



Maritime &
Coastguard
Agency

Consultation Document:
The Code of Safe Working Practices for
Merchant Seafarers Review Project

August 2023

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Section 1: Overview of this consultation

Aim

- 1.1. This consultation seeks your views on the new design and structure of the Code of Safe Working Practices for Merchant Seafarers (“the Code”), attached as part of this consultation.

Views sought

- 1.2. Your views are sought in the following areas:
 - Design and structure
 - Improved language and clarity
 - Diagrams
 - Functionality to use
- 1.3. A full list of consultation questions is contained in section 5 of this consultation.

Deadline for responses

- 1.4. Responses are welcomed from 29/08/2023 until 21/11/2023.

Section 2: Areas for consideration

Background

- 2.1 The Code was first published in 1978 and has been available as a priced publication since then. It is published by the Stationery Office the Maritime and Coastguard Agency's official publisher ("the publisher"). The content is prepared by Maritime and Coastguard Agency, following tripartite consultation in a working group drawn from the seafarer unions and from shipping companies. The current version was published in 2015 and has been amended annually. We are now at Amendment 7 2022.
- 2.1.1 The Code has developed to become an internationally recognised maritime industry standard of best practice. Industry has indicated through stakeholder engagement that the manual requires more clarity in its language and, since its initial publication has become too lengthy to be easily used.
- 2.1.2 We have redesigned and modernised the Code to improve its structure, ensure consistency and simplify its language. The use of recurring design features will enable quicker reference and generally aid understanding, making it clearer and easier to follow.
- 2.1.3 In addition, the decision has been made to change the physical format of the document from loose-leaf to bound. The intention is to improve the end-user experience, remove the yearly manual updating process and seek a more cost-effective sustainable solution.
- 2.1.4 Throughout the review of the Code, industry has been central to decisions made. The process commenced with a publication survey carried out by the publisher, in April 2021. The results of this were assessed and led to the decision to proceed with the review project.
- 2.1.5 During 2022, industry focus groups were held, representing all user groups, to consider concepts of design and ways to improve and address the feedback received from the publication survey. Actions were agreed on how the Code could be reformed into a new edition. Further engagement on the new designs and proposed adaptation was made with industry through holding a stakeholder engagement exercise.

Proposed Changes

- 2.2 Following this extensive research and review process, fundamental decisions on layout, design, clarity of language and structure were made. Industry representatives and Maritime and Coastguard Agency have now reviewed each chapter of the Code and redrafted into the new design and structure. We have adjusted content only where necessary to ensure accuracy and reduce duplication. It is however a 'live' document, which shall continue to be open to user comment and adjusted according to changes in Regulations or industry best practice.
- 2.2.1 We would welcome your comments and particularly answers to questions at section 5 of this consultation document in respect of the following changes:

- 2.2.2 Design and Structure: improving the documents useability was a main concern of industry. After exploring options and analysis of costs the decision was made to adapt the Code from the loose-leaf ring binder to a bound edition. The current yearly amendment process is a resource cost to the end user with responsibility to maintain the manual leading to many companies opting to not hold as many on board or only electronic versions. This limits accessibility for some and with statistics demonstrating the reduction in the number of amendments being purchased, there is the fundamental risk that outdated information could be referred to on board.
- 2.2.3 After reviewing concepts on structure, it was felt a uniform approach to the entire Code would aid when quick reference is needed, with the addition of icons to help highlight sections and a new glossary to provide definitions, all aiming to enhance the end users experience. We would welcome your views on the impact of this at Q1. Section 5.
- 2.2.4 Improve language and clarity: The Code is internationally recognised as a reliable and trusted source of safety information and with best practice guidance from industry. Regulations are notorious for being difficult for the layman to interpret and this becomes harder if the reader's first language is not English.
- 2.2.5 Considering all end users and the fact many are seafarers, we have adjusted the Code into the 'active' voice, to better connect the reader to the content and help them distinguish something which as a procedure they have to follow from information included for reference.
- 2.2.6 Text has been reviewed to improve clarity and reduce duplication, by including internal section references where more details can be located. We have used the active voice where possible and tried to simplify legal references. We would welcome your thoughts on the adaption at Q2 & Q3. Section 5.
- 2.2.7 Diagrams; it is acknowledged that diagrams help visually interpret text. All charts, tables and diagrams have been reviewed with additional diagrams added where it was considered beneficial. We would welcome your views at Q7. Section 5.
- 2.2.8 Functionality; there is a legal requirement for the Code to be carried and be readily accessible onboard UK flagged merchant ships, wherever they may be. There are many non-UK vessels which also benefit from the safety guidance outside of this legal requirement. We also recognise the function of the Code in the education and training of cadets and seafarers, and we wish to ensure that all users of the document find it fit for purpose. We would welcome your thoughts at Q8. Section 5.
- 2.2.9 There will be a further phase, looking into the electronic options of the Code but we are focusing at this time on the hardcopy printed edition. The current arrangements for the Code to be available to purchase electronically will continue for the time being. Throughout the review process, where comments have been received on a future digital concept, they have been noted and recorded for future review.

Summary of Options and Recommendations

- 2.3 In the process of analysing the costs and benefits for a new Code edition, three main options were considered;

- 2.3.1 Option 0 – do nothing, retaining the Code as a printed, loose-leaf ring binder manual requiring the customers to use administrative resource to update, without improvements to the design. The Code would be reviewed annually to check references and language clarity, as each chapter or topic is noted for review.

Stakeholder engagement and wider comments from industry highlighted the need for action to make the Code more useable and easier to understand and to not take action would affect the Maritime and Coastguard Agency’s reputation by not responding to industry concerns.

The combined research of Maritime and Coastguard Agency and The Stationery Office has indicated that the manual in its current form is less effective in promoting safety guidance. This limits the scope for users to benefit from the knowledge it provides and so limits how it improves the safety of all those working on board ships.

- 2.3.2 Option 1 –retain the Code as a printed loose-leaf ring binder requiring the customers to use administrative resource to update. Redesigned within the parameters available for the loose-leaf format, with an improved structure, clearer language and accessibility design with icons. This would continue to be updated annually or as frequently as the Working Group members consider necessary for health and safety reasons.

This option was not considered the preferred option, due to the administrative burden to update a hardcopy ring binder in an increasingly electronic industry, where administrative tasks may impact seafarer hours or fall to the responsibility of higher level shoreside safety managers to update, to ensure the task was completed accurately. Therefore, the cost saving with administrative time per manual over future years was a fundamental consideration.

- 2.3.3 Option 2 – (preferred option) create a fully bound manual alongside the design improvements and updates outlined in Option 1.

During the process of analysing costs and benefits, it was noted that inserting a yearly amendment to replace outdated content for options 0 & 1, took an hour’s administrative time. Over the year’s and for the many copies held within some companies, this is a significant cost. In addition, having the latest and best guidance relies on ensuring all amendments are updated annually.

An environmental impact assessment was carried out by the publishers to analyse any potential impact of replacing a full manual each time it is updated, and it was considered low and within the publisher’s sustainability policies as outlined in the section below. It should also be noted that we have costed this option on the assumption that an updated manual will be published each year.

Supporting Information

- 2.4 Publication costs provided by the publisher (2022 prices)

Price of loose-leaf manual (new edition)	£ 40.00
Price of loose-leaf manual (amendments)	£ 20.00
Price of bound manual	£ 27.50

- 2.4.1 In the preferred option 2, the bound edition is £7.50 more than the annual loose-leaf amendment. However, a bound edition is £12.50 less than the consolidated edition and latest amendments, which a new entrant to the flag would need to purchase. Or if a vessels manual has missed a yearly amendment, it may be more cost effective to purchase the consolidated version again. Therefore, the bound manual price was considered reasonable, but we would welcome your thoughts at Q4. Section 5.
- 2.4.2 Environmental impact assessment by the publisher concluded that whilst the bound version required the use of more paper it is carbon balanced and recyclable, less single use plastic would be used (as each yearly amendment is wrapped for protection during transit) and less shipping would be required as each amendment has a cardboard backing equivalent to 10 sheets of paper in weight. Therefore, the environmental impact would be negligible and transit costs could be marginally reduced but we would welcome your thoughts on this at Q6. Section 5.
- 2.4.3 Discussion and engagement with industry has taken place since 2021;
- The Code of Safe Working Practices for Merchant Seafarers, Publication Survey conducted by The Stationery Office in 2021; reviewed the current manual, its user groups and requested suggestions for improvements.
 - Focus Groups 2022; four focus groups met to discuss the new proposed design, the adaption to 'active tense' to make the language clearer and more connected to the end user with improve clarity and the addition of a glossary and reference icons.
 - Stakeholder Engagement Exercise 2022; the outcome of the stakeholder engagement was positive to the changes proposed and the example chapters presented, including the proposal to produce the Code as a bound copy. This then informed the next drafting and implementation stage.
- 2.4.4 The outcome from the industry engagement has indicated that the action we propose with Option 2 will address the concerns raised, meet the needs of all users and set the way forward but we would welcome your views on this and the creation of the Code into a bound edition at Q5 & Q8. Section 5.

Section 3: Responding to this consultation

- 3.1. There are specific questions highlighted in section 5 of this document and information on how to respond to this consultation document.

Consultees

- 3.2. Anyone may respond to this consultation and consideration will be given to all responses.

Duration

- 3.3. This consultation is open for 12 weeks from 29th August 2023. The deadline for responses is 21st November 2023.

Submitting your response

- 3.4. The preference is for consultation responses to be emailed to seafarersafety@mcga.gov.uk. Any questions should also be sent to this email address. You can also send in your response by post.
- 3.5. When responding, representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions.

Freedom of Information

- 3.6. Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations 2004.
- 3.7. If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.
- 3.8. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department/MCA.
- 3.9. The MCA will process your personal data in accordance with the data protection framework and, in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

Data Protection

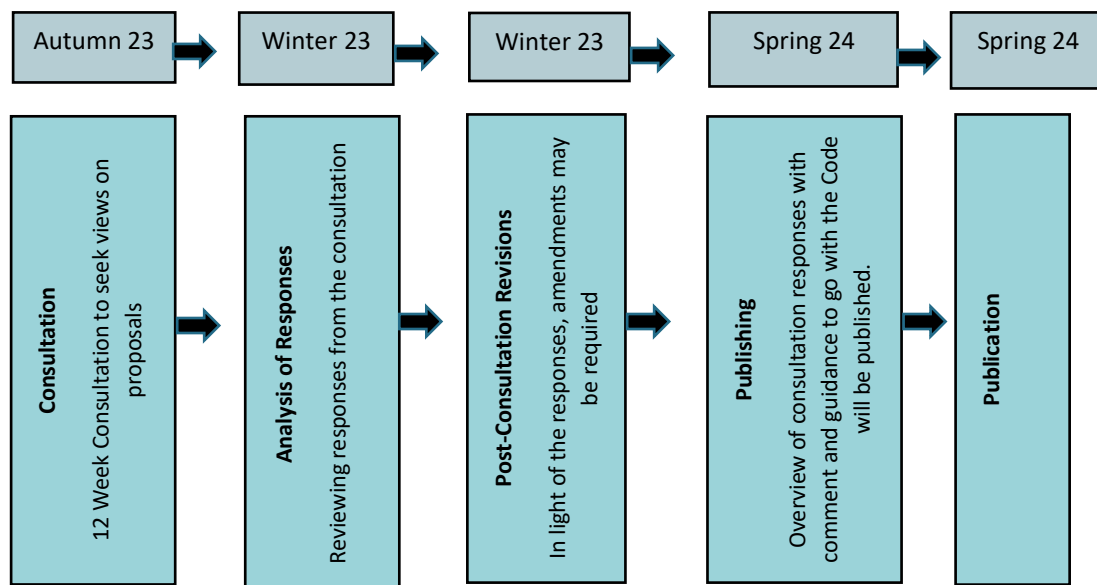
- 3.10. The MCA is carrying out this consultation to gather evidence to inform the development and implementation of policy. This consultation and the processing of personal data that it entails is necessary for the exercise of our functions as a government

department. If your answers contain information that allows you to be identified, under data protection law, the MCA, as an Executive Agency of the Department for Transport, will be the Controller for this information.

- 3.11. The MCA will use your contact details to send you information about the consultation, for example if we need to ask follow-up questions. You do not have to give us this personal information but if you do choose to provide it, it will not be used for any other purpose without your permission.
- 3.12. Details about how the MCA looks after personal data, your rights, how to complain, and how to contact our Data Protection Manager can be found on gov.uk at:
<https://www.gov.uk/government/organisations/maritime-and-coastguard-agency/about/personal-information-charter>
- 3.13. Your information will be kept securely on the MCA's IT system and any written responses will be held in a secure file and cabinet and kept only as part of the consultation analysis.
- 3.14. If you do not wish to remain on our stakeholder list, please let us know at seafarersafety@mcga.gov.uk

Section 4: Outline of plans beyond this consultation

- 4.1. Once this consultation closes, we will review all responses. In considering the responses we will apply appropriate weight to those from organisations and individuals with specialist knowledge of the subject area.
- 4.2. We will be analysing the responses during Winter 2023. Our aim is to publish an overview of the responses and the Maritime and Coastguard Agency's comments by Spring 2024, which will be available on www.gov.uk along with the consultation.
- 4.3. Where appropriate the draft Guidance and impact assessment will be revised to take into consideration the consultation responses.
- 4.4. Our aim is for the new Code to be published in the Spring of 2024.
- 4.5. An overview timetable is below for reference:



Section 5: Response form

What is your name? _____

What is your email address? _____

What is your job title? _____

When responding please state whether you are responding as an individual or representing the views of an organisation:

- I am responding as an individual
- I am responding on behalf of an organisation

(name of organisation) _____

Please check the box that best describes you as a respondent and the size of your organisation:

Respondent Type

- Classification Society
- Government Agency/Department
- Individual
- Legal representative
- Protection & Indemnity
- Seafarer
- Ship Operator
- Ship Owner
- Trade Union
- Other

(please describe) _____

Size of Organisation

- Large business (over 250 staff)
- Medium business (50 to 250 staff)
- Micro business (up to 9 staff)
- Small business (10 to 49 staff)

Section 5.1 Consultation Questions

- Q1. What are your impressions of the new edition's design and structure?
- Q2. Do you feel that the new formatting has improved language and clarity? Please give examples if you think there are areas where this has not been successful.
- Q3. What is your impression of the phrasing in the 'active voice'? Does this help to distinguish reference material from practical guidance? Please give examples if you think there are areas where this has not been successful?
- Q4. Do you agree with the changes in costs for the new edition? If not please detail why that is the case?
- Q5. Do you agree with the environmental considerations for producing as a bound edition?
- Q6. Do you think there is the right balance of diagrams and do they enhance understanding?
- Q7. Do you feel that the new COSWP edition better meets the needs of all users?

Section 5.2

Do you have any additional comments to add to the response?

Please return completed response forms to seafarersafety@mcqa.gov.uk

Alternatively, responses may be posted to:

Seafarer Safety and Health Branch
105 Commercial Road
Southampton
SO15 1EG

Section 6: Conduct of this consultation

- 6.1. This consultation has been conducted in accordance with the Cabinet Office Consultation Principles.

Consultation principles

- 6.2. The Cabinet Office Consultation Principles can be found at [Consultation Principles 2018](#)

Feedback on conduct of consultation

- 6.3. If you have any comments regarding the conduct of this consultation, please contact the Consultation Co-ordinator at consultation.coordinator@mcga.gov.uk.
- 6.4. We are continually trying to improve the way in which we conduct consultations and appreciate your views. We would be grateful if you could complete and return the attached feedback form. These should be submitted to the Consultation Co-ordinator and are not affected by the deadline for this consultation.
- 6.5. If you require this consultation in an alternative format, please contact either the Consultation Co-ordinator or the named official conducting this consultation.

MCA CONSULTATION FEEDBACK FORM

1. Please indicate on which Consultation you are providing feedback:

.....

2a. Please indicate whether you are responding on behalf of:

- Yourself as an Individual
- A Trade Association
- A Company
- A Government Organisation
- A Trade Union
- Other
(please specify) _____

2b. If you are representing a company, please indicate the size of your company:

- Micro (1-9 employees)
- Small (10-49 employees)
- Medium (50-249 employees)
- Large (250+ employees)

2c. Please indicate whether you accessed this consultation package through:

- post
- email
- website

3. Please rate the quality of this consultation regarding accuracy, good English and spelling:

- Very good
- Good
- Average
- Poor
- Very Poor

4. Please rate the format of the consultation presentation (layout, Annexes etc.):

- Very good
- Good
- Average
- Poor
- Very Poor

5. Please rate the consultation in terms of how clear and concise you felt it was:

- Very good
- Good
- Average
- Poor
- Very Poor

6. Did you feel that the consultation was conducted over a sufficient period of time?

- Yes
- No

7. Were any representative groups, organisations or companies not consulted who you felt should have been?

- Yes
- No

If yes, who? _____

8. Please let us have any suggestions for improvement or other comments you wish to make about this consultation below:

Thank you for your time. Please return this form to:

Consultation Co-ordinator,
Maritime and Coastguard Agency,
Spring Place, Bay 3/26, 105 Commercial Road
Southampton SO15 1EG
Or e-mail it to: consultation.coordinator@mcga.gov.uk

If you are happy to supply your name in case we need to contact you to discuss your views further, please enter it below (this is optional, and your feedback will still be taken into account if you wish to remain anonymous):

Name _____

Tel. No. _____

Please note that the deadline for responses to the Consultation itself does not apply to the return of this form.

Annex A:

Draft Code of Safe Working Practices for Merchant Seafarers (COSWP)