8.2 *Context – BSSAC have an annual task to review the Code of Conduct and the investigation procedure. It was agreed at meeting #68 defer this task in view of the fact that the BSS Manager and ABSE were meeting separately on this subject and the Service Level Understanding/Agreement.*

70.8.3 The Chair invited the ABSE guest to continue with part two of his presentation, on the proposal for an amended 'Conditions of Registration' to replace the current 'Code of Conduct'. He explained that in *Doc K1* there is a high degree of commonality with the existing code albeit that the references to the investigation procedure had been removed and that the draft took account of the existence of a Service Level Understanding/Agreement. He said that members' approval in principle to this document would allow the investigation procedure to be reviewed and revised.

70.8.4 The BSS Manager said that the issue was widened out to the Examiner Bodies at the last meeting and he acknowledged that the revised draft produced by the Examiner Bodies was largely supportable; however he reserved comments until such time as legal advice had been sought. He said that this advice would not be sought until the Service Level Understanding/Agreement had been finalised because it was this representation of a change in the relationship between the BSS Office and examiners that allowed the language of the code and investigation procedure to change.

70.8.5 The Chair encouraged negotiation on the Service Level Understanding/Agreement in order that the review of the Code and Investigation procedure could proceed.

The NABO rep said that the code provisions should be measurable and deliverable and the IIMS rep said that there needs to be a common understanding of the expectations surrounding examinations, for example should they be completed on the day?

70.9 The suggested amended check of gas cylinder locker condition

70.9.1 *Support paper - None*

70.9.2 *Context – A long standing item to amend the BSS checks concerning cylinder locker condition*

70.9.3 The BSS Manager offered apologies for not producing the paper in time for the meeting. The focus is now to report progress at the BSSTC meeting on 11 December as this issue is listed as one of the ABSE list of outstanding ones for resolution. Members expressed disappointment at the further delay with this initiative.

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

70.10.1 *Support paper - Efficiency - Update on the progress of the BSS IT project - [Doc F1, BSSAC #70]*

70.10.2 *Context – standing item – a report by the BSS Quality and Technical Manager*

70.10.3 The BSS Q & T Manager introduced *Doc F1* and said that things had moved on since it had been distributed. Namely that concerning the development of the BSS online examination recording facility the test group examiners together with the BSS Q & T Manager and the BSS Communications Manager are to meeting with the developer on 9 December. The intention is to address the outstanding improvement suggestions and it is hoped that many of these can be 'fixed' in real time at the meeting. The ABSE rep welcomed the meeting.

70.10.4 Following an invitation for members to comment upon *Doc F1*, the YDSA rep said that committee documents should not include initials unless these are explained. Referring to 'HTG' in the document, which stands for 'How to Guide'.

70.11 Report from BSSTC Chair

70.11.1 *Support paper – Report from BSSTC Chair for BSSAC [Doc H1, BSSAC #70]*

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

70.11.3 The BSS Manager referred to *Doc H1* in the BSSTC Chair's absence. He highlighted the fact that the BSSTC are to meet on 11 December. He invited comments on the agenda items presented in the paper and no comments were forthcoming.

70.12 BSS Quality Management Report

70.12.1 *Support papers - BSS Quality Management Annual Report [Doc I1, BSSAC #70]*

70.12.2 *Context – standing item*

70.12.3 The BSS Q & T Manager invited comments upon *Doc I1* and no comments were forthcoming.

70.13 Report from the BSS Manager

70.13.1 *Supporting Document, Report of incidents and accidents recorded 1 Jan to 1 November 2009 [Doc G1, BSSAC #70]*

70.13.2 *Context – standing item – a report of BSS activity by the BSS Manager*

70.13.3 The BSS Manager invited comments upon *Doc G1* and no comments were forthcoming.

70.14 Items for BSSMC #67

70.14.1 It was re-stated that the BSSMC full meeting has been cancelled and that a meeting of the BSSMC Exec is to take place on 17 December. A general level of concern about the cancellation was expressed by members who suggested that absentees should attempt to field stand-ins.

70.15 Review and agree the dates of 2010 BSSAC meetings, all at BW Offices Hatton

70.15.1 The following dates were agreed and are now confirmed, **23 February, 8 June, 14 September** and **23 November**. Note that the September date is moved from the date (the 7th) that appeared on the agenda in order to distance the meeting from the date of the inland waterways festival. Members are requested to note the dates on their diaries/calendars.

All

70.16 Any other business [AOB]

70.16.1 The RBOA rep questioned the response time, currently three weeks, to her request for safety information to be added to RBOA in-house magazine. The BSS Manager said he would look into it and ensure a reply was forthcoming. The Chair asked if other had similar problems and no member said they had.

BSS
Manager

70.16.2 The RBOA rep said that this time of year is a good time to promote safety messages to boaters and that BSS should plan messages accordingly. The BSS Manager agreed and said that he would develop and circulate a 'safety messages calendar' that can be used to plan media releases throughout the year. He added that the seasonal messages may cover the same general subject areas but would vary in approach and content from year to year.

BSS
Manager

70.16.3 The YDSA rep asked what is to replace the BSS Certificate? The BSS Q & T Manager said that the certificate is intended to be replaced in about one year's time and that as previously debated the replacement will likely be some kind of receipt. He recognised the previous demands from user group reps for a document that represented the gravity and value of the BSS examination process.

The YDSA rep recommended that any reference to the word 'safety' should be removed for fear it could give a wider impression of safety than the BSS requirements and so lead to litigation against examiners, he suggested 'certificate of compliance'.

The Chair said this matter should be placed on the agenda in about six month's time to ensure the concerns are further assessed and taken account of.

BSS
Secretariat

70.16.4 The NABO rep asked about the status of committee members copies of the Examination Checking Procedures (ECPs) in the light of the changes to these put into effect through technical updates to examiners.

The YDSA rep asked if the ECPs were available in a version that incorporated the changes; the BSS Q & T Manager confirmed this. The YDSA rep requested to be supplied this version.

The BSS Q & T Manager agreed that an updated and current version of the ECPs incorporating the small number of changes was available to members and examiners upon request in electronic form. Committee members will receive these documents in order that their information is up to date. It was recognised that once the websites are up and running the ECPs will be maintained up to date on the web versions.

BSS Office

70.16.5 The ABSE rep reported that ABSE are looking into removing the word 'safety' from the name of the organisation for the same reasons described at 70.16.3.

Ends