

Boat Safety Scheme
First Floor North
Station House, 500 Elder Gate
Milton Keynes, MK9 1BB

Telephone 0333 202 1000

Examiner's Email: BSS.office@boatsafetyscheme.org

Examiner's Website: www.boatsafetyscheme.org/professionals



10 August 2017

Ref: 17-004

BSS EXAMINER NEWS

Dear Examiner,

In this edition of BSS Examiner News, we ask for any information you may have concerning LPG regulator failures, we run the first of a series of articles about BSS Examiner insurance and we ask 'what are the lessons' from the latest MAIB CO fatality report. We also provide updates concerning the bulk delivery of BSS Examination documentation, the planned LPG update course and some new information about a range of compliant fuel hoses. Lastly we bust the myth for anyone who doesn't realise it, that there is no such thing as a pre-examination.

Do you know of any regulator failures?



We are looking more closely at the design, safety features and any known incidents concerning high pressure LPG regulators. This follows two incidents in the last couple of months leading to high-pressure gas escapes [\[YouTube Link\]](#). Luckily there were no injuries. If you have any information about failures of high-pressure regulators leading to high-pressure gas entering the low-pressure side or escaping into the gas locker, please contact me with any details. [\[email\]](#) [\[photo upload\]](#)

BSS Examiner Insurance - How to handle potential Professional Indemnity claims

This article is one of a number planned over coming issues on the subject of BSS Examiner insurance.

Professional indemnity (PI) insurance provides examiners with protection against potential claims of breach of professional duty. For example, where BSS documentation indicates that a boat is compliant with BSS requirements but that subsequently this was found not to be the case and some loss or injury was attributed to an alleged Examiner performance shortfall.

The following advice is promoted by the three main BSS Examiner insurance brokers, Michael Hall Associates Ltd, Mercia Marine (Underwriting) Ltd, and Winter & Co (Marine) Ltd, and is intended to help you recognise a potential PI claim and to give you guidance on what to do when one arises.

Introduction: - As an authorised BSS Examiner, you naturally owe a duty of care to anybody who might reasonably rely upon your advice or services, whether you charge a fee for these or not. So, for them, their health, social or financial position should not suffer as a result of your influence.

Nowadays people demand high standards of service, are more certain of their rights as consumers and are constantly reminded of the 'rewards' that can be reaped from seeking compensation through legal action. This heightened awareness means that there has never been a greater need for you and your business to maintain an adequate level of PI insurance protection.

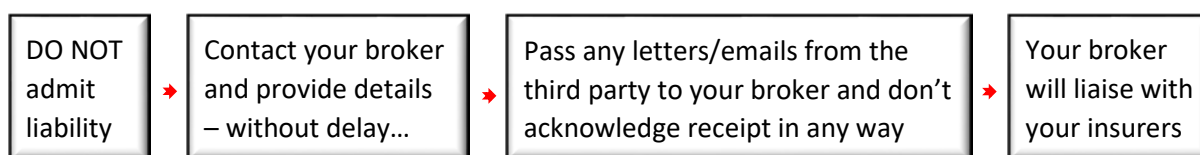
How do you recognise a Professional Indemnity claim? - Many situations can be recognised as potential claims, before they actually become formal claims made against you. It is important that warning signs are noticed and acted upon as soon as possible to reduce the chances of the claim developing further.

Some of the danger signs include:

- Verbal complaint from a dissatisfied customer or a threat of 'taking the matter further';
- Letter of complaint alleging neglect, error or omission;
- A client refusing to settle or delaying settlement of an account for an unreasonable length of time;

Remember that as a condition of your policy you must notify your insurers once you have become aware of any claim being made against you or any circumstances that might reasonably be expected to bring about a claim. Failure to comply with the policy conditions could prejudice the cover you expect to receive.

If in doubt – notify your broker: - When you become aware of an actual claim, or are faced with a set of circumstances which you feel may give rise to a claim, follow the procedure outlined below:



Do not make a judgement of whether you think the circumstances are valid or not. Leave this judgement to your insurers.

Another MAIB report concerning a boat CO fatality – what are the lessons?

The UK's Marine Accident Investigation Branch (MAIB) has just published its report [[Link](#)] of its investigation into the fatal accident which occurred on board the motor cruiser VASQUEZ at Cardiff Yacht Club on 12 November 2016.

The carbon monoxide (CO) was found to have originated from the rubber bellows of the wet-exhaust system of the boat's inboard petrol engine, which was not only leaking exhaust fumes but also water. The boat's engine had not been regularly serviced, and evidence revealed that the exhaust system of the engine had been modified during the boat's life.

The two clear messages for boat owners are a) to ensure routine, effective maintenance of the boat's exhaust system and b) to install a CO alarm certified to the BS EN 50291-2 standard and test it routinely and never remove the batteries. You can point your customers to www.boatsafetyscheme.org/co for advice on choosing and fitting CO alarms.



For BSS Examiners, there is a need to take notice of the incident and not put yourself at risk; if there are petrol-engine exhaust fumes in the cabin or enclosed crew area, don't continue with the BSS examination until the fumes are cleared and any source switched off.

For any professionals servicing and repairing boats, they have the added duty to ensure works to engine exhaust systems are done properly and in accordance with the engine makers recommendations.

Bulk delivery of examination materials – update

We now have all examiner's feedback we think we are likely to get and we are undertaking a final stock check before commissioning the final print task.

We predict that distribution will start week commencing 4 September.

If you need any items before then, either order them through the BSS database (Salesforce) ordering system or where possible download from the forms page on the examiners support site [[Link](#)]

LPG Update training – next Spring

The long-awaited LPG update training will take place next Spring.

The course is necessary to introduce a revised manometer LPG tightness test and a revised bubble leak tester procedure.

The assurance of competence supports the interests of the Scheme, navigation authorities and customers, but equally important, it provides an equivalent level of assessment to that undertaken by competent gas installers generally.

The dates and details are yet to be finalised but please prepare yourself, between March and May 2018, to undertake a LPG knowledge and understanding E-learning course before attending a two-day training event. Examiners will also have to undertake pre-learning assessment before attending the training event.

The course will be compulsory for all BSS Examiners including those who are Gas Safe registered. For Gas Safe registered examiners there won't be a compulsion to conduct the E-learning course and can go straight to the pre-learning assessment. There will be a need for Gas Safe registered examiners to attend the two-day training event because of the introduction of the revised bubble leak tester procedure and other new information.

More details will be provided in future newsletters.

Warning - there is no such thing as a pre-examination

Recently an Examiner tried to argue that his contract with a customer was for a BSS 'pre-examination'. He thought he was not duty-bound to follow the BSS reporting and recording processes as underpinned by the BSS Examiner Conditions of Registration.

He was swiftly informed that the BSS Examiner Conditions of Registration at clause 1.4, makes it very clear that the term BSS Examination includes any and all contractual activities undertaken by Examiners specifically concerning the BSS, its requirements and the issue of BSSCs.

By failing to operate to the laid down BSS reporting and recording processes, the Examiner was placing his continued authorisation at risk and was likely invalidating his insurance cover.

It follows that there is no such thing as a pre-examination and so please always follow the BSS reporting and recording processes when conducting BSS examinations.

Hydroscand fuel hoses meet the BSS suitability and fire resistance requirements



It is possible that Examiners will come across Hydroscand fuel supply hoses; most likely on commercial vessels subject to the 2002 BSS requirements.

The hose type has been subject to a fire test with a temperature of 800°C ± 50°C for a period of 30 minutes. The test is much more onerous than the test as described in ISO 7840.

If Examiners come across a Hydros cand fuel hose without the normal expected markings to satisfy check 2.10.2; they will need to establish whether the particular type of hose is one that has been through the onerous testing.

View or download our Technical Briefing TB17-01 [\[Link\]](#) to make sure you are fully up to speed about these hoses and how to identify them.

BSS Business & Technical Manager replacement update

Andrea left us in July and the good news is that Phil has agreed to delay his retirement for a short interim period while the replacement recruitment hopefully reaches a conclusion.

Phil will be with us for three days a week but most of the time he is working on the strategic side so if you have a technical query that will be best directed to Dave. Database (Salesforce) and website queries to Rob and admin queries are best for Tracy.

Best regards,

A handwritten signature in black ink that reads "G.A. Watts". The signature is written in a cursive style with a horizontal line underneath the name.

Graham Watts, **BSS Manager**