



Advisory Committee – Confirmed Notes

BSSAC #102, 11 JUNE 2019, CANAL & RIVER TRUST OFFICES, HATTON

Present:

Chair
BSS Executive Secretariat
BSS Business & Technical Manager
BSSTC Chair
BSS Manager

Examiner Body reps:

YDSA
IIMS
NABSE (2)
ABSSE

Boat User Group reps:

RBOA
IWA
TBA
NABO
RYA Executive Interests

Navigation Authority reps:

EA
Canal & River Trust

Marine Trade reps:

BM1 – British Marine Executive Interests
BM2 - British Marine Hire Boats
BM3 - British Marine Boatbuilding

Apologies:

AWCC
Broads Authority
AINA

102.1 Apologies and introductions

102.1.1 As above.

The Chair welcomed i) the new BSS Manager, ii) new ABSSE rep, and iii) new NABSE rep

Apologies from AINA rep who had left the Broads Authority on May 31. A replacement is anticipated.

102.2 Notes of last meeting

102.2.1 101.2.5 - The EA Rep noted that the reference to the government department BEIS did not stand for Business Enterprise and Skills, but Business Energy Industrial Strategy. The notes were accepted saving this amendment.

Matters arising – not otherwise on the agenda

102.2.2 101.2.4 – Hire Boat Code - In support of AINA, the BSS has developed the public consultation facility including draft web text and the public consultation questions. The work is available for the AINA group members to review as a dummy page within the BSS site.

There is no word currently as to when the work reviewing the facility is to be concluded or when the public consultation may begin. Implementation was likely to be April 2021 at the earliest.

The Chair reported he conveyed the BSS's concerns about using BSS resource outside the scheme. The point was taken but this was a pragmatic view which would hopefully not be applied in the future. The IIMS Rep noted there would be less resources available for examination focused issues.

102.2.3 *101.2.5 – Commercially managed shared ownership and RCDII* - The multi-stakeholder meeting on 20 March with EA, Trust, Broads and the AINA Exec Director, Department for Business, Energy & Industrial Strategy (BEIS), Trading Standards, RYA and British Marine.

The meeting was dominated discussing RCD2 and the associated need for the Navigation Authorities to review Licensing Authority conditions and the proposal for the BSS requirement to be changed from 4 years to 1 year for new CE marked private boats. It was agreed that the parties would look at how an alternative solution to the wholesale change may be found, which targeted those higher risk vessels, and how it could be implemented with minimal burden to all parties.

Due to time limitations, there was no discussion on the subject of the BSS requirements for commercially managed shared ownership boats at a meeting and no commitment made to raise this matter separately.

The Chair brought up the question of shared ownership and the BM Executive Interests Rep proposed to park it until after the further discussion on CE marked boats. His position was that it became a problem when there was conflict, when an owner was forced to make modifications due to misalignment.

The Chair understood the theoretical problem but noted that in the 2 years since it was raised there had not been complaints. The BM Executive Interests Rep countered that he had received complaints. The Chair invited the BM Executive Rep to provide the details.

102.2.4 *101.10.4 NFCC approach January 2019* - There had been a very positive response by the National Fire Chiefs Council (NFCC) to the challenges presented to them by the BSS Manager in January. NFCC had agreed:

- a) to focus in on the current Boat Safety Week as part of the national Fire Kills campaign which will be supported and reinforced through the campaigns team.
- b) to introduce a NFCC policy for all FRSs to share boat-related incident information with the BSS. The NFCC would be unable to enforce this, however, will support the intent via dissemination of best practice guidance to all FRSs requesting that contact is made with BSS when there is a boat fatality/injury or near miss.
- c) to promote the Dorset & Wiltshire FRS model where there are hotspots of live aboard boaters presenting concerns – working together with the local Navigation Authority.
- d) to promote the separate points of contact with NFCC listed under Campaigns, Gas Safety/Carbon Monoxide Alarms, Smoke/Fire detection and Home Safety.
- e) to support the need for boat sector profiling.

102.2.5 *101.11.2, BSS examinations on boats without a mooring* - the BSS Secretariat reminded members that at the last meeting the RBOA Rep asked if there was a policy to deny examination on the basis that the boat owner had no permanent mooring. The BSS Secretariat had stated no such policy existed and confirmed that a short article appeared in the last edition of BSS Examiner News sharing this anecdote, making the policy plain, and asking for any information. Nothing had come back to them.

102.3 To note actions from the last BSSMC meeting

102.3.1 The last BSSMC meeting took place on 12 March, members were briefed as follows:

- a) updates were provided concerning two formal case reviews involving examiners who were not currently authorised.
- b) the projected dates of the LPG update courses were discussed.
- c) the Examiner Body Representative raised serious concerns about the failure of process regarding the last-minute change to the BSS CO Alarm Check 6.4.3. The BSSMC Chair reflected that this was the strength of the process that it could be challenged but she concluded that it reached the right outcome. The User Group Representative felt the process worked as it should.

- d) the subject of poor incident information from the Trust and other NAs was discussed. Understanding that there were sometimes good causes for omissions but these were not the majority, it was agreed that the NAs, through AINA, could agree reporting guidelines and that this could be reflected in the Navigation Authority Agreement document that in part sets out mutual obligations.
- e) the influence of drugs or alcohol on incidents was discussed and a commitment made to seek to analyse how this affected risk pictures.

102.4 BSS CO Alarm Requirements – implementation report

102.4.1 The BSS Secretariat reported the level of compliance in the first two months of implementation. Around 270 boats were found non-compliant with section 6.4 checks; a failure rate of 6-8%.

It is concluded that implementation had been successful with most boats were found to be compliant. This may be due to examiners turning up with CO alarms that could be fitted.

The ABSSE Rep suggested Licencing Authorities needed a nudge to enforce that all boat owners should already have alarms, regardless of when BSS was due.

102.4.2 The Secretary raised that Fire Angel alarms were BSI certified but the TBA Rep had raised their diagrams included a crossed-out yacht. CoGDEM and Fire Angel assured these alarms were compliant, and the Fire Angel Chief Executive would brief its technical team to be aware of the answer to enquirers. This issue would have to now be explained to examiners.

Done

102.4.3 The RYA Rep raised from the BSS website which said check 6.6.4 requires CO alarms to 'pass the function test using the test button'. RYA had received contact from a company set up to sell CO gas in canisters intended for testing CO alarms. The emails stated that the BSS advice was 'technically incorrect and misleading' and that only by testing the sensors with gas would prove condition. The BSS Secretariat explained the BSS had also had contact from the company concerned that that with the aid of CoGDEM and the Chief Executives of the CO alarm makers, had robustly answered the false premises contained in the emails and challenged the company to provide proof that the test function button was an inadequate test. The BSS would provide the RYA Rep with a copy of the reply to the company concerned.

Done

102.5 Examiner Development Strategy update/proposed activity

102.5.1 The new BSS Examiner Training Course update - There were over 130 potential examiners who had expressed interest. They were now filtered in terms of priority, although price might be a natural filter.

The BSS Business & Technical Manager outlined the initial training examiner course was progressing and reported that Part 6 was nearly complete and that authors for all other sections had been identified. BSS consultants the Bratton Group, had identified the online platform that could operate with Salesforce. The timeframe was for the online course to be available to trial by the end of November 2019.

102.5.2 2015 Examination Checking Procedures (ECP) Interim Review - It was reported that this review would have a big resource impact for the rest of the year. The BM Executive Interests Rep and the RYA Rep were asked by the BSS Secretariat whether they could commit to a BSI or working group view. The BSSTC Chair noted that they had no AC until November. The BM Executive Interests Rep stated he would do what he could, although time was tight.

It was agreed that reviewed BSS ECP Parts would come to BSSAC from BSSTC as they were completed. Members would consider whether the proposed changes were consistent with the Scheme's objectives, and if there were any unforeseen consequences. No reply would be taken as a positive regard and any comments should be accompanied by solutions.

102.5.3 Identity Cards - The YDSA Rep raised that his new identity card did not arrive until 6 weeks' after it had expired. The Secretariat stated they would order the ID cards before April 1 next year. The NABO Rep impressed the need for a shift towards safety culture, and that all examiners should present ID cards to boat users.

102.5.4 Examiner Performance Monitoring - The BSS Business & Technical Manager noted that the field assessment process had been affected by competing projects and said that desktop monitoring would compensate by targeting data reporting from Salesforce using the new Delivery Executive staff member, who was undergoing training and induction.

102.5.5 Service Level Agreement - The BSS Business & Technical Manager had contacted examiner body reps before the meeting but had not had replies. It was agreed to arrange a working group for this subject complete with any proposals for change made know in advance.

The work is necessary in the context of the outcome for the survey of all examiners. The task was to identify if the SLA was accurate or needed tweaking in view of the survey outcomes. This was a one-off important subject and they had to deliver on the survey.

102.5.6 Trusted Messenger Update - The BSS Business & Tech Manager introduced the item and a lively debate followed. The following points were recorded:

- the historic stance to 'recommended to encourage examiners' rather than 'instruct', and the feeling that this subject has already been exhausted at BSSAC.
- that examiners were not Fire Officers.
- the reluctance to enter into verbal comment or use Salesforce to record actions.
- there had been initial approval of the checklist approach and the importance of a checklist for consistency, and to give users ownership of the issue.
- the suggestion that the leaflets follow the Leptospirosis leaflet format
- that many users were not as dedicated to good practice ss the user groups represented at this forum
- that fire officers were paid for this role, and that examiners would have to increase prices if more time was added to their role.
- that by the time this was rolled out, the CO alarms would be on all boats, although it was noted alarms were only part of the solution
- that all boaters wanted to know was what to do in order to pass the BSS examination and the need for brevity.

The Chair summarised that they were pursuing this because BSSMC had decided the policy was necessary. It was agreed to involve BSSMC in any proposed solutions that would address the concerns raised.

It was agreed to involve the working group to be set up to discuss reviewing the SLA.

102.6 Report from BSSTC Chair

102.6.1 The BSSTC Chair reported that solid fuel stoves were coming under environmental pressures in London and other cities. They could expect some work in this area in years to come.

In view of the workload associated with the interim ECP review BSSTC were having a meeting in July and may have more meetings. The BSSTC Chair noted the input was high quality and this must be protected.

102.6.2 Users refilling non-refillable LPG cylinders - BSSTC considered the level of risk at their April meeting and agreed the activity discussed previously at BSSAC. BSSTC members considered that the likelihood of an incident was remote, but the consequences could be significant. The matter is added to the Risk Register complete with the BSSTC view.

All BSS Examiners have been informed in a newsletter about the potential danger and to look out for overfilled cylinders and the BSS web text has been amended concerning refilling LPG cylinders, and a link provided to the UKLPG guidance for users

Note that BSSTC endorsed the decision not to issue a press release at this stage in order not to encourage the dangerous activity. It is agreed only to share publicity on the back of an incident or in the event UKLPG and/or the Petroleum Retailers Association issue press releases in support of an initiative they launch.

102.7 Quarterly BSS Quality Management Activity Report

102.7.1 Members were invited to comment upon report *Doc E1, BSSAC #102*. The YDSA Rep asked about 6.3 on page 2, 'target to reduce by 50% the number of examiners with no known results' and asked how many examiners were failing. The answer was that this is an improving situation with now only 10 examiners involved, down from 28 when the initiative started.

It was reported that the BSS office was currently dealing with three false certification reports and that the BSSAC sub-group (documentation working group) would likely be utilised to make amends to the examination report.

The YDSA Rep suggested that with non-mandatory, there was a mechanism to upgrade the failing certificate to a pass without typing it out again. The Secretary acknowledged this point and noted that the planned meeting of the documentation working group could cover this aspect.

102.7.2 Examination outcome performance targets – The BSS Secretariat reported that at the last BSS Office Team Meeting it was asked why does such a consistently large proportion of boats fail the same BSS checks & so what? This touched on the concept of fault anticipation and management, recurring faults, why are they happening? What is the risk impact & what activity do we need to engage in, if any?

By coincidence, the IIMS Rep had asked to go on the agenda 'Examination outcome performance targets', which may cover off the same subject matter.

At the team meeting the answer arrived at was an obvious one, namely that the boat has changed since the last BSS Examination. This would be the presumption because the listed items are generally easy to spot, and it would be presumed all examiners do a good job. Presuming this to be a defensible premise, the question is of course why has the boat been made non-compliant, from being compliant?

The impact on the overall risk profile was considered and it was determined that an attempt would be needed to drill down and establish evidence to help explain which variables are at play.

There was confidence that the percentage fails rates have not changed much since 2013, but again will dig deeper to establish any trend, inasmuch as there is monitoring and there are available records.

The Chair summarised that this would be an ongoing activity to answer the risk issue identified and to create measures to measure examiner findings in this respect.

102.8 Report from the BSS Manager

102.8.1 Referring to the quarterly report of incidents [*Doc F1, BSSAC #102*],

- the Chair noted that the number of reported incidents was getting smaller and worried this could be due to decreased reporting. Totals for this year to date were 10 and that last year's total was 43. The BSSTC Chair noted that they could not do anything with the 6 incidents where they did not know what happened.
- the ABSSE Rep was worried about 3.3, tackling electrical issues with a hose.
- the BM Executive Interests Rep noted that there would be less diesel due to governmental environmental regulations, although probably following a long period of adjustment.

102.9 Items for BSSMC – BSSAC Chair

102.9.1 There was no BSSMC scheduled, but exception reports are scheduled for the end of July. The BSSTC Chair noted an issue of BSS office workload, and that they were not doing examiner performance monitoring due to resource issues.

102.10 Confirmed date of the remaining 2019 BSSAC meeting at Hatton

102.10.1 #103 Tuesday 12th November

102.11 Any other business (AOB)

102.11.1 British Standards (BSI) development and BSS engagement – The BM Executive Interests Rep said that at BSSTC in particular members had expressed concern about standards, but there was rarely a consistent BSS involvement these days in the development of standards. He encouraged BSS to embrace the use of standardisation and engage with standards development in areas of direct relevance to Scheme.

The BSS Secretariat acknowledged that BSS views had been inputted historically and there were some successes, such as amends to the LPG ISO. It was also fully accepted that boats built to high safety standards is fundamental to the aim to reduce incidents and accidents.

102.11.2 IWA report Vision for London - The IWA Rep explained this was written by the Chair of their London branch which addressed tenanted boats, air pollution, lack of moorings, and was probably useful background.

102.11.3 CO alarm requirements training outcomes - The BSS Secretariat reported that the CO alarm requirements training for examiners had been surveyed and reviewed:

i) From the Knowledge Assessment results our database.

- 77.5% of Examiners sailed through the course assessment, passing in the first attempt (Pass mark 90%).
- 97.6% of Examiners got the least the pass mark 90%, at the first or second attempt.

ii) From the BSS Examiner 'satisfaction survey'

- 98 examiners responded to the survey = 58%
- 92% of those who responded said they were at least 90%- 100% confident that they could effectively apply the checks in the field.

The YDSA Rep felt there were several ambiguous questions. The NABSE Rep noticed the weightings on the answers was stacked up. The ABSSE Rep asked the value of asking this question immediately after training as opposed to a year after training. The BSS Secretariat reflected that it was still a good survey outcome.

RBOA asked for accessible products as they were doing work on disability currently and the Secretary advised her to reach main manufacturers for this.