

Safety management

A number of very serious accidents which occurred during the late 1980's, were manifestly caused by human errors, with management faults also identified as contributing factors.

Lord Justice Sheen in his inquiry into the loss of the **Herald of Free Enterprise** famously described the management failures as "the disease of sloppiness".

At its 16th Assembly in October 1989, IMO adopted resolution A.647(16), Guidelines on Management for the Safe Operation of Ships and for Pollution Prevention.

The purpose of these Guidelines was to provide those responsible for the operation of ships with a framework for the proper development, implementation and assessment of safety and pollution prevention management in accordance with good practice.

The objective was to ensure safety, to prevent human injury or loss of life, and to avoid damage to the environment, in particular, the marine environment, and to property. The Guidelines were based on general principles and objectives so as to promote evolution of sound management and operating practices within the industry as a whole.

The Guidelines recognised the importance of the existing international instruments as the most important means of preventing maritime casualties and pollution of the sea and included sections on management and the importance of a safety and environmental policy.

After some experience in the use of the Guidelines, in 1993 IMO adopted the International Management Code for the Safe Operation of Ships and for Pollution Prevention (the ISM Code).

In 1998, the ISM Code became mandatory.

The Code establishes safety-management objectives and requires a safety management system (SMS) to be established by "the Company", which is defined as the shipowner or any person, such as the manager or bareboat charterer, who has assumed responsibility for operating the ship.

The Company is then required to establish and implement a policy for achieving these objectives. This includes providing the necessary resources and shore-based support.

Every company is expected "to designate a person or persons ashore having direct access to the highest level of management".

The procedures required by the Code should be documented and compiled in a Safety Management Manual, a copy of which should be kept on board.

ISM Code study

Phil Anderson, vice-president of the Nautical Institute, has conducted research into the "perceived conflict between the requirements under the ISM Code to produce a wide range of documents and reports as a part of its SMS (Safety Management System) to make ships safer and seas cleaner, on the one hand, and, on the other hand, the consequential production of potentially self incriminating evidence which could be used against those who produced that evidence: the ships master, or other seafarer - whose very livelihood and freedom are at stake - and the ship operator who will stand exposed to civil or criminal liabilities."

The research involved a detailed survey across the shipping and other relevant industries to establish: to what extent the documentation and reports required under the ISM Code are, or are not being produced; if, as is suspected, the documentation and reports are not being produced as required under the ISM Code - then to establish why there might be reluctance; whether, if the previous presupposition proved to be correct, the perceptions of the different parties involved actually coincide; what the perceived consequences might be of not complying versus complying.

For further information, please see <http://www.ismcode.net/content.html>

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Reference: DEPARTMENT OF TRANSPORT (UK) - MV Herald of Free Enterprise. Report of Court No. 8074 - Formal Investigation (Hon. Mr Justice Sheen - Wreck Commissioner), July 29th 1987. London, Her Majesty's Stationery Office, 1987, ISBN 0 11 550828 7

