

# Navigation Committee

11 January 2024

Agenda item number 9

## Port Marine Safety Code audit findings and recommendations

Report by Director of Operations

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### Purpose

To update Members on the outcome of the recent audit findings and recommendations on the Port Marine Safety Code.

### Broads Plan context

Managing navigation safety and access, C4 – Maintain and improve safety and security standards and users' behaviours on our waterways.

### Recommended decision

To note the outcome of the recent audit findings and recommendations.

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## 1. Introduction

- 1.1. The Port Marine Safety Code (PMSC) was published by the Government in March 2000. The Code establishes an agreed national standard for port marine safety and formalises the duties and responsibilities for safety and environmental protection within UK ports and harbours. The Code applies to all harbour authorities, and compliance is not optional.
- 1.2. The Broads Authority is a Competent Harbour Authority, as defined within the Pilotage Act 1987. This arises from The Broads Authority (Pilotage Powers) Order 1991.
- 1.3. The Code requires that all harbour authorities base their powers, policies, plans and procedures on a Formal Safety Assessment (FSA), and that they maintain a Safety Management System to control the risks that are identified to a level which is as low as reasonably practicable (ALARP).
- 1.4. The Broads Authority, as Duty Holder for the Broads, has developed a Safety Management System to the requirements of the [Port Marine Safety Code](#) taking cognisance of the advice in the [Guide to Good Practice on Port Marine Operations](#).

## 2. 2023 Audit

- 2.1. The PMSC was chosen by TIAA, our internal auditors, for audit within the 2023/24 audit programme.
- 2.2. The PMSC audit is an independent review of the Broads Authority Safety Management Systems (SMS). The PMSC requires that Harbour Authorities include provisions for the systematic review of performance based on information monitoring of the whole system.
- 2.3. During the audit two areas of good practice were identified:
  - *The roles and functions of key staff are well outlined in the SMS, including the Director of Operations, Head of Safety Management and Head of Ranger Services. This ensures the role associated with the PMSC is clear.*
  - *Incident reports are presented to the Boating Safety Management Group (BSMG) and Navigation Committee, enabling trends to be identified and subsequent actions to be taken to address these where appropriate.*
- 2.4. The final overall assessment is 'Reasonable Assurance'.
- 2.5. The audit definition of 'Reasonable Assurance' is: *The system of internal controls is generally adequate and operating effectively but some improvements and requirements to ensure that risks are managed, and process objectives achieved.*

## 3. Audit Recommendations

- 3.1. Five audit recommendations were made: all five related to process reporting and not delivery of operational safety requirements.

<b>Audit Recommendation</b>	<b>Broads Authority agreed to actions</b>
Internal audit on specific areas of the SMS in line with the 3-year cycle	Internal Audits had been carried out and any findings actioned, but the reporting cycle had slipped. Internal Audit has been added to the Committee forward plan. The 2024/25 annual internal auditing programme will be presented to the Navigation Committee Jan 2024, completing this action.
The PMSC requires a statement about the standard of the organisation's performance against the PMSC	Upon completion of the PMSC audit by TIAA, the report on compliance against the standards can go before the Navigation Committee on 11 January 2024 and the Broads Authority (as Duty Holders) on 26 January 2024, completing this action.

Audit Recommendation	Broads Authority agreed to actions
The status of key Performance Indicators (KPI's), about defined targets should also be recorded on the Authority's website	KPI's are reported to the Navigation Committee within the Chief Executive's report. From May 2024 these figures will be added to the Authority's web pages.
The PMSC requires the Duty Holders to report compliance with the code to the Maritime and Coastguard Agency (MCA) every three years.	The Head of Safety Management is in discussion with the MCA about compliance reporting and the standard format to be used.
The PMSC requires a Marine Safety Plan (MSP) showing how the Code will be met.	Auditors recognised that many of the elements within a Marine Safety Plan are already detailed in Section C of the Broads Plan but felt that a separate MSP would be simpler and clearer for users. The Head of Safety Management will develop and add an MSP to the Authority's SMS, completion date agreed to be October 2024

3.2 The Safety Management System is currently being updated to reflect the recommendations within the PMSC audit, the outcome of the Pilotage Review and the Boat Safety Management Hazard review: the updated SMS will be available by April 2024.

## 4. Conclusion

- 4.1. Given the complexities and the size of the Broads Authority's Safety Management System, gaining a 'Reasonable Assurance' for the Port Marine Safety Code demonstrates the robust nature of the planning, implementation and delivery of safety measures by the Authority.
- 4.2. Safety is never finished and having a 'clean bill of health' following a check-up of our PMSC will not see us become complacent. The Authority will continue to build upon recent important safety decisions (addition of licensing for Hired Paddle Craft operators, the addition of British Marine's Quality Accredited Boatyard Schemes being a compulsory licensing requirement, Ranger Hire Boat and Paddle Craft surveys, improved Hire Boat Auditing and enforcing the Boat Safety Scheme certification) and continually improve safety for our waterways' users.

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Background papers: N/A

[Broads Plan](#) strategic objectives: Section C - Maintain and improve safety and security standards and users' behaviours on our waterways.