



MARINE ENVIRONMENT PROTECTION
COMMITTEE
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Agenda item 16

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ROLE OF THE HUMAN ELEMENT

Promoting safe behaviour in a safety culture

Submitted by the International Transport Federation (ITF)

SUMMARY

<i>Executive summary:</i>	This document proposes amendments to the ISM Code to enable full involvement of seafarers in health and safety initiatives
<i>Strategic direction:</i>	5.2
<i>High-level action:</i>	5.2.2
<i>Planned output:</i>	-
<i>Action to be taken:</i>	Paragraph 13
<i>Related documents:</i>	MSC 77/17/1; MSC 82/21/2; resolution A.947(23); MSC 84/15/1; MSC 84/WP.6; MSC 84/24 and the ISM Code

Introduction

1 Document MSC 77/17/1, submitted by the United Kingdom, promoting safe behaviour in a safety culture, recognized that, under the safety culture maturity model, the involvement of frontline staff in health and safety was critical and the International Safety Management (ISM) Code is the primary vehicle through which reductions in incidents and accidents at sea can be achieved.

2 In document MSC 84/15/1, New Zealand stated that the ISM Code is a top-down approach to safety culture. The co-sponsors of this paper believe that the objectives of the ISM Code can only be fully met if the seafarer, officers and crew, are considered as an essential and integral element of the safety culture and are empowered to provide input into the safety management systems on board a ship.

3 At MSC 82, the co-sponsors along with South Africa and the Philippines (MSC 82/21/2) proposed a new work item that:

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- .1 section 1, paragraph 1.4, section 6 and section 12 of the International Safety Management Code need to be reviewed with the view to incorporating a requirement for seafarer safety representation; and
- .2 appropriate training for seafarer safety representatives is developed.

4 Subsequently, MSC 83 decided that the Joint MSC/MEPC Working Group on Human Element should develop draft amendments to the ISM Code with the understanding that the intended scope of the amendments should be limited to those relating to requirements for seafarer safety representation (MSC 83/28, paragraph 15.6).

5 At MSC 84, a number of delegations supported the proposal to amend the ISM Code to enable full involvement of seafarers in health and safety initiatives. Some delegations, supporting in principle the proposed amendments to the ISM Code, sought clarification relating to:

- .1 selection/appointment process for the seafarer safety representative;
- .2 training for the seafarer safety representative;
- .3 dismissal protection for the seafarer safety representative, as this was a potential source of conflict; and
- .4 the authority of the master in relation to role and responsibility of the seafarer safety representative.

6 It was clarified in plenary discussions that the authority of the master was enshrined in the SOLAS Convention and the ISM Code, which in itself was a holistic way of looking at safety on board. A number of delegations informed the Committee that ships flying their flag had seafarer safety representatives on board for many years without any problems related thereto.

7 Taking into account the above views and comments, the Committee referred the proposal to the Joint MSC/MEPC Working Group on Human Element for detailed consideration.

8 Upon receipt of the report of the working group (MSC 84/WP.6) the Committee agreed that promoting safe behaviour for a safety culture on board ships required the involvement of all personnel ashore and on board, in a co-operative environment without fear of any repercussions or intimidation.

9 Several delegations expressed the view that, although there might be a need for seafarer safety representative, they had concerns with the proposal in its present format relating to:

- .1 small ships with small crews;
- .2 ships with multi-ethnic crews;
- .3 training; and
- .4 relationship with the role of shipboard safety officer.

10 The Committee, noting these concerns, agreed that the proposal should be reconsidered at the next session of the Joint MSC/MEPC Working Group on Human Element.

Response to outcomes of MSC 84

11 Only minimal amendments to the ISM Code were proposed in document MSC 84/15/1 whilst recognizing that the Code left the interpretation to the flag State and owner. The co-sponsors also endeavoured to keep any requirements and wording consistent with the ILO Maritime Labour Convention whilst conscious that the intent is to ensure the Code facilitates an improved safety culture. Furthermore, the following should also be taken into consideration:

.1 Small ships with small crews:

Most flag States require a ship's safety representative where the crews are in excess of five and additional representatives normally based on departments for vessels with large crews.

.2 Ships with multi-ethnic crews:

It would be the decision of the owner or flag State to require additional ship safety representatives on ethnic grounds. Given that most vessels today have mixed nationalities, the preference in multi-ethnic vessels is to train the ship safety representatives in effective communication.

.3 Training:

Training can be carried out on board with computer programs and instruction of the Safety Officer. Training ashore may be an option for larger companies with appropriate structures.

.4 Relationship with the role of shipboard safety officer:

The ship safety representative would on a day to day basis work closely with and under direction of the Ship Safety Officer.

.5 Relationship with the master:

As clearly stated in SOLAS chapter XI-2, regulation 8 and ISM Code, section 5, the master's overriding responsibility and authority must be emphasized with respect to safety and pollution, and shall not be constrained by the company, charterer or any other person.

Proposed amendments

12 The proposed amendments to the ISM Code are set out in the annex for the inclusion in the ISM Code with a view to the empowerment of seafarers and an improved safety culture on board ships.

Action requested of the Committee

13 The Committee is invited to consider the proposed draft amendments to the ISM Code, as set out in the annex, and take action as appropriate.

ANNEX

**DRAFT AMENDMENTS TO THE
INTERNATIONAL SAFETY MANAGEMENT CODE****Section 1.1 Definitions**

1 The following text is to be inserted after the existing paragraph 1.1.12:

“1.1.13 *Seafarer safety representative* means a member of the ship’s crew, either officer or rating, who has been appointed to represent the ship’s crew in relation to the continuous improvement in occupational safety and health protection.”

Section 6 Resources and personnel

2 The following text is to be inserted after the existing paragraph 6.7:

“6.8 The company should ensure that the seafarer safety representative is trained to undertake the role and is fully conversant with the company’s safety management system.”

Section 12 Company verification, review and evaluation

3 The following text is to be inserted after the existing paragraph 12.6:

“12.7 Audits or reviews undertaken in accordance with paragraphs 12.1 and 12.2 should include participation of or input from the seafarer safety representative.”
