

ReportISM



The ISM Code Magazine...
by experts for professionals.

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Welcome to issue 17 of ReportISM – which is a bumper edition and I hope you will find the articles stimulating, interesting and, most of all, useful. As most of you will already be well aware, at the 85th session of the IMO Maritime Safety Committee there were some important amendments made to the ISM Code which will come into effect on 1st July 2010 through Resolution MSC.273(85).

On pages 14-19 of this edition of ReportISM we examine those amendments in some detail and provide our interpretation of the requirements and their significance. It is important that you ensure that your own SMS fully takes these amendments into account. You should also ensure that you carefully plan any renewal verifications of your SMCs and ensure these are completed in the time frame allowed.

In this issue we introduce a new word into the language: 'Deriskification'! In his article, on pages 10-11, ConsultISM Non-Executive Director Captain Peter Cooney draws upon his many years experience as a very senior player in the Ship Management business and considers the risks associated with Shipping enterprises and how we deal with them and make us more resilient.



Certainly from our own observations of a wide range of ship operating companies, the many and varied hazards facing the company have not always been recognised or indeed fully assessed. Clearly, if those hazards are not properly identified then the risks cannot be assessed. If the risks cannot be properly assessed then they cannot be effectively managed. Risks which are not effectively managed pose very real threats to the Company and to individuals within the Company – particularly at a very senior level.

The process which a Company goes through of identifying its hazards, conducting a risk assessment and implementing appropriate action to reduce those risks to an absolute minimum is what we mean by the term 'Deriskification'.

Whilst ConsultISM has an international reputation as being the leading authority on the ISM Code and marine safety management – what we are really doing in practice is working with ship operating companies helping them with their own "Deriskification" process.

Remember, unidentified hazards in a Company represent 'weak links' in that organisation and any Company is only as strong as its weakest link. Is it not time you had a health check?

Last year ConsultISM developed a training course for ISM Designated Persons jointly with Maersk Training Centre – which is currently doing a world tour. I am delighted to advise that both the theoretical, computer based training (CBT) modules, as well as the practical workshops have been officially Recognised by the UK Government / Maritime and Coastguard Agency (MCA) as being compliant with IMO Circular MSC-MEPC.7/Circ.6 Section 3 and Section 5 respectively. We believe this to be a first in the industry and given in recognition of the very high standard of our course material and the quality of the trainers involved.

As always, I hope you enjoy ReportISM and please do let me know if you have any comments or suggestions on issues you would like to see covered in future editions.

Safe sailing,

Dr Phil



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Cultural Demands

At ConsultISM, safety management is our business. Our consultants are employed to guide those struggling with the pressures of ensuring their people, assets and businesses are running safely. Additionally, through our litigation support and expert witness work, we are instructed on legal cases where all too often things have gone badly wrong. Which means we are well placed to recognise, that without a safety culture underpinning efforts onboard, or in the office ashore, safety is only ever skin deep.

Shipping has undergone immense change in recent years, transformation that has seen ships of increasing size and sophistication, governed by swathes of regulations, and with a new generation of technically advanced seafarers who are highly skilled, but perhaps not as “sea smart” as their forebears. While the more senior staff are left wrestling with the need for new skills to navigate more by electronic means than traditional.

Such understanding of people and the culture they are immersed in is the theme of a new book published by former marine engineer and superintendent, Sean Trafford. Despite the changes, and even since the adoption of the ISM Code, the human element, and human factors still play a crucial role in ensuring safety.

“Maritime Safety – The human factors” considers the challenge of developing a safety culture on board modern ships with multicultural crews and global management structures.

The book focuses on the analysis of the current safety regimes through interviews with maritime industry professionals, who provide detailed views of the ISM Code and safety management systems, cultural issues and maritime risk management, including the role of training in safety management.



Of the many interesting elements and facets of safety management discussed, perhaps the most compelling is the question of whether it is possible to develop an over-arching “safety culture” that can be applied across the modern fragmented, global industry. With multi-national crews, can the psychology of behaviour and attitudes tell us anything useful about how to design more effective, cross-cultural

safety training? Trafford ultimately arrives at a crossroads – does the key issue of cultural diversity within ships’ crews need stricter enforcement of existing regulations or will it take a greater emphasis on training and education to create a culture of positivism, of skill, improvement, reporting and learning?

Ultimately, following illustrative case studies and a review of academic literature, Trafford comes down on the side of education and training as likely to be more productive solutions, and urges shipping companies to improve their safety standards by doing more to educate their crews.

Now of course, many leading shipowners and managers already accept this wisdom – and while it may be a struggle, many work hard to apply such principles.

While the questions raised are useful, and with these answers pointing us in the right direction – can we really instil a functioning safety culture through “learning” alone? Theory is one thing, but if all do not buy into it, then you are left with simply words and hollow actions.

So what can be done to underpin the training and education?

To us, the solution to ensuring not simply compliance with the rules, but of excellence and an ability to adapt and improve, rests at the very top of the company. As we look to managing risk we know the importance of the “buy-in” from the senior management. With the support, acceptance and commitment from those above, a company has a chance to do things the right way. Without this commitment, then it can only ever be lip service, and words count for little. Remember, when it comes to safety it is actions which ultimately make the difference.

The Internal Goldmine

Real Value of Internal Audits: A Personal Reflection from Dr. Phil...

I still recall, even today, one of the most important lessons I ever learnt about the ISM Code and how to make it work. It was in the early to mid 1990's while working in a P&I Club that I started to read into a new idea of an International Standard for managing safety, which had been developed at IMO. My introduction to the subject was when I first came across an early edition of the publication jointly produced by the International Chamber of Shipping (ICS) and the International Shipping Federation (ISF): "Guidelines on the application of the IMO International Safety Management (ISM)".

This was a rather disjointed publication split into an almost random series of 'Parts' and 'Annexes'. However, it contained a most valuable commentary on the ISM Code, as well as extremely useful and almost stand alone sections on various related issues with one, in particular, having a significant effect by introducing the idea of Auditing principles: **Part IV 'Internal Safety Management System Audit Guidelines'**.

In the Introductory section of the Guide there is stated a profound truism: *'...In carrying out internal SMS audits companies measure the effectiveness of their own systems. Internal SMS audits are potentially more important than external audits for controlling the effectiveness of the system, since companies stand to gain or lose more than the external audit bodies if the system fails. The company, its employees, shipmasters, officers and 'crew' own the safety management system and have a direct interest in ensuring that it is effective. As a result, the internal SMS audit, which represents these interests, should be at least equal to if not exceed the thoroughness of the external SMS audit process.'*

I still encounter many ship operating companies and individuals involved in the ISM implementation process who do not appear to have understood the full significance of that guiding principle. Frequently it appears that very little effort has gone into the internal audit and almost begrudgingly such audits are carried out once a year – in order to tick another box.

In my opinion, a Company which adopts such an attitude to its Internal Audits is missing out on great opportunities to learn lessons, improve their systems and make their whole operation more effective, efficient and profitable.

I encountered a situation recently which not only surprised and angered me but also made me question whether we may have completely 'lost the plot' somewhere along the way. I was involved in carrying out a Management Review / Health Check in a ship operators office and was looking at the recent annual DOC verification audit results when I was advised that the auditor from one of the leading Classification Societies who was acting as Recognised Organisation (R.O.) for a major Flag Administration had raised a Non-conformity because the Internal Audit Report from one of the vessels was 'too detailed'! I examined the report, which ran to 10 pages, and discovered a goldmine of valuable information. The Internal Audit had taken place following a Port State Control detention. The DPA who had attended to carry out the Internal Audit had discovered a number of problems on board and these were recorded in the Report and were to be used to assist with the implementation of corrective actions.

According to the DPA, the RO had advised that an Internal Audit Report should typically be a single page and never more than two pages – and, as a consequence, considered the 10 page Internal Audit to warrant the

raising of a Non-Conformity. In my opinion this was totally and utterly out of order, completely wrong and against the principle and spirit of the ISM Code.

In my opinion Internal Audits Reports should have detail – this will then allow the Reports to be used as valuable tools to help the Company as well as the Master to continually improve the working of the SMS.

The problem which arises however is who should the DPA listen to – me or the RO? His heart and his own experience would push him towards me and my interpretation – but having such Non-conformities raised by the RO will cause him serious problems with the DOC. My recommendation was to put in a formal complaint to the Flag State Administration, the Classification Society and IACS – and I will be happy to assist them with such a course of action.

I would implore any ship operating company who does not, at this time, invest quality time and energy into their Internal Audits to think again. They will be amongst the most valuable tools you have in your toolbox to help you with your management of safety.

By fate, or whatever, last year I was honoured to be invited by the ICS / ISF to help rewrite / update the 'Guidelines on the application of the IMO International Safety Management (ISM)'. Believe it or not, the current edition is the 3rd Edition and was published way back in 1996! Two years before Phase 1 ISM Code implementation deadline. The 4th Edition includes much restructuring and new material and should be published in April 2010. However, much of the original content has been recycled – and the section on 'Internal Safety Management System Audit Guide' remains almost intact with only very slight editorial changes.

Weighty Issues

Captain Yves Beeckman is the Marine Superintendent for Unie Van Redding En Sleepdienst nv who operate a wide range of harbour tugs in Belgium and Dutch ports as well as deep sea and salvage tugs. In this article he shares with us some horror stories which come first hand from his Tug Masters and Crew who regularly have their lives threatened from heavily weighted heaving lines being hurled at them from ships to which they are offering towage services. Ship operators and those working on board ships are urged to read this article and have greater awareness of the dangers inherent in this practice of 'weighting' heaving lines.



As marine superintendent for our fleet of harbour tugs I have received several incident reports from our Masters over the last year with regard to dangerous weights on heaving lines.

We realise that it is often not an easy job to get a "normal" heaving line with a monkey fist across to a tug or to the berth, especially in strong winds. The easy solution seems to be to grab the most convenient objects to make the line heavier; typically a shackle. Crews can however be quite creative in finding a solution to their problem and a multitude of objects have been thrown at our tugs. Some of these are not just handy weights taken from a convenient bosun's store, but their nature indicates that they have been carefully selected for the purpose, such as steel tubes, engine parts, or even scale weights.

Furthermore, a monkey fist can be (invisibly) weighed by inserting a steel bolt or nut, or by saturating it with paint (possibly old-style lead primer!)

What the ship's crew doesn't seem to realise is that the kinetic energy from such a weight flying through the air is more than sufficient to kill a man, or, if he is fortunate, only to crush his skull, break his bones or cause otherwise serious injuries.

You cannot simply say that the man on deck of the tug or on the quay must watch out. They will be standing in the dark, blinded by the ship's floodlights, or simply surprised by a heaving line being thrown at them unexpectedly.

In case of injuries or even worse a fatality, a formal investigation will be conducted and the ship's Command

may be held personally liable for manslaughter, the Company may be found guilty of negligence or corporate killing.

It must be clear to everyone that this is a potential hazard which should be identified under Section 7 of the ISM code, and therefore preventive measures should be implemented by the Company. To date, I have however never come across a procedure to ensure that heaving lines are not turned into murder weapons.

I therefore strongly urge everyone who reads this article, to draw this subject to the attention of their Company's DPA or SHE-Q department. I am sure that no Company would supply such heaving lines to their crews. It might be a good idea to incorporate the heaving lines in the inspection routines both by the onboard team and the company inspectors / auditors. Such inspections should reveal instances which may arise of personal initiatives by the deck crew which have gone unnoticed by the ship's command. The significance could also be raised during the on-board safety committee meetings.

But then there are really well-intended initiatives which are however just as dangerous as using steel objects. We have come across rubber "droplets", weighing well over 1 kg. They look "appropriate" but for our crews they are just as dangerous as the steel objects, be it that they do not have the potential "cutting edge" of some other objects.

To illustrate, we have included some pictures. These are "only" some of the objects our crews have cut off over the last year. The port authorities at Antwerp have a similar collection, and it is growing steadily.

Learning Vital Lessons

Valermosa - A Lesson to be Learned of the Importance of Good Bridge Team Management

On the 25th of February 2009, the product tanker Vallermosa was involved in a collision with two other vessels berthed at Fawley, in the United Kingdom. As the incident occurred in the UK, the Marine Accident Investigation Branch (MAIB) was tasked to carry out a full investigation. The MAIB's full report (some 80 pages long) can be found on its website www.maib.gov.uk and makes very interesting reading. We do not intend to fully summarise the MAIB report here but would like to share with our readers some of the more important points, lessons learned and conclusions that were raised.

The Incident

The Vallermosa is a 40,000 dwt product tanker which was fully laden with a cargo of jet fuel destined for discharge at a terminal in Hamble in Southampton Water. The vessel anchored at a designated anchorage south-east of the Isle of Wight after a short voyage from Rotterdam on the evening of the 24th of February in order to await the next high tide.

At 0736 the following morning, the vessel weighed anchor and proceeded to pick up the pilot. When the pilot boarded at 0820 an exchange of information was carried out between the Master and pilot, including a passage plan handed over by the pilot. The pilot was made aware of the manoeuvring characteristics of the vessel including the fact that she had a bowthruster and a Becker rudder fitted. On the bridge were the Master, the Third Officer, a cadet, a helmsman and the pilot.

During the transit – and unknown to the Master or pilot at the time – a problem occurred ashore over the cargo paperwork. The VTS were advised of this at 0940 and that the vessel may have to abort the berthing as a result. However, VTS did not relay the information to the ship. At 1010 the ship began a turn into the Thorn Channel. After the turn was almost completed, the terminal's Loading Master called the vessel by VHF at 1018 and advised that due to incomplete paperwork, the berthing was to be aborted and to return to the anchorage. At 1021, the turn was completed and the pilot contacted the VTS to confirm that the vessel was to return to anchor.

At this point a decision was made and agreed between the Master and the pilot that the tugs that had been ordered for berthing would not be required to assist the vessel in making a full turn about to head back down the river. This decision was based on the manoeuvrability of the vessel and the fact that she had a bowthruster and a Becker rudder fitted. The turn would be executed off Fawley Marine Terminal.

Meanwhile – at 1033 – the vessel's speed (10.5kts) was noted to be much higher than planned as per the passage plan (4-5kts) and the pilot. Over the next few minutes, the engine was reduced in stages to stop, however even at 1037 the vessel was still travelling at 10.0kts and a distance of about half a mile from the terminal. With the engine stopped the helmsman reported problems with the vessel failing to respond to the helm orders and turning to starboard. The pilot counteracted the swing by ordering slow ahead and hard to port. Once the vessel started to turn to port sufficiently, the pilot then ordered slow astern and wheel amidships, expecting the transverse thrust to reduce the rate of turn. The distance

to the terminal was closing rapidly but the rate of turn to port increased. The pilot then tried to counteract this by further engine movements and helm orders and by using the bowthruster to thrust full to starboard.

At 1042 both anchors were let go and one minute later the vessel's speed had reduced to 5.5kts, however the ship made contact first with one vessel (lying starboard side to) and then another (lying port side to), both involved in discharging their respective oil cargoes. Cargo was however stopped immediately before impact due to quick action by terminal and ships' officers.

Damage was sustained to all three vessels and some oil was spilled into the river from burst cargo hoses connected to the second vessel struck.

What went wrong?

We are constantly reminded in almost all maritime incidents that seldom are they caused by one-person errors. Usually a chain of events leads to the incident with respective barriers that should have been in place found to be missing. This particular case is no exception. We are also reminded that a high proportion of collisions happen when there is a pilot onboard.

Perhaps if the apparent administrative error in paperwork had not happened, the vessel may have proceeded to her berth without incident. Had the VTS spoken to the pilot as soon as it had become aware of the possibility to abort the berthing, perhaps the pilot would have reduced speed earlier or even stopped the ship to await a decision. While these are factors that may have led to the incident, it should be stressed that these were external factors. External factors or forces are always at play

when it comes to safe navigation, whether it is the weather, other traffic or other factors such as those mentioned in this case. It is up to the bridge team to always be aware of the current situation and react to external factors, taking suitable action to mitigate any risk that they may cause. Clearly in this case there was little in the way of effective bridge team management.

In this incident, a highly experienced pilot, for one reason or another – perhaps due to stress caused by the sudden decision to abort the berthing, failed to recognise that the ship was travelling at too high a speed until it was too late. However at no time did any of the other members of the bridge team question the pilot on the speed of the ship.

There was an exchange of manoeuvring information at the start of the pilotage, but the passage plan was not discussed in any detail. Had it been, or at least had the bridge team paid attention to the speeds laid down in it, the pilot's actions concerning the vessel's speed may have been questioned by other members of the team and steps taken to reduce the speed of the ship well before arriving at Fawley.

The Master had command experience on sister vessels and had been on this vessel for over two months. It would not therefore be presumptuous to assume that he should have had a good knowledge of the vessel's manoeuvring characteristics.

However he apparently failed to pass this information on in full to the pilot - in particular, the specifics of the Becker rudder and the fact that the bowthruster was ineffective at high speeds. The Master also failed to communicate the data on vessel's manoeuvring data table to the pilot. Had he done so the pilot would have

had a better understanding of the ship's stopping and turning distances. The decision not to use tugs for turning about was a joint decision, and hindsight always comes into play after the event. However should the tugs (which had been already booked for berthing) have been used then the vessel's speed and direction would have been controlled better and the collision would have probably been avoided.

What is apparent is that the pilot appeared to accept the fact that he was conning the ship on his own and the rest of the bridge team appeared to consider that the responsibility of the safe navigation rested with the pilot. Pilots are, of course, used for their expertise and local knowledge however the safe navigation of the vessel always remains with the Master and the rest of his bridge team. Section 3.3.3 of the ICS publication Bridge Procedures Guide clearly states:

The presence of a pilot does not relieve the Master or OOW of their duties and obligations for the safety of the ship. Both should be prepared to exercise their right not to proceed to a point where the ship would not be able to manoeuvre or would be in any danger.

It is evident that the vessel had indeed proceeded to such a point and that the bridge team did nothing to question the pilot's actions or take over control of the vessel. This was despite correct training having been given to the individuals involved.

This incident is just one of many that has resulted in a failure of bridge team management. The MAIB report states that anecdotal evidence suggests that only 25% of bridge teams actually assist the pilot during pilotage. This means that the vast majority of ships are entering and leaving ports with the full decision-

making process being carried out solely by the pilot. If he or she gets it wrong (and after all – to err is human) there will be insufficient back-up and support to avoid a serious incident.

This particular case resulted in damage and a minimal amount of pollution but could have easily resulted in a catastrophic explosion and serious pollution.

One of the recommendations made by the MAIB is to integrate the pilot's role into Bridge Resource Management training. We, at ConsultISM, fully agree with this and hope that shipping companies, port authorities and training colleges take good note of this point.

We would also go one step further and suggest that frequent navigational audits are conducted during pilotage with an experienced mariner taking careful note of what actually is going on. Such an audit has to be carried out correctly and the results discussed with the bridge team at the end of the pilotage in order that the audit is used as a learning tool. This could be done by the port authority, a company representative or an independent auditor but only by such training and careful monitoring will people really learn. It would certainly appear that the industry is not learning enough through the reporting and publication of actual incidents alone.

The purpose of this article is to learn lessons and in no way intends to apportion any blame to any individual or party concerned.

ConsultISM can assist Ship Operators by providing experienced consultants to conduct Navigational Audits on board their ships – including providing appropriate feedback and training.

Policing The Police

The system of marine governance is fairly straightforward, the various nations gather at the International Maritime Organization (IMO) to debate the issues, ultimately introducing the rules and regulations which dictate what we can/can't, should/shan't do. A tried and tested route, that has served us fairly well.

However, with so many different countries represented, and with so many types of Flag Administration, it has become increasingly clear that in order to have a level playing field, the IMO should take a close look at the inner workings of its own members, and so the voluntary Member State Audit Scheme was introduced in 2006.

The scheme got off to something of a slow start, but eventually the number of Member States opening themselves to voluntarily scrutiny began to pick up – and the exercise was deemed a useful one – not simply for IMO, but for the Administrations themselves.

As a result, the IMO Assembly has agreed to make the Audit Scheme mandatory. Thereby marking a significant step in the relationship with what one might deem the more “problematic” Administrations.

Despite the fact that it will be several years before it becomes a requirement, and a further few years to work through all 169 Members, it looks like it could be a boost to the global standards of shipping, and a shot in the arm for efforts to raise standards from the top down.

Initially, there were concerns the scheme would be too intrusive with the possible implications of the publication of areas for improvement causing potential embarrassment.

Eventually many, if not all of the concerns appear to have been allayed. IMO secretary-general Efthimios



Mitropoulos said: “So far, the audit scheme has proven its worth in many ways, and I am convinced that a decision to make it universally applicable to all member states will enhance safety and environmental protection, while contributing substantially to improving their performance as flag, port and coastal states and to the organisation attaining its objectives.”

In theory, all Flag States are created equal, but some are perhaps more “equal” than others. While those who felt they would cope well with the voluntary audit subjected themselves willingly, there would be some who would never throw the doors open until forced.

There are still issues to be resolved, and a case highlighting the problems within some Administrations, is that of the Maritime Labour Convention (MLC) and the progress (or lack of) being made by many Flag States.

The International Maritime Employers’ Committee (IMEC) has voiced major concerns about the lack of preparedness of many Flag States

for implementation of the Convention, which could come into force as soon as next year depending when sufficient countries ratify it. The convention will then enter force 12 months later.

IMEC secretary-general Giles Heimann said, “Flag States need to devise and enact their own legislation, but some, including at least one leading international register, are nowhere near doing so.”

So there are still problems on the horizon, and critics of the audit scheme are sceptical about how effective it will be in improving performance, whether it will be fully transparent and to what extent punches will be pulled in highlighting deficiencies of other member states. It could be damaging for the credibility of all if some high-profile players were deemed to be failing – so there are those who suggest a potential white-wash. We can only hope that this isn't the case, and that the Flags who not only fly over our fleets, but watch over them too will have the systems, the resources and the means to deliver safer, secure, efficient shipping on clean oceans.

Zero Tolerance

The IMO mantra of “Safe, Secure and Efficient shipping on clean oceans” is an admirable aspiration, but as we increasingly operate in a world of “Zero Tolerance” what are the implications for mistakes?

Lloyd’s Register’s Vaughan Pomeroy recently spoke on the challenges facing the industry, with an emphasis on environmental issues. As crimes against the environment gain prominence, shipowners and crews can be “hung out to dry” for the slightest error.

News travels fast, but bad news goes “super nova”, Pomeroy stressed that, in an age inundated of instant “news”, twittering and social interaction, politicians and public opinion can be shaped all too quickly, with serious implications for shipping - fuelling the ire with which “guilty” seafarers and shipowners are judged.

Pomeroy’s talk focused on how industry must adjust to today’s fast moving scenarios, operating sustainably, while finding ways to avoid the fallout after accidents.

Following high profile cases such as the “Erica” and “Prestige”, “Hebei Spirit”, et al, (which saw professional mariners jailed simply for doing their job), we can see that we need to not simply be aware of the demands of those ashore for zero pollution, but we must find ways of protecting our seafarers, employees ashore and entire companies, against the damage that a spill can generate.

With criminal penalties hanging over those who transgress, the challenge today is to find ways of better managing risk. It would, of course, be much better if we could stop the collisions, the spills, the accidents, but alas that is not so easy. Accidents and errors, it seems, are sadly inevitable.



Citing, “*Know the risk: learning from errors and accidents*” by Duffey and Saull, Pomeroy introduced a formula to calculate the Minimum Error Rate (MER), using various elements to show the number of errors, the minimum achievable number of errors. Pomeroy said that while technology has advanced, the MER remains incredibly static, to the extent that it has barely changed over 200 years! Working out the MER for shipping it seems that around 75 casualties can be expected per year.

Looking back over the centuries, it seems that causal chains and factors look remarkably familiar, featuring

inadequate training, poor operating and emergency procedures, faulty design, incomplete research and development, insufficient validation, and non-adherence to procedures. These could be cited for anyone of thousands of casualties over the years.

So if our destiny is so engrained, and we know that we are going to suffer at the hands of intolerant regimes, what on earth can we do about it? Completely eliminating risk from the marine adventure is impossible –so if we can’t eliminate risk, we must understand the need to mitigate or minimise.

We cannot easily change the perceptions, nor modify the behaviour of those who seek to punish seafarers – but we can effectively control the risk, thereby reducing the likelihood of accidents, ensuring that lessons are communicated and learned as we look to improve and reduce accidents in the future.

Looking ahead, it is clear, there will be no more tolerance of errors or failures, and we need a means of protecting ourselves.

Fortunately help is at hand, the ISM Code exists as not simply as a means to get things done in the right way, but it can also act as a shield to protect those unfortunate enough to experience accidents. By embracing the right ways to reduce risk and to manage safety, by documenting what we do, by reporting and continually improving and learning, then we have a chance. Simply carrying on regardless, in this unenlightened age is a recipe for disaster...and not simply for the environment.

Maritime “Deriskification”

In this article Captain Peter Cooney, Non-Executive Director of ConsultISM and former M.D. of V Ships and Acomarit, shares some thoughts about the risks facing a ship operating company and challenges ship operators to examine just how well protected they really are to these many risks.

The intention of this paper is to consider, in entirety, the risks associated with shipping enterprises, how we deal with them and how they make us more resilient.

Shipping is an exciting business venture which is laden with risks and it is remarkable and interesting that so many global businesses choose to be involved in the transportation of World trade. We can only assume that the justification for investment in shipping is that over time many people make money and that all of the people in shipping have a great time and a lot of fun. They also enjoy each others company.

Investors who contemplate entering a shipping venture have to consider, understand and deal with a variety of risks.

All strategic corporate decisions are in play, in terms of securing funds, on what terms, from where and in what structure. Shipowners then have to consider at what time they acquire assets, be they newbuilds or second hand vessels., or as the motor trade believes, pre owned vessels. It is clear that when taking these decisions they need to take a view on the risk appetite financially, but also in terms of their ability to deliver a result to shareholders and investors. They will also be considering corporate governance

An important part of the process is a full risk assessment, at all stages considering risk and reward and insured and uninsured risk. We would therefore assume that the shipowner and his management team would consistently review all potential risks, as they go, from both financial and operational perspectives. I wonder how many have this discipline?

Many shipowners employ risk managers on the board or as advisors, taking some responsibility and all organizations are, I suppose, trying to bring risk management into the mainstream of shipping activity. Shipping, as said, is a very risky business and has to make business like decisions, while being as innovative as possible, taking positive risks in order to maximize profits.

When sitting down as a management group an important element is to construct a company which has all the inbuilt skills and competences required, but also has

the ability to manage extraordinary events. One thing is absolutely clear, from our now considerable experiences in the shipping world, that unplanned eye openers will eventuate from time to time. It is necessary then to create a business model with the appropriate structure and organization with the capacity and resilience to care for day-to-day business and the balls from left field. The very nature of our exacting business is that we do not have all the resources, (be they human or systemic) required to execute future plans and deal with all the risks.

At corporate levels, organizations will of course employ lawyers to protect against legal, contractual and documentary risks. They will also hire ship brokers to advise on issues such as freight risk however none of this may protect against counterparty risks etc.

Acquiring vessels is a complex and sometimes unrewarding exercise which also needs a coterie of experts, or risk defenders in order that the asset is delivered meeting all expectations. Not an easy task in today's market.

The reputation of a shipowner, or manager, or operating company, is critical, in terms of attracting funds for asset acquisition, in terms of trading vessels, not only to earn freight but to compete at all in some markets. A risk management process is important here and most owners will employ a P.R. expert to assist, and control and mitigate the risks associated.

Business continuity is an area which requires attention with the possibility of significant potential risk, not least of all the provision of office space, IT services etc. It is important to have a Business Continuity Management (B.C.M.) policy, carry out a business impact analysis, risk and threat assessment and proceed.

These are only a few examples of risk in the shipping venture. They all need to be de-risked. Call it what you like, it is a process of “Deriskification”

If we assume that these are two fundamental components of a shipping enterprise, simplistically they are:

- A) Corporate, including all of the above. The ship is in the water and employable.**
- B) Trading the vessel with all operational risk associated.**

The assumption, a big one, I agree, is that the vessel is delivered to the operator in pristine condition with no inherent risks attached. Unlikely you say.

My experience, at this point, is that people in shipping are more likely to be reactive rather than active or proactive,

and history supports this view. We wake up at three o'clock in the morning, following the phone call, with our eyes popping out because we recognize the risk and the impact of an incident, or less likely but not impossible, we have been trained and educated and we recognize the potential threat during the training process, and then our eyes pop out.

If we follow B) as identified above, we see an interesting picture of the overall risk profile developing. Especially when we consider that risk will always do its best to have a detrimental effect on the achievement of any objective.

Let's now take a look at a typical shipping venture, in an operational sense. Firstly shipping is a fully global business, so we operate in an international environment with all of the issues which apply including legal's, language, culture, time differences, political initiatives and not least of all, a shortage of skilled people, weather and piracy. Within this backdrop we trade in a market where ship owners, over time, do not receive a fair return for their investment, efforts and risks and as we know there are many reasons for this.

Embarking on a voyage we can clearly see the risks associated with the management of the assets. We have already managed risk to this point as best we can, however that does not mean that it has been fully identified, mitigated or removed.

In fact much of the residual risk arising from earlier decisions is passed down to the operating level with imperfect vessels, etc, etc - managers have to take over an unfamiliar ship, quickly acquiring the skills and competences required to trade the vessel. i.e. change management. We need to resource the people in the offices and on board ship to operate our assets in a risk averse way, which is not an easy job.

We probably have to outsource a number of roles which further complicates life and creates more risk, while recognizing that the shipping community has become a major outsourcer which has benefits but also a downside.

Care of the crew is a paramount responsibility and should be our number one KPI. We then need to care for the cargo, the very reason for the enterprise in the first place. In addition, we need to care for the environment, not simply because we should, but because if we don't, it really is eye popping time.

On top of all this we have to consider the complete operation of the vessel. safety, security and in all respects be risk averse. How do we achieve all this, considering human resources, repairs and maintenance, voyage and cargo operations and all other services required.

I would ask you to remember at this time that shipping has only one earning centre and many cost centres.

We broadly rely on two things.

- 1) **Sea Staff and supportive personnel of the highest quality and competence with a fully sympathetic and understanding of senior management.**
 - 2) **Dependable systems which also assist and de-risk the venture whereby these configured systems support both the hardware and the people.**
- Regretably, these two critical elements are not a given.

Turning to the regulatory environment in which all of this has to function and considering this regulation and control of risk, we arrive at the ISM Code and Safety Management Systems, bearing in mind that no two shipping companies are the same. What a challenge for the industry. Considering (B) above, such a great deal relies on the impact of the full and effective implementation of these SMSs that I think we need to apply ourselves more to this element in the matrix of control factors in play.

We also need to remember that we live in a World of constant change, for example with a recent understanding that lawyers are becoming increasingly aware of the potential use that can be made of the ISM code, instead of the code acting as a shield it is used as a sword to attack.

We recognize that risk management has an integral importance in an SMS, and that it is an effective tool only if we take a holistic view. We have to recognize that an SMS is only as good as all of the inputs over a significant timescale, only then can we have faith in our system.

My conclusion remains, that the best, most robust and cost effective solution, to control the eye popping experience and to keep us all out of jail, is to have this total faith in the risk control elements contained within an SMS.

One way to achieve this is to have a rigorous "Health Check" - thereby ensuring that, at least, the systems we employ which have become such an important risk tool are doing their job. We can then also guard against, creating additional risks. As I have seen too often, these additional risks are likely to impact both on the company and its people.

Best practice and excellence are fine, but we must not be guilty of ignorance, or deception, or be in denial in respect of the Safety Management System. We have to be proactive, to protect ourselves, and to avoid the eye popping three o'clock call. Shipping is not a game of poker.

ConsultISM has already provided 'Health Check' services to some of the most prestigious names in the shipping industry. If you would like to discuss your requirements or how we can help you 'de-risk' your business please contact us on: enquiries@consultism.co.uk or +44(0)1434 605512

Maritime Labour & ISM...



Image courtesy of Ross Young Photographers

Much has been written about the Maritime Labour Convention (MLC) 2006 and many see it as being a “Bill of Rights” for seafarers and even the “fourth pillar” of maritime regulation, lying alongside SOLAS, MARPOL and STCW. Of course the latter three are all IMO Conventions while the MLC is an International Labour Organisation (ILO) Convention. However the mechanisms are very similar and it is the individual member nation that will eventually adopt the MLC into its own national laws.

Ratification of the Convention is expected to be finalised in early 2011,

with the Convention coming into force 12 months later. So far the first requirement of ratification (to cover 33% of the world’s gross tonnage) has already been achieved, however the second requirement (that of ratification by 30 different countries) has still to be achieved. Spain is the most recent country – and the first EU Member - to ratify the Convention in February 2010 bringing the total number of countries to seven at the time of writing this article.

It is worth summarising the various parts of the Convention and this will then enable us to see how the ISM

Code actually ties in to some extent with the MLC. These are the Articles, the Regulations and the Code (*note that for the sake of clarity in this article, the Code refers to the MLC Code. Any reference to the ISM Code will be made in full*). The Articles and the Regulations set out the core rights, principles and basic obligations of Member countries and these can only be changed by Conference within the framework of the ILO.

The Code meanwhile contains the details of the implementation of the regulations. The advantage of the Code is that the mechanism to make

changes is easier and quicker than to change the regulations. Part A of the Code is mandatory (standards), while Part B is non-mandatory (guidelines). In this respect the Code at first sounds similar in layout to the ISPS Code. However, the Code is laid down alongside each of the regulations with a prefix A or B. For example, Regulation 2.1 is immediately followed by Standard A2.1 and then Guidelines 2.1. There are five general titles, suitably subdivided, to which both the Regulations and the Code apply.

These are:

- 1. Minimum requirements for seafarers to work on ship**
- 2. Conditions of employment**
- 3. Accommodation, recreational facilities, food and catering**
- 4. Health protection, medical care, welfare and social security protection**
- 5. Compliance and enforcement**

Now let us look at the ISM Code. Section 1.2.3 requires that the safety management system (SMS) should ensure compliance with mandatory rules and regulations and that applicable codes...are taken into account. We can see therefore that immediately there is an ISM requirement to follow both the rules MLC Convention and the Code therein. In other words failure to comply with the MLC may result in a perceived failure to comply with the ISM Code.

Many companies that have a well established and proven SMS will find themselves already complying with the MLC in a lot of areas. A safety management objective of the ISM Code is to provide for a safe working environment while 1.4 of the ISM Code talks of the functional requirements of an SMS. This links in well with MLC Regulation 4.3 – Health and Safety Protection and

Accident Prevention. The regulation is self explanatory and the Code (part A) makes reference to the likes of the adoption and implementation of safety and health policies, precautions to reduce accidents and minimise risk, reporting unsafe conditions, reporting accidents, responsibilities of those involved in implementing the company's policy and the authority of the safety committee. Other parts of this section of the Code will also sound familiar in relation to the ISM Code such as continuous improvement in safety. Perhaps the main difference between the two codes is the importance placed on health in MLC, although one could consider that health is implied within the ISM Code.

Section 6 of the ISM Code is on the subject of resources and Personnel and can therefore be seen as being perhaps the main link with the MLC. Section 6.2 of the ISM Code requires that the ship is manned with medically fit seafarers. Regulation 1.2 of the MLC clearly states that seafarers must not work on a ship unless they are certified as fit to perform their duties. The Code goes on to say that a medical certificate issued under STCW is accepted as complying with the regulation, however states minimum criteria for certificates issued outside of STCW. Section 6 of the ISM Code also makes reference to training and qualified personnel. The purpose of MLC Regulation 1.3 is to ensure that seafarers are properly trained or qualified to carry out their duties onboard ship. Such training and certification that is carried out in accordance with the requirements of the IMO Conventions is seen as complying with MLC.

MLC Regulation 2.7 refers to manning levels and this again is cross-referenced to a small extent in 6.2 of the ISM Code that states that each ship is manned...in accordance

with national and international requirements. The Minimum Safe Manning Certificate is mentioned within the MLC text and goes one step further to require the "competent authority" – i.e. the Administration or RO – to take into consideration the need to avoid excessive hours of work and the need for sufficient rest to limit fatigue.

The certification process is similar to that of both the ISM and ISPS Codes in that the Maritime Labour Certificate will be valid for a period of five years and be subject to interim, initial and intermediate inspections. One would therefore hope that – rather than burden the Master with yet another series of audits and inspections – most shipping companies, Flag Administrations and Recognised Organisations will do their best to harmonise such verifications.

Naturally, Port State Control will also have a stake in all of this and have a responsibility to ensure compliance. Just as non compliance of the ISM Code may result in grounds for detention, so will non-compliance of certain areas of the MLC. Indeed Standard A5.2.1 of the MLC clearly states that this will be the case where, following a more detailed inspection the ship is found not to conform with the requirements of the Convention and that a) the conditions on board are clearly hazardous to the safety, health or security of seafarers or b) the non-conformity constitutes a serious or repeated breach of the Convention (including seafarers' rights).

Compliance therefore is a "must" and we then return full circle to Section 1.2.3 of the ISM Code that requires the SMS to comply with mandatory rules, regulations and to take into account the applicable codes, guidelines and standards recommended.

ConsultISM can assist Ship Operators with a review of their current SMS to ensure that it takes into account the requirements of the MLC 2006.

For more information please contact ConsultISM on enquiries@consultism.co.uk or +44(0)1434 605512

Changes On the Horizon

On 1st July 2010 a number of new amendments will come into force with regard to IMO Resolution A.741(18) as amended by MSC.104(73) - the International Safety Management (ISM) Code and IMO Resolution A.913(22) 'Revised Guidelines on implementation of the ISM Code by Administrations' – will be replaced with new 'Guidelines on implementation of the ISM Code by Administrations'.

Clearly it is important that each Company ensures that its own Safety Management Systems (SMS) accommodates these new requirements. It is also important that Flag State Administrations and Recognised Organisations – and other stakeholders are fully informed. The new requirements as far as the ISM Code is concerned are set out in IMO Resolution MSC.273(85). In this article we set out side by side the 'old' and 'new' versions of the Code – highlighting the amendments which are to be made and will then provide a brief commentary on what we understand the amendments intend to achieve. Where the amendment is a new, additional, requirement then we set that out and provide our commentary.

Words in Red = New Additional words, Words in Green = Deleted Words, Words in Blue = Commentary

ISM Code Section	OLD	NEW
Definitions Section 1.1.10	<i>Major non-conformity</i> means an identifiable deviation that poses a serious threat to the safety of personnel or the ship or a serious risk to the environment that requires immediate corrective action and includes the lack of effective and systematic implementation of a requirement of this Code.	<i>Major non-conformity</i> means an identifiable deviation that poses a serious threat to the safety of personnel or the ship or a serious risk to the environment that requires immediate corrective action, (and includes) or the lack of effective and systematic implementation of a requirement of this Code.

Although it was almost certainly unintended, the original text could be read as suggesting that there were two criteria which were required for a Major non-conformity to be raised: i) an identifiable deviation that poses a serious threat to the safety of personnel or the ships or a serious risk to the environment that requires immediate corrective action and includes ii) the lack of effective and systematic implementation of a requirement of the ISM Code. i.e. unless both criteria existed then there was no major non-conformity. This was not the intention of the Code. Rather the second criterion was intended to be read as giving an additional example of what might constitute a major non-conformity. The amendment should now clarify that misunderstanding.

Objectives (1.2.2.2)	1.2.2 Safety management objectives of the Company should, inter alia:... .2 establish safeguards against all identifiable risks;	1.2.2 Safety management objectives of the Company should, inter alia: .2 (establish safeguards against all identifiable risks) assess all risks to its ships, personnel and the environment and establish appropriate safeguards;
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The idea of operational risk assessment had always been alluded to in the ISM Code but the original language had stopped short of making this a formal requirement of the Code. The amendments get much closer and do make it clear that there is an expectation that the Company will adopt a risk based approach to managing safety.

The method to be adopted for assessing risk and establishing safeguards is left to each individual Company – subject to approval by the relevant Administration. A number of basic risk assessment models are readily available – such as that contained in the UK Maritime and Coastguard Agency (MCA) 'Code of Safe Working Practices for Merchant Seamen' in Chapter 1.

ISM Code Section	OLD	NEW
Master's Responsibility and Authority (5.1.5)	5.1 The Company should clearly define and document the master's responsibility with regard to:... .5 reviewing the safety management system and reporting its deficiencies to the shore-based management.	5.1 The Company should clearly define and document the master's responsibility with regard to: .5 periodically reviewing the safety management system and reporting its deficiencies to the shore-based management.

In the original text there was a level of uncertainty – not so much as to what the Master should be doing – but how frequently he / she should be doing it. By including the word 'periodically' – this level of uncertainty has been reduced to some extent but is still left to the Company to decide what that period between Master's reviews of the SMS should be. We would suggest that industry standard practice is that such reviews are carried out at least once per year. Industry best practice is at least once per tour of duty of each Master – although that may be dependent upon the type of vessel involved.

Shipboard Operations (7)	The Company should establish procedures for the preparation of plans and instructions, including checklists as appropriate, for key shipboard operations concerning the safety of the ship and the prevention of pollution. The various tasks involved should be defined and assigned to qualified personnel.	The Company should establish procedures (for the preparation of) , plans and instructions, including checklists as appropriate, for key shipboard operations concerning the safety of the personnel , ship and (the prevention of pollution) protection of the environment . The various tasks involved should be defined and assigned to qualified personnel.
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Although the vast majority of Companies and Administrations had correctly interpreted the intention of the Code, it is correct that the requirement of the original wording was actually for the Company to establish procedures 'for the preparation' of plans and instructions etc – whereby the intention was clearly that the Company was required to establish the actual plans and instructions etc. themselves. The amended text should now make that very clear.

The scope of the requirement for establishing those procedures and plans etc has been extended beyond just the ship and pollution but also to include personnel and the environment generally.

ISM Code Section	OLD	NEW
Emergency Preparedness (8.1)	The Company should establish procedures to identify, describe and respond to potential emergency shipboard situations.	The Company should (establish procedures to) identify(, describe and respond to) potential emergency shipboard situations, and establish procedures to respond to them.

Again this is the same issue as was addressed in regard to Section 7 of the Code – discussed on previous page.

Reports and Analysis of Non-Conformities, Accidents and Hazardous Occurrences (9.2)	The Company should establish procedures for the implementation of corrective action	The Company should establish procedures for the implementation of corrective action, including measures to prevent recurrence.
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Although this was clearly intended and implied in the original text, the amendment to Section 9.2 makes it very clear that a crucial part of the process of implementing corrective action is to prevent a similar accident or incident occurring again.

Maintenance of the Ship and Equipment (10.3)	The Company should establish procedures in its safety management system to identify equipment and technical systems the sudden operational failure of which may result in hazardous situations. The safety management system should provide for specific measures aimed at promoting the reliability of such equipment or systems. These measures should include the regular testing of stand-by arrangements and equipment or technical systems that are not in continuous use.	The Company should (establish procedures in its safety management system to) identify equipment and technical systems the sudden operational failure of which may result in hazardous situations. The safety management system should provide for specific measures aimed at promoting the reliability of such equipment or systems. These measures should include the regular testing of stand-by arrangements and equipment or technical systems that are not in continuous use.
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The amendments to this Section result in a much clearer risk assessment type approach whereby the hazards are initially to be identified by the Company and the role of the SMS procedures is to introduce risk control measures.

ISM Code Section	OLD	NEW
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Company Verification, Review and Evaluation (12.1)

The Company should carry out internal safety audits to verify whether safety and pollution-prevention activities comply with the safety management system.

The Company should carry out internal safety audits on board and ashore at intervals not exceeding twelve months to verify whether safety and pollution-prevention activities comply with the safety management system. In exceptional circumstances, this interval may be exceeded by not more than three months.

The original wording of the Code left the frequency of the Internal Audits to the discretion of the Company – although industry standard practice and requirements of certain Administrations required Internal Audits to be carried out at least annually. This was also clarified in IMO Circular – MSC-MEPC.7/Circ.5 ‘Guidelines for the Operational Implementation of the International Safety Management (ISM) Code by Companies’ – dated 10 October 2007. This has now been confirmed by these most recent amendments. There is a possibility of an extension of 3 months beyond the 12 months – but this is qualified that such an extension should only be allowed in ‘exceptional circumstances’. Companies will need to ensure that they very carefully plan their Internal Audits and ensure that they are carried out within the 12 month stipulated period.

The opportunity was also taken to clarify an ambiguity which had previously existed – such that it is now very clear that the Internal Audits apply to both on board ship and office audits.

Company Verification, Review and Evaluation (12.2)

The Company should periodically evaluate the efficiency of and, when needed, review the safety management system in accordance with procedures established by the Company

The Company should periodically evaluate the (efficiency) effectiveness of and, when needed, review the safety management system in accordance with procedures established by the Company

This is an interesting linguistic amendment – and makes it clear that it is not necessarily the efficiency of the SMS which the Company should be evaluating but, rather, it is the effectiveness.

ISM Code Section	OLD	NEW
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Certification and Periodical Verification (13.12)

When the renewal verification is completed after the expiry date of the existing SMC, the new SMC shall be valid from the date of completion of the renewal verification to a date not exceeding 5 years from the date of expiry of the existing SMC.

This is a new provision and clarifies the situation as to the effective dates which should be applied to SMCs should the renewal verification be completed after the existing SMS has expired. For example: existing SMC expired 2nd December, 2009, renewal verification completed 3rd April, 2010 – the new SMC would have an expiry date of 1st December, 2014 not 2nd April 2015.

This will effectively prevent any Company from profiting from delays in complying with the requirements of the Code with regard to revalidation of their SMCs.

Certification and Periodical Verification (13.13)

If a renewal verification has been completed and a new SMC cannot be issued or placed on board the ship before the expiry date of the existing certificate, the Administration or RO by the Administration may endorse the existing certificate and such a certificate shall be accepted as valid for a further period which shall not exceed 5 months from the expiry date.

This is also a new provision and provides a pragmatic solution to a practical problem which may arise whereby a Company / Vessel have complied with the requirements of the Code – in that the renewal has been completed within the prescribed period – but there may be a delay in preparing the new paperwork and the vessels trading may be such that it will not be possible to place the new SMC on board immediately. However, the new SMC must be placed on board within a 5 month grace period.

ISM Code Section	OLD	NEW
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Certification and Periodical Verification (13.14)

13.14 If a ship at the time when a SMC expires is not in a port in which it is to be verified, the Administration may extend the period of validity of the SMC but this extension shall be granted only for the purpose of allowing the ship to complete its voyage to the port in which it is to be verified, and then only in cases where it appears proper and reasonable to do so. No SMC shall be extended for a period of longer than 3 months, and the ship to which an extension is granted shall not, on its arrival in the port in which it is to be verified, be entitled by virtue of such extension to leave that port without having a new SMC. When the renewal verification is completed, the new SMC shall be valid to a date not exceeding 5 years from the expiry date of the existing SMC before the extension was granted.

This new provision recognises the fact that, on occasions, even though the vessel may be in port, it simply may not be feasible to conduct a renewal verification at that time. It could be that it is simply not possible for the Auditor from the Administration / RO to reach the particular port. In such circumstances the vessel would be allowed to proceed to the next port where such arrangements could be made. However, it is unlikely that an extension would be allowed for 'commercial reasons' – e.g. rapid turnaround or need to sail to make the next fixture. These would not be considered acceptable reasons.

It is very important that the Company carefully manages and plans the timing of renewal verifications of SMCs and ensures that the verification is undertaken well within the time allowed and is not left to the very last minute.

Interim Certification (14.4.3)

14.4 An Interim Safety Management Certificate may be issued following verification that:
 .3 the Company has planned the audit of the ship within three months;

14.4 An Interim Safety Management Certificate may be issued following verification that:
 .3 the Company has planned the **internal** audit of the ship within three months;

This amendment is simply to clarify that the audit which must be planned within three months of an Interim Safety Management Certificate being issued is an Internal Audit.

It should also be noted that IMO Resolution A.913(22) 'Revised Guidelines on Implementation of the ISM Code by Administrations' is to be replaced with a new set of 'Guidelines' which will take into account the amendments to the ISM Code highlighted in IMO Resolution MSC.273(85).

The last three months have proved to be a busy and exciting time for ConsultISM with many new opportunities and invitations to join in prestigious events.



DPA Training

As was mentioned in Dr Phil's Diagnosis, the ConsultISM / Maersk Training Centre joint venture DPA Training Course has been officially recognised by the Maritime and Coastguard Agency, an Executive Agency of the Department for Transport of the United Kingdom of Great Britain and Northern Ireland, as meeting the requirements of IMO Circular MSC-MEPC.7/Circ.6 Section 5 – 'Guidance on the Qualifications, Training and Experience Necessary for undertaking the role of the Designated Person under the provisions of the International Safety Management (ISM) Code'.

The DPA Course is currently on a World Tour and in January 2010 the two day workshops, as well as the CEO / Senior Managers ISM Awareness seminar, were held in the prestigious Piraeus Marine Club on the Akti Miaouli in the very heart of the Greek ship operating community.

Vaughan Lewis of Maersk Training Centre and Dr. Phil Anderson facilitated the 2-day DPA interactive workshop for delegates from a variety of prominent Greek and Cypriot shipping companies

Delegates had previously worked through the eight module Computer Based Training (CBT) course and the 2-day interactive workshop which is designed to put the theory into practice.

At the end of the workshop, delegates were encouraged to complete a course evaluation form. These have now been analysed and we are very pleased to report that all delegates, on almost all aspects, awarded scores of '4' or '5' – where 1 = Poor and 5 = Excellent.

The one day CEO / Senior Managers ISM awareness seminar focussed upon the potential risks facing ship operating companies, and individuals within those companies, as a consequence of failing to properly develop, implement and monitor an ISM compliant Safety Management System.

Locally based solicitor John Reece, Partner, Shipping Group, Reed Smith, Greece, joined Dr Phil and Vaughan Lewis to share some thoughts and experience on what will become an increasingly important issue – with an interestingly titled paper: 'Casualties: Can Senior Managers and Owners be Prosecuted?' John's answer was a very clear, "Yes!"

The purpose of the seminar was to raise awareness of some of the threats to which a Company and individuals within the Company are exposed and to identify what senior managers can do to reduce the risk and protect not only the Company but also themselves.

The next DPA Courses and CEO / Senior Managers Seminars are scheduled to be held in:

- **Glasgow – during the week commencing 22nd March 2010 – At the Crowne Plaza Hotel, and**
- **Copenhagen – during the week commencing 26th April 2010 – At the A.P.Møller Maersk A/S Corporate Headquarters in Copenhagen**

Full course details and registration forms are available on our website: www.consultism.co.uk or contact Jos Shaw at Maersk Training Centre UK Ltd on +44 (0)191 269 2450.

ConsultISM Newspaper

If you have not visited our website for a while we would urge you to do so. In addition to information about ConsultISM, the services we offer and our team – as well as our training courses and access to previous issues of ReportISM – you will now find a lively News page with lots of interesting, topical and relevant articles.

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