



BSS Management Committee – Unconfirmed Notes

BSSMC #91 Tuesday 14 March 2017, Mary Sumner House Meeting Rooms, Westminster, London

Present:

Chair BSSMC

BSSAC Chair

BSSTC Chair

AINA Rep

Broads Authority Rep – Head of Safety

Canal & River Trust Rep - CRTrust

Environment Agency Rep - EA

Examiner Body Rep - Examiner Rep

Marine Trade Rep

User Group Rep

BSS Manager

Co-opted & Others:

BSS Communications Manager

BSS Business & Tech. Manager

Apologies:

Broads Authority Rep

91.1 Introduction to new BSSMC User Group Rep & Apologies

91.1.1 The CRTrust Rep deputised for the BSSMC Chair who was unavailable to attend the meeting

91.1.2 The new co-opted member, the BSS Business & Technical Manager was introduced to the committee and was welcomed to the meeting.

91.1.3 Examiner Body Rep announced his retirement from the Scheme and the BSSMC.

The deputising Chair thanked the Examiner Rep for the contributions and engagement with the issues over the years and value brought to the committee.

91.2 Notes of previous meeting

91.2.1 Confirmed as accurate and no matters arising were discussed

91.3 Report of the Executive Members pre-meeting [not otherwise taken on the agenda] - (Chair)

91.3.1 The Chair said that BSS Finance was in a good state and that a small surplus of income over spending was likely to be the result by the end of the month/financial year.

This was mainly due to an unexpected increase in certification activity in January-February.

The Exec approved an investment in 15 environment monitors and supporting two year management project. The key purpose was to assess examiner safety related to potential exposure to atmospheres deficient in oxygen or exposure to flammable vapours and/or carbon monoxide (CO).

Various boating categories and areas will be chosen to provide both contrast and base data.

The data will be used to identify any hazardous environments that could be a threat to examiners and at the same time may also help identify or better understand any potential environmental hazards faced by boat owners.

The data may also be used to persuade funders to invest in wider and deeper research into CO safety.

Any data and supporting reports will be shared with the committees to consider.

The committee was assured that there will be no impact on the 2017-18 business plan.

91.3.2 The Executive considered an examiner disciplinary case concerning a BSS examination on a new boat.

The findings included that, on the balance of probabilities, inadequate checking procedures, incorrect compliance decisions, or errors of judgement were made concerning 14 checks.

Concerning an allegation that a conflict of interest existed at the time of the certification issue, the Exec Panel concluded that it is not possible to determine.

The examiner has already withdrawn from the Scheme. The remedy in respect of the Examiner remains open pending an unlikely re-application for authorisation.

BSS Office

Follow-up actions are for the BSS Office to research as to whether this is a singular event by this examiner. The focus will be on boats only the examiner has previously examined.

BSS Office

The name of the builder is to be made known to British Marine in the context of RCD compliance, should the builder be a member.

It was noted that Hants Trading Standards public facing consumer advice concerning the Recreational Craft Directive (RCD) compliance had now gone and that left a gap as to where consumers could go.

91.3.3 The Exec discussed the likely publication of the Marine Accident Investigation Branch (MAIB) report into the Broads double fatal Carbon Monoxide (CO) incident aboard the motor cruiser Love For Lydia.

A recommendation is expected from the Chief Inspector for the BSS impose various requirements that mitigate CO risks

BSSTC Chair said that their committee would consider the evidence to see if there are third party risks

BSSAC Chair said that their committee would need insuperable reasoning why not to support any recommendations of the Chief Inspector

91.4 BSSMC Terms of Reference and the role of non-Exec members

91.4.1 Chairs of both BSSTC and BSSAC collaborated on a high-level document, soon to be circulated, which will replace the existing Terms of Reference [ToR - Doc K1]. Source background advice was taken from sources such as UK.gov website on how to formulate such a committee.

BSSAQ018 investigation process has some specific needs for realignments and adjustments.

The ToR will cover the committee's role in regard to financial spend within the purposes of the Scheme.

It will clarify the role of the non-executive members and it will offer advice in the decision-making process.

It will also join with the ToRs affecting BSSAC and BSSTC to present a suite of documents.

A copy is expected to be circulated in April 17

91.5 Outcome of the BSS Examiner Conditions of Registration (CoR) consultation – (BSSAC Chair / BSS Manager)

91.5.1 Agreement to adopt to the draft as the CoR from 1 April 2017 was re-affirmed. It will be published on the BSS Examiner support web pages BSS Office

91.6 Outcome of the reviews of Investigation Procedure & Examiner Guidance supporting the CoR – (BSSAC Chair / BSS Manager)

91.6.1 The review of the Investigation Procedure was presented by BSSAC Chair [Doc I1] and the changes agreed.

The fundamental value is to seek resolution to any issue at the earliest point in the chain in identifying those break points at which the investigation can end and resolution can be achieved.

The revised document places full ownership of the determination process with the BSS Management Committee Executive leaving the full committee to comment on matters of consistency in respect of the proposed remedy.

BSS Manager advised the committee that barrister's advice included a recommendation constitute the BSSMC Exec Panel to include a wider representation diversity to include of

The revised document will come into effect from 1 April will be published on the BSS Examiner support web pages BSS Office

91.6.2 The review of the Examiner Guidance supporting the CoR was presented by BSSAC Chair [Doc I2]

BSSAC resolved that guidance having regard to the CoR was necessary.

Its role is to clarify and make plain where any potential for confusion could exist such as in language that could be interpreted in different ways.

It was agreed to publish the new guidance document. BSS Office

91.7 Verbal update on BSS hire boat requirements changes - (BSS Manager)

91.7.1 The majority of examiners expressing a wish to undertake examination of hire boats have now been trained.

A wash-up course of the small number of remaining examiners not able to attend other training events is happening in late-April.

The approach of the course has on action mapping, practical application and interactivity and the feedback has been positive from participants.

Had the Hire Boat Code been implemented some elements would have been more straightforward and easier to assimilate, such as the concept of shared responsibility between hire operators, navigation authorities and hirers.

AINA members have been briefed about the 1 April BSS hire boat requirement implementation date.

Implementation of the requirements and checks will be monitored.

91.8 Verbal update on the Hire Boat Code revision – (navigation authority reps & BSS Manager)

91.8.1 The AINA-led forum including Canal & River Trust, British Marine and MCA will meet soon to seek a position on outstanding items and further discuss implementation.

BSS consultant's report shows that Beta testing associated with the stability testing of hire craft was a success. Queries raised on review were confirmed as dealt with.

The consultant's overview document on stability has identified some gaps in approach that may not have been fully appreciated.

The CRTrust's rep noted that the boats that cannot be considered for the simplified testing, i.e. generally day hire boats, is potentially a thorny issue.

The AINA rep noted that, in this context, the MCA and MAIB has as yet shown no interest in the fatal MOB on a hire boat at Cleeve Lock on the R Thames in 2015

91.9 BSS Examiner Development Strategy – project update – (Business & Technical Manager)

91.9.1 The paper was introduced by the BSS Business & Technical Manager [Doc G1]. The strategy document is fluid and focussing on the near future and will continually be developed.

The paper was commended by the Examiner Rep, and supported the planned survey intelligence gathering activity inasmuch as he will ask the Examiner organisations to support the proposed examiner survey research.

91.10 Report from the Chair of the BSS Technical Committee – (BSSTC Chair)

91.10.1 Chair of BSSTC presented his report. [Doc C1]

This included an update on proposals to review and amend some checks in the Examination Checking Procedures. The BSS Manager advised that further suggestions had come through from Hire Boat Requirement 2017 training sessions.

91.11 Report from the Chair of the BSS Advisory Committee – (BSSAC Chair)

91.11.1 Chair of BSSAC presented his report [Doc D1] and expressed disappointment at the delays in moving forward the Trusted Messenger initiative and the late arrival with members of the quarterly incident report.

In the context of the Trusted Messenger project, the BSS Manager advised the BSSMC that the newly appointed eLearning consultants have been contracted to produce a supportive eLearning module on the critical elements of CO knowledge.

91.12 BSS Manager's report

91.12.1 The annual report of incidents and accidents [Doc E1] was agreed.

BSS Manager reported that there are plans to develop a multi-agency approach on tackling an iceberg of risk issues linked to solid fuel stoves.

91.12.2 BSS Business and Technical Manager presented the quality management activity report [Doc F1], no comments were recorded.

91.12.3 BSS financial planning and controls – the situation was reported as positive. The table below represents performance to date, against the plan.

Profit and loss accounts	Plan Full Year	Actual to date
External Income	480000	398189
Payroll Costs	241967	220192
Staff Related Costs	22524	17870
Premises and Office Costs	40491	41974
Professional Fees	155000	135796
Finance & Other Costs	1321	1232
Total controllable costs	461303	417064
Total reserves	18697	(-27875)

91.13 To agree the following provisional dates for the 2017 BSSMC meetings

91.13.1 Members were asked to confirm any non-availability for the meeting proposed on Thursday 14 December 2017 - Venue, to be confirmed

91.14 Any other urgent business –

91.14.1 The Examiner Rep said that the examiner web site would benefit from a more prominent use of 'banner' messages to highlight new information added to the site.