

ReportISM



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

A Decade of ISM: Time to share your thoughts

See the ISM Code survey on page 10...



Dr Phil's Diagnosis

Firstly, may I wish all our readers a very happy, peaceful and safe 2009. Last year was certainly one to remember – for many different reasons! Generally, we saw charter hire and freight rates, as well as the price of oil, reach record highs early in the year – only to come crashing down towards the end of the year.

At the beginning of 2008 it was almost impossible to find a shipyard anywhere with spare capacity. By year end building contracts were being cancelled on an almost daily basis. A number of ship operators earned unprecedented amounts of money during the last few years – mainly on the back of the almost insatiable demands of imports to China and exports to the rest of the world for produce made in China. A bubble which appears to have burst.

Having had the honour of working within the shipping industry for just about 40 years now, I have noticed cycles of good times followed by bad times followed by good times. Though nothing quite like the events of November 2008. Ironically the crash is likely to provide some relief to probably the biggest of all problems, the acute manning shortage of qualified Masters and Officers. With an increasing number of ships being laid up the demand for qualified and experienced personnel has been reduced.

Interestingly insurance claims and premiums, continued to rise at alarming rates both under H&M and P&I during the 'good' times (see the article on page 5 of this issue of ReportISM). It grieves me, but I predict that the change in the market conditions will not have a significant effect in reversing the insurance and claim trends – but for different reasons. There will be a great temptation by ship operators to cut costs and usually the first casualty is the training budget. This will be the greatest mistake any ship operator could possibly make. Rather, this is the time when ship operators should be doubling their efforts to ensure that high calibre seafarers are developed, and be ready for the return of the good times.

Having said that, how is the industry is going to attract the right calibre people? The chances of being attacked by pirates increased during 2008 hitting the headlines on a number of occasions. Yet again there were outrageous injustices done to innocent seafarers – with the greatest outrage of all being the actions of the South Korean Court in jailing the Master and Chief Officer of the tanker Hebei Spirit. When will we ever break free of this invidious blame culture?

All these issues have a very direct bearing upon maritime safety. Whilst the ISM Code can provide an excellent framework upon which a safety management system can be constructed without a properly trained, experienced and motivated Master, Officers and crew the chances of managing safety and thus avoiding claims is very small indeed.

Dr. Phil's remedies for these "shipping ills" include the following medications:

- Invest and double the training efforts of potential future officers and Masters
- Take urgent steps to raise international public awareness of the importance of shipping, and seafarers,
- Insist that all Governments, and Courts, respect the human rights of seafarers and ensure that justice prevails over the inhuman behaviour where seafarers are used as political pawns;
- Create an industry which is attractive as a career option, and one which we can be proud of.

Now is not the time to relax – now is the time to make a firm commitment and investment in the future – an investment in people!

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During 2008 ConsultISM continued to provide an increasingly wide range of ISM related services to an equally wide range of clients. Examples of the types of activities included:

ConsultISM acted as **technical consultant or expert witness** in many of the major headline hitting shipping related incidents – including contractual and civil disputes and claims as well as criminal cases around the world.

Dr. Anderson visited Egypt, Turkey, Israel, Jordan, Syria and Lebanon working under the EU sponsored **SAFEMED Project** evaluating the implementation and monitoring of the ISM Code.

Major **ship management companies** recruited ConsultISM to undertake confidential reviews of their **Safety Management Systems** and to simplifying procedures and streamline manuals.

We received enquiries from potential clients requiring **safety management audits** on shipyards and even off-shore wind farms.

P&I Clubs and H&M Insurers increasingly engaged ConsultISM to undertake **management reviews** and **risk assessments** on insured ship operators.

ConsultISM staff participated in Ship Management company **seminars and conferences** for office and sea staff, and provided 'in-house' training to DPA's and Superintendents.

In 2008 a **major research** project was successfully completed on behalf to the British Government / UK Maritime and Coastguard Agency assessing ISM Code implementation in Companies and on UK Flag ships

Oil Majors chose ConsultISM to undertake **audits and reviews** on their sub-contractors engaged in the offshore exploration and drilling industries.



In response to this increasing demand for ISM related services ConsultISM has recruited a number of new key staff members. We are absolutely delighted to welcome the following onto the team:



**Captain David McFarlane
– Project Manager**

David has had a long and very successful career initially at sea, particularly onboard tankers, and then with ship management companies as ship operator, ship manager and quality and safety manager. Having worked within the Glasgow based ship management company Acomarit he moved over to V Ships following a take-over. He brings to ConsultISM a wealth of valuable experience and relevant knowledge. David's tasks will be to co-ordinate the many existing projects which are currently handled by ConsultISM; to manage the expansion and development of those projects and to introduce new services.



**Captain Peter Cooney –
Business Development Mentor**

To provide structure and help manage the growth and development of ConsultISM and to provide support to David McFarlane and the rest of the management team – Captain Peter Cooney has been retained as a business development mentor. It was by coincidence rather than by design that Captain Cooney and Captain McFarlane have worked together since the early 1990's.

Captain Cooney is a very well known and highly successful business manager within the shipping industry. As Chief Executive he built up Acomarit from a small operation to one of the most prestigious ship management companies of its day. Following a takeover by V Ships Peter transferred to become Chief Executive of what became one of the largest of all the ship management companies.

Retiring from his position as CEO of V Ships a few years ago Captain Cooney has remained actively involved in the shipping industry and ConsultISM considers itself very fortunate to secure the help and advice of such a prominent and experienced mentor.



**Dr. Meryl Batchelder
Office Manager and PA to
Dr. Anderson**

In her earlier career Meryl was an academic Geologist with a particular expertise in clays and soils. She subsequently changed her occupation to work in IT for the past 10 years has managed the Isle of Man Government website and intranet including the design and maintenance of the Isle of Man Flag Administration Website.

Having recently moved back to Northumberland with a young family, Meryl was looking for an interesting job with a challenge. ConsultISM was delighted to offer her such a position and to welcome her aboard.

Dr. Phil extends a very warm welcome to the new members of the team and looks forward to working with them to provide an outstanding service to our clients old and new.

Making the same old **MISTAKES**



As we enter the worst market conditions for years – ship operating companies often look to reduce their operating costs. When similar economic downturns have occurred in the past, amongst the first to suffer are the training and safety budgets.

If any ship operator is tempted to go down that road in this present situation it will be the biggest mistake they could possibly make!

“Bad times” appear in cycles – following and followed by good times. The last major “bad” period resulted in a situation so serious that ship operators were declared incapable of managing safety themselves, such that the international community had to take drastic action – the result being the development of the ISM Code.

The biggest problem facing the industry during the recent “good times” was the serious shortage of adequately trained and experienced Masters and officers. This problem was a direct result of the mistakes made during the last “bad times”. The old proverb yet again proved itself to be correct – ‘Ye shall reap what ye shall sow!’ In other words you will pay the price tomorrow for your mistakes today!

If the ISM Code has taught us one thing it is that we must learn lessons from our previous mistakes and ensure that we implement corrective actions to prevent the same problem.

If there are some who still need to be convinced about the economic wisdom of this advice – they should perhaps

reflect upon the recent experience and realise the implications for the shipping industry.

During their annual conference in Vancouver the International Union of Marine Insurers (IUMI) presented statistics prepared by the Scandinavian ‘Central Union of Marine Underwriters’ (Cefor) which demonstrated very clearly that both average claims costs and the frequency of major claims continue to rise.

Cefor identified an alarming increase of average hull claims by 86% over a five year period. This can only mean one thing – continued increases in the H&M premiums.

As we enter the P&I Club renewals we have seen numerous Clubs announce major problems, both with investment income and more importantly with the value of claims experienced.

All of the 13 Clubs of the International Group of P&I Clubs which have announced their General Increases so far have declared increases for 2009 – 2010 policy year of between 12 ½ and 20% - with the more realistic increases being in the region of 17 ½ %. Of greater concern is the recognition that at least 4 Clubs are so seriously under funded that they are raising unbudgeted additional supplementary calls of between 35% and 45% for each of the open policy years from 2006.

Not only will H&M and P&I insurance costs and premiums rise but insurers will almost certainly take a much harder line when deciding whether they even want to insure particular risks. Increasingly insurers will be conducting risk assessments when deciding whether to insure.

The bottom line is that if a ship operator can obtain insurance it is going to be increasingly expensive. Some ship operators may find that they cannot

obtain insurance – at least not at a price that is in any way affordable.

Surely it does not take a genius or an expert in marine casualty investigations to understand that the insurance claims have been rising because of problems in managing safety – both on board the ships and in the office ashore.

This **IS** a problem which can be dealt with and addressed. The causal factors behind almost all of the maritime accidents are, invariably, human element related issues. A properly developed and implemented ISM Safety Management System should create the barriers necessary to prevent these accidents, and consequently claims, occurring.

One of the most common reasons why those barriers break down is because the Master and Officers on board have not been adequately prepared to respond and deal with an unexpected or unusual situation. This is often as a result of accelerated promotion through the ranks. The reality is that even the best SMS cannot necessarily compensate for such inadequacies – although it may help.

The solution is to use this opportunity to make the investment to identify, recruit and train up the Masters, Chief Engineers and Officers, as well as the crew, for the future ‘good times’

The opportunity must also be created for those seafarers who may have been ‘accelerated’ through the system too rapidly - to perhaps gain some missed experience and build the foundations upon which they can secure their own professional future integrity.

None of this is rocket science – it is practical, common sense, advice. To try and save money by cutting back on training or other human factor investments would be an enormous mistake.

Contact ConsultISM for practical support during these difficult times, dealing with existing problems and into the future. Call +44 (0)1434 605512 or enquiries@consultism.co.uk

BENEFITS OF

TMSA COMPLIANCE

Earlier ReportISM articles have introduced readers to the Tanker Management & Self-Assessment (TMSA) programme published by the Oil Companies International Marine Forum (OCIMF). This article will briefly go into more detail, specifically addressing conformance to TMSA and the potential benefits for vessel operators –who can be from any sector of the maritime industry, not necessarily tanker operators.

Many vessel operators have already welcomed TMSA due to the benefits it has given them, as it provides a useful framework for improving their management systems on a continuous basis; it clearly indicates charterers operational performance expectations and vetting requirements and therefore helps them to effectively target effort and resources, and it represents an opportunity for operators to demonstrate to their customers their safety management processes and operational excellence. Also confirms they are in full compliance with the requirements of the International Safety Management (ISM) Code.

The following quote from Captain Ian Chadwick, Manager Marine Assurance at Chevron Tankers Ltd., who chaired the OCIMF working group which recently developed a new edition of TMSA (2) expresses the key aim: “*The objectives of TMSA are to try to encourage companies to focus on operational excellence and industry best practices with their vessels management systems rather than just focusing on minimum statutory compliance*”.

TMSA is not a standard or a legal requirement like the ISM Code. Nor is it ‘another paper generator’, as it should simplify processes and

systems and reduce the time needed for administrative tasks. The vessel operator will become more efficient and effective in the control of their fleet. Overall performance should improve significantly leading to safety & environmental excellence with a flawless operation. Generally there will be a reduction in the vessel operators’ costs and increased commercial opportunities.

The TMSA guidelines were first published by OCIMF in June 2004. With positive support from the maritime press it was introduced to tanker operators and imposed upon them by a number of the oil major charterers. Since introduction, TMSA, as it has become known, has had a significant impact on management systems and has become a driving force promoting continuous improvement amongst leading operators. Four years on, with an improved second edition recently published (TMSA2); it is perhaps timely to examine what this initiative may ultimately achieve.

Although keeping to the original aim, improvements in TMSA2 include rearranging a number of Key Performance Indicators (KPI’s) into a more logical sequence and improving the clarity and definition of some text – particularly in the guidance as to how the programme should be utilised and monitored. One of the primary changes is in expanding the scope of TMSA to help encourage the programme to be fully utilised by all tank vessel operators, including those operating small coastal vessels and barges.

TMSA ensures vessel(s) performance by:-

- **Good leadership with efficient & effective management systems**

- including KPI’s;
- Competent personnel afloat & ashore;
- Equipment reliability through effective PMS;
- Sound navigational practices confirmed by Master’s audits; Systematic control of Changes; Incident causes determined and eliminated;
- Safety hazards identified & assessed to minimise risk (including application to all third party contractors & service suppliers);
- Environmental pollution minimised; Emergencies managed by effective contingency planning;
- Inspections & audits measure results and analyse trends.

TMSA requires:-

- Top down commitment;
- All TMSA Elements addressed in policies & procedures; Effective monitoring by inspection & measurement;
- Disciplined reporting;
- Monthly KPI’s (Lagging indicators of performance achieved);
- Analysis of performance to determine trends;
- Effective processes to correct defects & deficiencies;
- Efficient systems to analyse data; Competent & trained personnel to man vessels and administer system; Inspection format equivalent to SIRE/CDI VIQ;
- Electronic database to interrogate results;
- Corrective action plans for all identified defects and deficiencies; Continuous Vessel Self-Assessment (based upon SIRE/CDI VIQ); Monthly Safety Newsletter for all routine communications;
- Quarterly Management & Master’s Reviews to monitor performance; Daily meetings to keep finger on the pulse of immediate issues

It is critical that systems that meet the aspirations of TMSA are developed with the full involvement

of all departments within the vessel operator's office and with the assurance that they are all bound by a commitment to practise what has been put in place. This requires total top-down commitment demonstrated by the Chief Executive. Without such commitment to motivate staff both afloat and ashore, not only the management system effectiveness but the resulting fleet performance, will at best be average.

What benefits can we expect?

The benefits derived from TMSA conformance are at least:-

- **To focus action & resource where KPI trends indicate;**
- **Drive significant reductions in accidents and incidents from near-miss investigation & risk assessment programmes; manage changes in a controlled manner;**
- **monitor current status of all vessels in fleet by CVSA;**
- **provide corrective action plans for all defects & deficiencies; Superintendent inspections become verification audits;**
- **Ensures that responsibility & authority lies with Captain of each vessel;**
- **Third party (vetting) inspections unnecessary;**
- **Ship management becomes more effective & efficient.**
-

In addition to reducing accidents, incidents, environmental pollutions and insurance claims, TMSA achieves measurable cost reductions, confirms ISM Code conformance and increases commercial opportunities.

An operator committed to the highest standards of safety and environmental excellence onboard their vessels using the TMSA guidelines as a measurement tool would always know the status of each ship. If that operator had inspection processes similar to, or the equivalent of, the OCIMF Ship Inspection Report Programme (SIRE) or Chemical Distribution Institute (CDI) vessel

inspection questionnaires (VIQ's), then vessels in the fleet would all be at a standard anticipated by these systems and ready for inspection at any time. All defects and deficiencies would have been identified with plans and timelines for corrective action. These would be monitored to close-out by the shore management.

Recognising the benefits of TMSA, a number of Oil Majors have signalled that they would like to do away with vetting inspections, although to date they all still carry them out. The leading indicators recommended by the TMSA guidelines provide sufficient information to assess the risk associated with use of those operators' vessels. They also provide a valued determination of whether they have effective control processes implemented, not only to justify acceptance for spot or term business, but also to deliver a sustained level of safety and environmental excellence. An increasing number of sophisticated electronic risk management systems, used by the Oil Majors when screening vessels for potential service, make an evaluation from their databases of lagging indicators, in order to confirm that the standard of performance matches the operator's self-assessment.

So what are the solutions to achieve full TMSA conformance? In my view the benefits of TMSA outweigh the debits; many operators will be at a satisfactory stage due to their efforts & commitment to improve; some will have developed systems to support TMSA conformance; most will still be improving their management systems, but have found they cannot progress beyond TMSA Stage 1-2 without the support of an electronic system to manage and analyse the data; a few will still be struggling with the concept and may find the new Videotel TMSA training package of some help. A turnkey solution to TMSA conformance would deliver the ideal, such as Hudson's TMSALogix programme, which comprises a ship

management system with supporting soft-wear that meets all TMSA requirements (In my experience, at present this is the only programme with this capability).

In addition to improving safety, environmental performance and reducing claims, TMSA is perhaps of more importance to Ship Owners due to the benefit of confirming full conformance to ISM, the potential for significant cost reductions and the increased earnings from improved commercial opportunities. Last, but not least in the current economic climate such benefits should be paramount in the Ship Owners mind, regardless of the potential to actively demonstrate sound corporate governance as required by the US Sabine & Oxley Act.

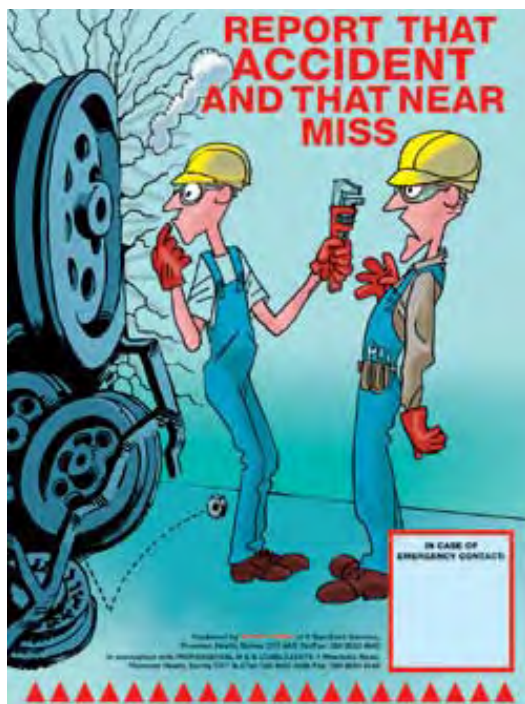
Sounds like utopia? Certainly with committed drive TMSA can help any vessel operators to achieve a flawless performance.

Captain Chris Allport F.N.I

Chris Allport has been professionally associated with maritime matters since going to sea as an apprentice in 1962, serving as a deck officer through to Master and ashore into ship management thence into numerous assignments in an oil/petrochemical majors' marine activities with third party operators. He has been involved in ship vetting since 1980. As a consultant over the past six years he has developed an expertise with the application of TMSA specialising in assisting vessel operators to improve their (safety) management systems in their aim of achieving flawless performance to enhance commercial opportunities.

An earlier article by Chris Allport on this subject was published in the maritime press in spring last year; this one takes the subject a step further, and we thank Chris for his contribution to the debate. If you have any ISM or safety related articles you would like to see published in ReportISM please email . enquiries@consultISM.co.uk

NEAR MISSES...A CHANCE TO CHANGE



Near miss reports are a vital key in reducing accident and incidents. Learning from others' mistakes is a natural way for us to take onboard useful information.

As such the detention reports issued by port State control (PSC) make fascinating reading. In seeing the deficiencies and non-conformities of others, we should be able to learn and guard against them ourselves.

Time again we see common failings, frequent blunders, which sadly point to the basics of ISM being simply ignored. The following are some of the most common failings identified by PSC Officers – along with suggested 'solutions'.

Certification

Failures: Invalid certificates onboard
Solutions: Maintain up to date records of certificates and their validity.

Master to ensure company advised in good time of renewal requirements.
Master to advise company of defects that may compromise certification.

Safe Manning

F: Vessel not manned as per Safe Manning Document
S: Ensure right number of crew with

correct certificates onboard. Also maintain records of certificates and endorsements.

Safety & Environmental Policy

F: Missing or incomplete statements
S: Policy statements should be checked against ISM Code requirements. Policy statements should be prominently displayed.

Reports, analysis, and Closing out

F: No evidence of office responding to SMS reports
S: Maintain files of SMS reports together with office correspondence confirming response.

Designated Person

F: Role of DP not understood, or DP not known by crew
S: Description and purpose of the DP to be posted, alongside name and contact details.

Ship Documentation

F: Missing ship documentation and publications
S: Ensure documents and publications can be quickly accessed and retrieved. A system should be in place for ordering replacements as necessary.

Master's Responsibility and Authority

F: Master not aware of responsibilities and authorities outlined in the SMS
S: Roles and responsibilities should be clearly defined, with a statement emphasising the master's authority. The Company must ensure the Master is aware of the basic requirements of the role, as laid down in the SMS

Maintenance and Equipment

F: Corrosion, broken/missing machinery and incomplete records of maintenance and planning.
S: A system of planned maintenance

(PMS) must be in evidence. Known equipment deficiencies to be controlled within this.

Fire Control Plan

F: Damaged, unreadable or inaccurate plans onboard
S: Plans to be checked and corrected, these should be posted at strategic locations

Key Shipboard Operations

F: No evidence of plans for managing key shipboard operations.
S: Define key operations where inherent risk exists, and develop instructions, plans and checklists as necessary.

Emergency Preparedness

F: Crew insufficiently drilled or prepared to act in emergency
S: Ship's crew to be aware of their individual roles during emergencies and the LSA and FFE equipment available onboard.

Personnel Safety

F: Crew not seemingly motivated towards their own safety
S: Adequate provision of safety clothing and equipment. Defined high-risk activities being suitably controlled, i.e. checklists in evidence. Encouragement of safety culture onboard...if crew do not seem to understand or wish to act for their own safety, then this hints at wider failings of the SMS and culture – and urgent and wide-reaching action is necessary.

As we can see, there are repeated basic ISM failings – and while the advice may seem rather simplistic it is useful to remind ourselves of what can go wrong, and of the straightforward steps we can take to provide solutions. While the context here is of guarding against detention, it's important to remember that the correct procedures and a proper, functioning safety culture can save lives, the environment and cargo – ensuring people, cargoes and the vessel get to their destination safely; which is the bottom line for us all.

FAMILIARISATION IS THE KEY



Systems can look wonderful on paper, but if those applying them are not trained or familiar with the tasks imposed, then accidents and claims are the most likely outcome.

Modern crews now have to cope with often technically complex ships, and so a new emphasis to shipboard familiarisation has arisen. Master, officers and crew need to know what to do, how to do it, and they must understand the means of using new equipment to best effect.

The ISM Code has indeed formalised the responsibilities of ship and shore, but technology moves pretty fast, and it is important that all remain alert to this ever moving picture.

Cases keep emerging in which inadequate training or a lack of familiarity is causing accidents. One high profile case was the "Cosco Busan", where the piloted ship collided with a bridge and caused serious pollution in San Francisco bay. Whether justified or not, the ship's managers face accusations of negligence for "failing to adequately train the new crew" after recently taking management of the vessel before the incident.

Courts and arbitration tribunals are looking ever more closely, not simply at certificates, but at the level of actual "familiarisation" time spent by the crew getting to grips with the ship, procedures and equipment.

Ships are becoming increasingly complex, and all too often formal crew training does not necessarily apply to the specific vessel to which they have been appointed. Historically one ship was very much like another – the cargo

may have differed, but the skills of an experienced mariner were quite fluid and easily transferable.

Today, things are different – and the technology and sophistication of ships and the equipment they carry differs wildly. Indeed the specialisation of seafarers is an issue in itself with various types of ship requiring specialist expertise, training and experience to run them, in a way that, a few decades ago, would not have been the case.

Unfamiliarity with sophisticated engine management systems, liquid cargo handling systems, integrated bridge systems and ECDIS have all been cited as causative factors in accidents during recent years.

The ISM Code makes familiarity with ship's equipment and systems a prerequisite, and requires time and proper consideration. It is vital to ensure that there is an adequate competence in the operational teams on the bridge, deck and in the engine room.

Allegations being made in recent cases should lead owners and operators to closely supervise and take responsibility for ensuring that those operating their vessels are ready and able to do so. It would seem that paper qualifications from even the most reputable establishments and Flag Administration, along with generic

training no longer indicate sufficient competence with the equipment fitted on each specific ship...those expected to operate that equipment will also require proper familiarisation.

The issue of familiarisation has arisen before. The "Eurasian Dream", a car carrier that caught fire in port, was held to have experienced significant ISM failures. The master, who was recently appointed and was struggling with a voluminous SMS, was found to be unaware of the special hazards involved in car carrier operation and untrained in the use of CO2 fire extinguishing systems. In this case the court looked beyond the seafarers' basic certificates of competency, and focused on the company's failure to instruct the crew. These ISM failures were used as evidence of un-seaworthiness and lack of due diligence...with serious consequences.

A more recent illustration was seen in the 5 million kroner (\$725,000) fine imposed by the Norwegian national prosecutor on Bourbon Offshore Norway AS, for the 2007 loss of the Bourbon Dolphin. A tragic accident that killed eight people, including the 14-year-old son of the captain.

The six-month old vessel capsized off the coast of northern Scotland while hoisting an offshore oil rig's 330 ton (370 U.S. ton) anchor and chain on April 12, 2007.

The fine was ordered as the company failed to give the ship's new captain enough time to learn about the vessel, its crew and the complex operation. The captain only had 90 minutes to take over.

The ISM "paper trail" can reveal non-compliances in all manner of shipboard activities – but "fiddling" familiarisation is all too easy to detect, especially when completed forms can be compared with records of other activities taking place at the time. Such apparently "trivial" non-conformities become both significant and serious when disclosed in court as lawyers reveal weaknesses in the ISM documentation and adherence to it.



The first phase of the ISM code has now been in force for over a decade, and has caused more than its fair share of debate.

William Wesson, a former seafarer and final year student in Maritime Business and Maritime Law at Plymouth University, has contacted us. He is currently looking at the effect of ISM on shipping, and is seeking to address a widely held view that the Code is still not working to its full potential.

Tragic accidents such as the "Princess of the Stars", "Flying Phantom", and "Bourbon Dolphin" offer stark illustrations that ISM isn't quite hitting the mark, and there are all too many indications that companies are still repeatedly misinterpreting the code a decade on.

Some sectors of the shipping industry appear to have embraced ISM completely. The tanker industry, for instance, is an obvious safety management success story, but there remain others for whom safety improvements are still elusive.

With disturbing results from the Paris MOU CIC (concentrated inspection campaign) highlighting a 260% rise of incidents

compared with 2001, and with 163 vessels detained due to major non-conformances clearly something is wrong!

As such William is conducting research entitled, "10 years of ISM" looking at how the ISM code has evolved. He is seeking views on how/ if the code has changed in relation to effectiveness and necessity.

The study is also set to explore the relationships between the Designated Person (DPA), personnel afloat and other layers of management within

companies. While also addressing the concept of future ISM developments and the implications these may bring to an already heavily regulated industry.

The research will be a result of mixed methods including the analysis of quantitative data gathered using two different questionnaires (shore / sea) so to identify the difference in views. This data will then be enriched with a series of Qualitative semi structured interviews. This will include the thoughts of a variety of specialists and code users, including the MCA, a Deputy general manager for Maersk Global Fleet Support in the Philippines and Capt. Challacombe an ex-DPA, now lecturer at the University of Plymouth.

We at ConsultISM are pleased to be assisting William with this valuable view of ISM, and we would like to encourage you to do the same.

The Questionnaires are online at the "10 years of ISM" website www.freewebs.com/10yearsofism where you can not only leave your submitted questionnaires but involve yourself in current issue discussions in the forums and read more about the research.

We hope to include the results of Williams research in a future issue of ReportISM

THIS SURVEY



NEEDS YOU

www.freewebs.com/10yearsofism

Accidents happen, it is a sad fact of life – but are we doing enough to reduce the risks posed by our shipboard operations? The ISM Code clearly states the need to, “establish safeguards against all identified risks”. Risk assessment is therefore essential to compliance, and is a fundamental aspect of ISM “good practice”.



Reduce Your Risk!

Effective assessments allow identification of the most obvious threats, and allow us to develop risk mitigation strategies. For this reason, the process of risk assessment is a key factor of any ISM Safety Management System (SMS). This in turn is all about managing the risks identified.

Such a process is not just about generic risk, so we must identify the hazards associated with specific ships, operations and trade. As such a very focused view is required. It is not sufficient to simply rely on compliance with statutory and class requirements, or general industry guidance. Such rules and regulations are simply the starting point for ensuring the safe operation of the ship. Of course a more specific, exacting view of risk takes more time and effort...much more.

The ISM Code does not specify any particular approach to the management of risk, that is left to the Company. Although open to

interpretation, in order to be complete and effective, a systematic approach is required. It is also important that the entire process is documented so as to provide evidence of the decision-making process and the action taken.

Sadly, all too often risk assessments are simply paper exercises, with those involved being tempted to take short cuts. However there are relatively simple stages to risk assessment, one such approach is the “**Five Step Plan**”:

1. Identification of hazards. This requires an objective view of the vessel, cargo, people, the company and management to determine objects and practices that could cause potential harm.

2. The second step concerns **people**. This involves determining who is most likely to be harmed. Who are they, how experienced, qualified, etc are they? All play a major part in determining the risk of any task or operation.

It is important to liaise with officers

and crew to gather their opinions on potential hazards - they are, of course, the individuals who have the most contact with them. It is also important to look through records of previous accidents/incidents and near misses to see if it is possible to identify any recurring themes.

3. Precautions – this is perhaps the most practical step, and involves formulating practical actions to mitigate the risks. Can the hazards be eliminated altogether? Maybe not, and so actions should be judged against regulatory requirements and accepted “best practice”.

4. Recording the results of the risk assessment is vital. The findings should then be applied to the SMS, and will ensure that the responsibilities, the tasks and the requirements imposed on the vessel’s personnel reflect the realities of the hazards they are exposed to.

5. Finally, step five requires regular **review** of the assessment. In some cases this may be an annual event, but a more frequent review may be necessary if conditions change. Keep an eye on the hazards and the risks posed!

We must remember that “risk” is not a constant unit. Things change, and quantitative assessments are simply estimates of “snap shot” moments in time. These “judgements” are subject to considerable degrees of uncertainty, and so ongoing reviews and feedback are essential.

A genuine safety culture is, of course, the best way to reduce risk. Awareness, vigilance and an understanding of how to manage risk effectively make safety a reality. Turning the paperwork into the willingness and ability to do things the right way is the key.

ConsultISM: Out and About



This has been a particularly busy period for ConsultISM and Dr. Anderson - involving visits to many different countries including Egypt, Israel, Lebanon, Syria, Turkey, Jordan, India, Dubai, Sweden, Hong Kong, as well as the U.K.

Below are some of the more significant events.

SAFEMED Project

Under a commission from Euromed and the Safemed Project, Dr. Anderson spent much of the period May through July 2009 visiting many of the non-EU Countries which border the Mediterranean Sea. The project is being managed by the UN / IMO Agency – the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) – based in Malta. (Full details of the Euromed and Safemed Project can be found on the website www.safemed-project.org)

Whilst the main project is very much involved with looking at pollution response capabilities, there are also a number of other safety related subject areas – including Human Factor issues. Activity 4 specifically focused upon the “Assessment of the implementation of the International Safety Management (ISM) Code” and it was in this Activity that the expertise of Dr. Anderson was recruited.

In addition to spending quality time with the Government departments responsible for Flag State Administration and Port State Control activities in each of the countries he visited, Dr. Anderson also took the opportunity to meet with local ship operators and their Chambers of Shipping / Shipowners Associations, Nautical Training Academies, Recognised Organisations as well as visiting National Flag ships. In this way he was able to form a good general impression of how ISM was being implemented and monitored in each of the Countries visited.

Also under Activity 4 – REMPEC organised a Human Factors conference which was hosted by EMSA in Lisbon during the period 17th – 19th June 2008. Many excellent papers were presented at this conference which attracted speakers from IMO, EMSA, EMAIF, from Administrations, industry, Class and P&I Insurance.

Dr. Anderson was also given the opportunity to feed back his preliminary findings and conclusions from his SAFEMED research. (Copies of all the PowerPoint presentations and prepared

papers can be accessed under the ‘Documents’ section of the Safemed website – address above)

It is anticipated that Dr. Anderson’s full report will be published on the SAFEMED website in the near future.

Nautical Institute Command Seminars

The Nautical Institute, in conjunction with its branch network and in partnership with the International Federation of Ship Masters’ Association (IFSMA), the Institute of Marine Engineering, Science and Technology (IMarEST), the Corporation of Trinity House and the Honourable Company of Master Mariners (HCMM), organised an international series of ‘Command Seminars’ during 2008. The key theme of each event was: ‘The Command Team and the DP – Expectations, training, qualifications and competence’. The events were held in Antwerp on the 12th / 13th June, Panama 9th / 10th September, Glasgow 9th October and Hong Kong on the 6th November.

Dr. Anderson, a Past President of the Nautical Institute (2004 – 2006), was delighted to accept invitations to present papers in Antwerp, Glasgow and Hong Kong. This provided a most valuable opportunity to hear the views of a very wide range of key stake holders – of different nationalities and from different parts of the industry.

A brief report of the Antwerp seminar was carried in the last edition of ReportISM.

Glasgow

Hosted by the West Coast of Scotland branch, the seminar was held on board the elegant ‘tall ship’ Glenlee on the banks of the Clyde – with in excess of 100

delegates attending. A well balanced programme included speakers from ship operators, Port State Control, lawyers, serving ship masters and even the military (Royal Navy) – each looking at the issue from their own individual perspectives.

Whilst the formal title of Dr. Anderson's paper was 'The evolution of the DP role – how far has the industry progressed?' he focused in upon a rhetorical question which had been raised within the promotional literature for the event: 'Designated Person – Superhero or Fall Guy?'

A very lively, and healthy, discussion ensued demonstrating that there were still, even after 10 years of implementation, some very different views held on some key issues by different individuals. This was exactly what the Institute had hoped would be provoked in order to progress this very important debate which will, hopefully, help with the positive evolution of the ISM Code.

Hong Kong

The Hong Kong branch of the Institute had worked extremely hard to organise the event which was held onboard the cruise vessel 'Star Pisces' whilst was moored alongside in Kowloon. This was an excellent choice of venue with a fully equipped auditorium.

The Hong Kong based ship managers were strongly represented amongst the panellists – with many of their DPA's being present. This provided a very interesting focused attention on the role of the DPA. Interestingly a very similar issue arose in Hong Kong as had arisen in Glasgow, and indeed in Antwerp, as to who, within a ship operating company, should undertake the role of the DPA? Where should he (or she) be positioned within the management structure? Should he or she be a desk bound leader

amongst the very highest levels of management – leading from the top or a 'hands on' facilitator – leading from the front? It is indeed quite remarkable, and extremely worrying, that this debate, where different companies are poles apart on their respective understanding of the role of the DPA, is still unresolved more than a decade after phase 1 implementation deadline.

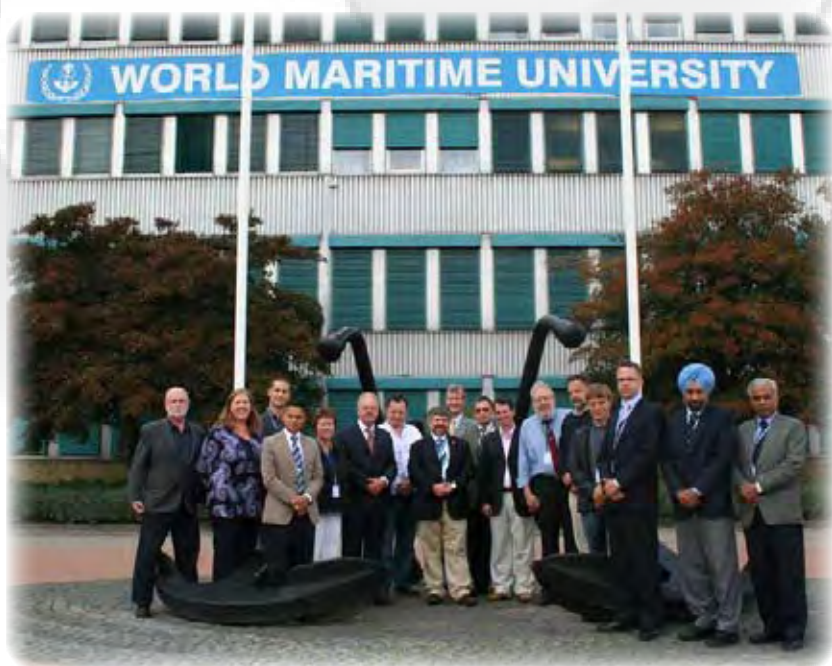
Dr Anderson's paper reviewed the 'Legal responsibilities and Liabilities of the DPA' when the opportunity was taken to reflect upon the types of cases he has involved with on a daily basis as consultant and expert witness – in commercial, contractual, civil and criminal claims, disputes and prosecutions around the world – all involving ISM related issues.

WMU – DPA Training Course

Dr. Anderson was honoured to be invited to present the opening address at the first DPA training course held by the World Maritime University in Malmo. The five day Professional Development Course for ISM Designated Persons was held during the week 8th to 12th September 2008 at the WMU. The PDC Course had

been developed in response to the IMO Circular – MSC-MEPC.7/Circ.6 – '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' – which had been issued on 19th October 2007.

Delegates attended from many different countries including Sweden, Norway and Denmark and as far away as India, the United Arab Emirates and Switzerland. Whilst some delegates were DPAs – there was a wide range of other backgrounds represented including safety managers, superintendents, technical managers, training managers and even legal advisors. The course was led by one of the main architects of the ISM Code – Mr. Jörgen Rasmussen – who had also been the main driving force behind the development of the WMU course. Contributions to the course were also made by senior members of the WMU Academic Staff - and so the delegates could not have been in better hands.





GlobalMET – Mumbai

To give it its full style - GlobalMet is the 'Global Maritime Education and Training Association' – which is an association of Maritime Training Academies and similar institutions and organisations. Originally focussed within South East Asia and Australasia, GlobalMet is now becoming truly Global and increasing its membership internationally. (Full details about GlobalMET can be found on www.globalmet.org)

A major GlobalMET conference was staged in Mumbai on 17th November 2008 which included a truly international panel of speakers with a wide range of topics being addressed.

Dr. Anderson was extremely pleased to accept an invitation to make a presentation on the ISM Code and to share ideas with the delegates who were mainly involved in the field of maritime training.

AESM Conference

ConsultISM and Dr. Anderson are always particularly pleased to receive invitations to participate in company organised seminars where

ship owning or ship management companies bring together their sea staff and their shore staff to exchange ideas under the one roof.

Such an event was organised by the leading ship management company Anglo-Eastern Ship

Management. The event was held in Mumbai and whilst the conference occupied just two days, 18th and 19th November 2008, the 'bigger event' continued through the rest of the week with a range of workshops.

The conference had as its theme 'Teamwork – The Human Element'. The event had attracted an international panel of speakers from both within Anglo Eastern and external experts.

More than 200 delegates attended with backgrounds ranging from Masters through various ranks of ships officers to shore managers and superintendents from the different offices around the world. There were also a significant number of guests from their ship owning clients. A shining example of a ship management company operating in the 'Premier League!'

A lively discussion ensued following Dr. Anderson's presentation when he explored some of the legal and insurance implications of the ISM Code – which seemed to 'ring a chord' with many of the seagoing delegates!

Forthcoming Events

With the expansion of Consultism we would hope to be involved even more in spreading the message about the importance of managing safety and the role of the ISM Code. Already there are a number of events looming up on the horizon as we enter 2009.

Videotel

In conjunction with the World Maritime University, and adopting the authoritative syllabus developed at the WMU to meet the requirements for training of DPAs in accordance with the IMO Circular, Videotel have produced a CBT type 'distance learning' package.

The programme will be officially launched at the Videotel 'Beginning of the Year Party' at its London headquarters on 8th January 2009. Dr. Anderson has been invited to join a panel of very senior dignitaries from the IMO, WMU and similar influential institutions to say a few words to celebrate the launch of this important training initiative.

Maritime Risk Management Conference

A potentially very interesting seminar is being organised to take place in London during the period 28th to 30th April 2009. The 3rd Maritime Risk Management seminar, organised by ACI, is bringing together a most impressive panel of industry experts on risk related issues.

Dr. Anderson has been invited to present a paper on 'Assessing the Advantages of Adhering to the ISM Code'

Full details of the event should be published on the ACI website soon – at www.acius.net – under 'Maritime'.

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www.consultism.co.uk

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