



# MGN 536 (M) Amendment 4

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## Safety Management Code For Domestic Passenger Ships

**Notice to all Shipowners, Operators, Charterers and Managers; Masters, Officers and Seamen**

*This notice should be read in conjunction with MSN 1869(M) and replaces MGN 158(M). This Notice has been amended to clarify when the intermediate audit needs to be completed (paragraph 2.7)*

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### Summary

This note provides further guidance to owners and operators of domestic passenger ships on how to comply with the audit and self-assessment requirements of the Safety Management Code for Domestic Passenger Ships as set out in the amended Merchant Shipping Notice MSN 1869(M). Whilst the Code itself remains substantially unchanged, the frequency of the audits are very different and are intended to more closely follow the ISM format, but applied in a more pragmatic way.

#### Key points:

- There is a requirement for the MCA to carry out a company or office audit and that some preparation work is required for the same.
- The on-board audits, whilst less frequent, shall also be pre-planned and operators will be required to demonstrate compliance with the code including emergency preparedness.
- There is a requirement for Companies to carry out self-assessments to review their own systems.
- This guidance also takes the opportunity to explain how companies should undertake the annual self-assessment and a review of the safety management system at intervals not exceeding three years.
- The checklist under Annex 1 has been amended to align with the requirements of Domestic Safety Management (DSM)



## **1. Introduction/ Background**

- 1.1 The Merchant Shipping (Domestic Passenger Ships) (Safety Management Code) Regulations 2001, SI 2001/3209 came into force on 01 November 2001 and gave statutory force to the Safety Management Code for Domestic Passenger Ships as set out in Merchant Shipping Notice MSN 1869(M).
- 1.2 The purpose of this Marine Guidance Note is to provide guidance on how to prepare for the Audits specified in the amended MSN 1869 and how to carry out the self-assessments required by the Code.
- 1.3 It is recognised that there are a wide variety of passenger ships in the domestic trade and that they are employed in a variety of operational locations and conditions. The purpose therefore of developing the Code is to establish a common standard of safe operation for these ships.
- 1.4 The Code applies to passenger ships which are not otherwise required to comply with the requirements of the International Safety Management (ISM) Code.
- 1.5 Operators are reminded that the Safety Management System (SMS) should be brief and simple and be developed by each company to meet the needs of that company.
- 1.6 The sections below give more detailed advice on what is required to ensure an efficient process.

## **2. Office or Company Audit**

- 2.1 These will vary according to the complexity of company operations and will take place once in five years. The date of this audit will be recorded on the DSM certificate for each vessel.
- 2.2 For the larger domestic passenger vessel operators, and those that have an office, the process would be essentially similar to ISM DOC audits and it is not envisaged that such companies will have any difficulty with preparing for such an audit.
- 2.3 For smaller operators and sole owner single boat operations, where there is no office, and where records may be spread between different locations, ALL records associated with the boat, the equipment, the crew and her operations should be gathered in one place to simplify and shorten the time needed for the audit to be carried out. This could be a mutually convenient location on board the vessel or at the MCA marine office.
- 2.4 Papers will include:-
  - The Safety Management Manual;
  - The Company Policy document;
  - All crew certification and training records;
  - Passenger counting and recording records;
  - On-board maintenance records (checklists);
  - ALL other maintenance and repair records including that carried out by shore side contractors;
  - Certification appertaining to the above including machinery, life rafts, fire equipment etc;
  - Accident and incident reports and any remedial actions taken thereof;



- Evidence of company reviews of SMS, Self-Assessment Reports and closeouts thereof;
- Evidence of Proactive Designated Person;
- Garbage records;
- Code of Safe Working practices;
- Records of Drills and Safety Training;
- Procedures for disposal of oily residue/waste oil etc.

### 3. On board MCA Audits

- 3.1 There are two on-board audits in the five-year period: - The **Initial** and a **mid-term or Intermediate**. Ideally these should be conducted with the vessel in commission but out of service, although, some elements, such as passenger boarding arrangements, mooring and navigation may be carried out in service.
- 3.2 There is flexibility with carrying out the mid-term / intermediate audit as this could be completed between the 2<sup>nd</sup> and 3<sup>rd</sup> anniversary dates of the DSM certificate (the anniversary date is the date of expiry of the certificate), but it is anticipated that many owners will request to carry out these audits in conjunction with the completion of the Passenger Certificate survey, to save on Surveyor travel time. This may be done if the date falls within the window of the intermediate audit. At every audit, the surveyor will witness the crew performing a drill. This will have to be borne in mind, as some owners may not have crew present, or necessarily adequately trained at the time of the pre-season running trial.

### 4. Self-Assessment

- 4.1 The Self-Assessment must be completed annually by the owner/operator or on behalf of the owner/operator by an “accredited person”. An accredited person is someone external to the company who has a good knowledge of the operation of domestic passenger ships and ideally should have some experience in carrying out audits. It is envisaged that as time passes expertise in the industry will develop.
- 4.2 The owner/operator is encouraged to develop his/her own operations specific checklist which must include all of the elements of DSM and shall ensure all aspects of the operation are included. The Self-Assessment Checklist should follow the format and form of the DSM Code and will assess company performance against the SMS, which would have been written to meet the DSM criteria. In the case of some companies which may have some vessels operating under ISM or have previously elected to comply with the ISM Code, then, whilst the order of the codes differs slightly, it will be considered acceptable and equivalent to follow the form and order of ISM for both the SMC and the Audit/Assessment process.
- 4.3 As with audits the Self-Assessment is expected to find **differences** between what is required by rules/regulations and/or the company’s own set out standards. These **differences** found during an audit are divided into **non-conformances (deviation(s) from the requirements)**, **major non-conformance (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 or the lack of effective and systematic implementation of a requirement of the DSM Code)** and **observations (situations which may, in future, lead to deviation(s) from the requirements)**. The assessor, at least in the early years may not be confident to divide them up and thus the outcome may be described as: **Points for Improvement** or similar. Regardless, these elements shall be considered by the owner within agreed timeframes (**closeout**). The MCA will be the final arbiter as to whether or not the agreed closeout action and timeframe is reasonable. It is accepted that some points for improvement which have not yet resulted in a deviation from any requirements, may result in no improvement action being implemented



– this shall be documented. If non- conformances are not closed out within the agreed timeframe, this will result in a major non-conformance being raised which may result in withdrawal of the DSM certificate.

4.4 Appended to this notice as appendices 1 and 2 are: a checklist which operators may find useful as a basis for their own checklists and the DSM Self-Assessment Report Form. The DSM checklist and the Self-Assessment Report need to be sent to the local MCA marine office every year.

4.5 There are other scenarios where MCA might require further additional audits. Additional audits may be required in the following circumstances: 1) for a new boat or when a boat changes ownership and there is no objective evidence to complete a full audit; - on such occasions, the initial DSM audit would need to be followed by an additional audit when the vessel is in service within 3-6 months; 2) a major non-conformance with the Domestic Safety Management System/Code has been identified with the operator or vessel; and 3) if the DSM Self-Assessment Report Form has not been received by MCA before 31 July in any relevant year.

## 5. Periodic Review

5.1 There are two separate requirements which should not be confused: self-assessments and periodic review of the SMS. The periodic review should be an opportunity for a critical review of the performance of the SMS over the past three years. Audit reports, inspection reports, non-conformities, accident reports, risk assessments, permits to work, near miss reports, complaints, etc. should be reviewed with the object of identifying trends, root causes, areas of concern, etc., with a view to continually improving the operation of the SMS both ashore and on board.

5.2 The periodic review of the SMS should be carried out by the company. This review will form part of the safety management strategy of the Company and will be conducted in accordance with documented procedures.

5.3 For larger companies, the management review meetings should be recorded and corrective actions allocated to appropriate members of the company, with a view to improvement.

5.4 For smaller operators, including single owner/operator/skipper enterprises, the periodic review performed by management will by default, become part of the annual assessment. Records should be made available to demonstrate that the SMS review has been carried out and that resultant changes to the SMS are summarised.

## 6. Certification

6.1 Following satisfactory completion of the office and vessel audits by the MCA, each vessel will be issued with a DSM Certificate, the validity of which should not exceed five years. The validity of this certificate is subject to a mid-term / intermediate MCA audit of each vessel between the 2<sup>nd</sup> and 3<sup>rd</sup> anniversary dates, the annual Self-Assessments of the company and each vessel, carried out by the company.



## More Information

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# Annex 1

## DSM Checklist

	<b>Name of vessel</b> _____ <b>Owners</b> _____	
	<b>IMO/Official No.</b> ----- <b>No. of Pax</b> -----	
	<b>Place of audit</b> _____ <b>Date of audit</b> ___/___/___ <b>Contact</b> _____	
	<b>Company representative in attendance (crew)</b> _____ _____ _____	
<b>OBJECTIVES</b>		
1	Health Safety & Environmental Protection Policy - and Objectives stated	
2	Functional <b>Domestic</b> Safety Management System in Place	
3	Manual and associated paperwork in acceptable condition, order and satisfactory storage arrangements	
4	Elements satisfactorily indexed and referenced	
<b>HEALTH, SAFETY &amp; ENVIRONMENTAL PROTECTION POLICY</b>		
5	Health, Safety & Environmental Protection Policy - available and crew familiar	
6	Drug and alcohol policy available and understood by crew	
7	H&S issues promulgated between Owner and Crew	
8	Do the crew have access to the Code of Safe Working Practices (COSWP)	
9	Reduced mobility policy documented	
<b>RESPONSIBILITIES</b>		
10	Masters authority <b>&amp; responsibilities</b> clearly defined and understood	
11	Is the Master satisfied with Company support as applicable	
12	Crew aware of their roles and responsibilities	
13	Shore management responsibilities and reporting lines clearly documented and understood	
<b>DESIGNATED PERSON</b>		
14	Is the role of the Designated Person (DP) clear and are crew/staff aware of the role of the DP	
15	Contact details for DP available and tested	
16	Evidence that the DP is active in the role	
<b>PERSONNEL AND TRAINING</b>		
17	Check Masters qualification and training	
18	Check Crew training is appropriate to their designated duties	
19	Check crews medical fitness as applicable	
20	Check new personnel's familiarisation/induction records and procedures	
21	Do familiarisation procedures cover such items as mooring and unmooring, launching and recovery of survival craft, evacuation from all areas of the ship, donning of lifejackets and use and handling of firefighting equipment, controlling/guiding passengers? Check crew familiarity with these items	
22	If locks are being used are personnel trained in this process	
23	Are hours of work compliant with the working time directive	
<b>PROCEDURES TO ENSURE SAFE OPERATION OF SHIPS</b>		



24	Are procedures available for the following operations as a minimum: <ul style="list-style-type: none"> <li>• Testing of equipment, including steering gear, prior to commencing a passage</li> <li>• Navigation and handling of the ship including in restricted visibility</li> <li>• Maintenance routines</li> <li>• Fuelling operations</li> <li>• Watertight integrity</li> <li>• Stability of the ship and conduct of passengers and crew while on board</li> <li>• Mooring and unmooring</li> <li>• Passenger counting and crowd control</li> <li>• Machinery checks including safety and noise protection</li> </ul>	
25	Are the above procedures incorporated into checklists where appropriate	
26	Crew awareness of the on-board procedures	
27	Garbage plan available / understood and placards displayed	
28	Oil management plan available and understood <b>by personnel</b>	
29	Crew understand how to dispose of oily waste	
30	Are suitable and sufficient risk assessments completed by the owner	
31	How are owners advised that procedures are being followed	
<b>PROCEDURES FOR REPORTING ACCIDENTS</b>		
32	Accident/Incident reporting procedure in place	
33	Review logbook/accident <b>reports</b>	
34	Master aware of MAIB and MCA reporting requirements	
35	Evidence of Corrective actions being implemented by the operator	
<b>PROCEDURES FOR RESPONDING TO EMERGENCY SITUATIONS</b>		
36	Do procedures for emergencies include at least the following scenarios: <ul style="list-style-type: none"> <li>• Collision</li> <li>• Fire</li> <li>• Abandon ship</li> <li>• Flooding</li> <li>• Grounding</li> <li>• Loss of steering gear</li> <li>• Medical emergency</li> <li>• MOB</li> <li>• Aid to other vessels</li> <li>• Fuel/oil spill/pollution</li> <li>• Enclosed space rescue if applicable</li> <li>• <b>Violent acts</b></li> <li>• <b>Main propulsion failure</b></li> </ul>	
37	Emergency <b>exercise carried out</b> Date of last exercise:	
38	Records of exercises/drills including personnel/debrief/plan <i>MSN 1878</i>	
39	Are crew proficient in the operation of LSA and FFE	
40	Service reports for FFE/LSA on board	
41	SAR plan on board and up to date	
<b>EQUIPMENT</b>		
42	Maintenance programme for ship & equipment - evidence of implementation	
43	<b>Checklists in use for inspections</b>	
44	Are defects reported and dealt with in a timely manner	
<b>REVIEW</b>		
45	DSM manual reviewed every three years	
46	Any changes identified, particularly those following incident or failure incorporated into DSM	
47	Have all outstanding NCNs and action points been closed out satisfactorily	
48	Have Self Assessments been completed and cover all sections of the code	
<b>CERTIFICATION</b>		



49	Passage plans	
50	Charts or charts local to area of operations	
	The following are only applicable to vessels which operate on the Thames	
51	Passenger Vessel Operations Code on board (PLA document)	
52	Bridge guide on board (PLA document)	
53	Passage plans	
54	Port of London Authority (PLA) charts or charts local to area of operations	
55	PLA Notices to Mariners	
56	PLA General Directions	
57	PLA Byelaws	
58	PLA Special Directions	

**Comments:**

Name:

Signature:

## Annex 2

### Self-Assessment Report

	Comments	Guidance notes
Name of Company		From the DSM certificate
Date of Self-Assessment	dd/mm/yy	
Date of expiry of DSM certificate	dd/mm/yy	
Anniversary date of annual Self-Assessment	dd/mm/yy	The date of the first Self-Assessment
Date of last DSM review	dd/mm/yy	Must complete review every three years
Is it within three years of last review	Yes / No	If no, review to be completed prior to submission of Self-Assessment report to MCA
Expiry date of Passenger certificate	dd/mm/yy	
Crew qualifications verified and in date		Provide details of crew qualifications
Medical certification verified and in date		Provide details of medical certificates
Any changes to operations (changes to area of operation, route, bunkering, etc.)		Provide details of changes
Have any of the work instructions / procedures been revised or new ones produced		If yes, provide details of new / revised work instructions / procedures
Has there been any near miss or accidents reported this year		Provide details of near misses/accidents
If yes, have these been reported to MCA/MAIB		Provide details
Have training exercises been carried out as required by the DSM system		Provide list of training with dates
Has all planned maintenance been completed		If not, provide details of outstanding jobs and reasons for not completing





Have all maintenance checklists for daily, weekly and monthly checks been completed satisfactorily		If not, provide details of outstanding jobs and reasons for not completing
Has there been any breakdown of essential / <b>critical equipment</b>		Provide details
If so, have these been investigated and actioned appropriately		Provide details
Has anything been raised by ship staff which requires shore-based action		Provide details and actions taken
Have any improvements or changes been requested by any member of staff		Provide details
Has the Company made any changes / improvements to the DSM system within the last year		Provide details
Does the Self-Assessment conclude that the DSM system remains effective		Provide a statement that the DSM system remains effective
Are the requirements for maintaining the Passenger certificate being complied with		If not, provide details
Number of full time and part time staff employed	Full time staff: Part time staff:	
Name of person carrying out the Self-Assessment		
Position or relationship with the Company		
Signed		
Date submitted to the MCA		

