

# DART HARBOUR AND NAVIGATION AUTHORITY



# Dart Harbour

## MARINE SAFETY MANAGEMENT SYSTEM (MSMS)

## **Dart Harbour Board**

### **1. PORT MARINE SAFETY CODE – STATEMENT BY DUTY HOLDER**

- 1.1 As recommended by the Port Marine Safety Code (PMSC) Dart Harbour and Navigation Authority Board take on the role of Duty Holder. The Duty Holder's responsibility is to ensure safe marine operations in the harbour and its approaches and compliance with the Port Marine Safety Code.
- 1.2 Main roles include:-
  - 1.2.1 maintaining strategic oversight and direction of all aspects of the harbour operation including marine safety,
  - 1.2.2 responsibility for the development of policies, plans and systems and procedures for safe navigation,
  - 1.2.3 ensuring that assessments and reviews are undertaken as required to maintain and improve marine safety, including a review of Pilotage Directions as required by MarNIS risk review.
  - 1.2.4 ensuring that the Harbour Authority seeks and adopts appropriate powers for the effective enforcement of their regulations and for setting dues at a level which adequately funds the discharge of all duties.
- 1.3 The Board Members roles as Duty Holder is not to be confused with the role of the Harbour Master, who has day to day responsibility for the safe operation of navigation and other marine activities in the harbour and its approaches. The Duty Holder has a responsibility to appoint a competent and suitably qualified person with sufficient experience for the role.
- 1.4 The Duty Holder is to be familiar with the content of the Port Marine Safety Code, and aware of its responsibilities in responding to it. DHNA has a safety management system which is implemented in response to the code, and the Duty Holder is aware of its existence and familiar with the content, leaving the day to day operation to the executive.
- 1.5 In discharging the role of Duty Holder, all the Board Members are required to sign to the effect that they are aware that their Duty Holder responsibility remains one of the primary functions of the Board – a matter which is taken seriously, reviewed regularly and audited rigorously.

# **DART HARBOUR AND NAVIGATION AUTHORITY – SAFETY MANAGEMENT SYSTEM**

## **IN COMPLIANCE WITH THE PORT MARINE SAFETY CODE (PMSC)**

### **INDEX**

The Dart Harbour Board (DHB) is responsible for policy. The Harbour Master is responsible for the organisation and the facilities. The staff implements the policy. Together these three categories form the system that puts policy into effective practice.

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## 2.0 DHNA SAFETY POLICY

2.1 Dartmouth Harbour and Navigation Authority (DHNA) Board (DHB) is committed to running the Harbour in accordance with the Strategic Vision developed through stakeholder consultation:

2.2 The DHB is the nominated “duty holder” under the PMSC and has committed itself to meeting or exceeding all legal requirements, complying with the requirements of the PMSC and ensuring that adequate resources are available to discharge its navigational safety obligations.

2.3 DHB have directed that the DHNA Safety Management System is to be structured, cohesive and auditable.

2.4 Dart Harbour is committed to running a safe, efficient and welcoming harbour that caters for the needs of the local communities, visitors and the environment. DH will provide a safe port within the limits of their jurisdiction, which is open to the public for the transportation of passengers and goods. It will enhance the safety of the harbour by exercising statutory conservancy functions to a high standard. It will regulate the use of the harbour by maintaining appropriate byelaws and ensuring that these and other statutory regulations are enforced. DH will ensure such marine services as are required for the safe use of their harbour are available and are maintained and operated to a high standard. DH will ensure that current plans are available to deal with emergency situations and that the resources required to implement these plans are maintained and exercised.

2.5 The policy incorporates input from officers, staff and harbour users as high standards of safety can only be achieved through dialogue and co-operation. Dart Harbour shall identify, quantify and manage the significant marine risks associated with the harbour. This will ensure there is proper control of movements of all vessels by regulating the safe arrival, departure and movement within the harbour. Existing powers shall be reviewed on a periodic basis, to avoid failure in discharging duties or risk exceeding set limits. Plans and reports shall also be published as a means of improving the transparency and accountability of DH, as well as providing reassurance to the users of the port facilities. DH shall consider past events and incidents to recognise the potential dangers and the means of avoiding them.

2.6 Dart Harbour is committed, specifically to:

2.6.1 Ensure that the best channels for navigation are determined, marked and monitored.

2.6.2 Monitor lights and marks used for navigation within their jurisdiction.

2.6.3 Provide Hydrographic surveys of the river when required for the maintenance of up-to-date charts (including charts of all moorings).

2.6.4 Have an effective system for promulgation of navigation warnings affecting the harbour.

2.6.5 Consider the effect of weather on harbour safety and promulgate warnings as required.

2.6.6 Carry out all its functions with special regard to the possible environmental impact, protecting the unique character of the River Dart.

2.6.7 Consider the effect on the harbour of proposed changes in use or harbour works.

2.6.8 Maintain an up-to-date set of byelaws in consultation with port users and enforce them so as to effectively regulate harbour use.

2.6.9 Enforce all relevant statutory harbour legislation, health and safety regulations, the Merchant Shipping Act and Harbour Byelaws as necessary.

2.6.10 Licence and control all moorings and to designate suitable anchorages within harbour limits.

2.6.11 Provide suitable resources to deliver effective marine services such as the provision of harbour patrol craft.

2.6.12 Operate efficiently and safely the harbour workshops, machinery, plant, equipment harbour vessels, mooring berths, pontoons and grids.

2.6.13 Ensure that suitable plans for emergency situations are maintained and regularly updated and exercised.

2.6.14 Keep duties and powers under review.

2.7 **Dart Harbour Navigation Authority** shall also:

2.7.1 Assign roles and responsibilities of key personnel in section 3 and in their role profiles.

2.7.2 Outline present procedures for marine safety within the harbour and its approaches.

2.7.3 Measure performance against targets, after building a database recording incidents, including near misses.

2.7.4 Refer to emergency plans that would need to be exercised.

2.7.5 Be audited on an annual basis.

2.8 **Conservancy** - Conservancy Policy of Dart Harbour Board. Dart Harbour Board (DHB) recognises its duty as a Competent Harbour Authority (CHA) to conserve the harbour so that it is fit for use as a port, and a duty of care to see that the harbour is in a fit condition for a vessel to use it. In this respect DHNA are an active member of the AONB and support their environmental plan for the catchment area. [Link to AONB website](#)

2.9 DHB will aim to provide users with adequate information about conditions in the harbour.

2.10 DHB recognises the extent of its duty and powers as a Local Lighthouse Authority (LLA); and specific powers in relation to wrecks.

### **3.0 Management of Dart Harbour Safety Management System (SMS).**

**3.1 Accountability and Responsibility** - The Duty Holder is the DHB. They are collectively and individually responsible for their commitment to the Safety Management System; and that they understand that they cannot delegate or assign their accountability for compliance on the grounds that they do not have a particular skill in this area. The DHB sets the policy and strategy, and as such are collectively the Duty Holder. The Harbour Master and staff provide the means of implementing the policy.

**3.2** Any decisions taken or policy set must take into account any issues related to harbour safety. The consideration of such issues discussed at Board Level are to be minuted and recorded in the electronic filing system. DHB are responsible for deciding where risks are to be insured, disclaimers issued and notices displayed. DH staff are responsible for provision of expertise and advice. The Board issued safety policy and DHNA Safety Management System is supported by a number of policy, procedural and operational documents by which the Authority ensures compliance with the Port Marine Safety Code. (Amended as a result of Health check – SMS structure – this is the SMS supported by other policies etc) Owing to the broad reaching requirements of the Code and the need to ensure documentation keeps pace with changes, is refreshed when required and is readily referenced by staff and general public the documentation is maintained in accordance with the Authorities Data Management Policy. The principle that each strand of documentation should be kept in one place only and then cross referenced where required is followed. As a consequence, this Safety Management System provides many of the links to enable access to the key files and documents. Other key supporting files can be found on the:

3.2.1 DHNA website and are open to the public.

3.2.2 Company drive in the “Safety Management System – PMSC 2016” and subfolders.

3.2.3 Confidential drive for staff related in confidence information.

3.2.4 MarNIS system for Maritime Risk Assessments.

**3.3** Dart Harbour and Navigation Authority (DHNA) overarching plans and policies are contained in the DHNA Strategic Plan, complemented by the DHNA Moorings Policy<sup>1</sup>, and Pilotage Policy<sup>2</sup>. They aim to discharge the roles and statutory duties which are placed on Dart Harbour by the Harbours, Docks and Piers Clauses Act (1847), the Dart Harbour and Navigation Authority Act (1975), the Dart harbour Revision Order (1992), and the Dart Harbour Byelaws (1998). DHNA will review their powers periodically and in the event of an occurrence which highlights any shortfall in the period between reporting PMSC compliance (Inserted post Health Check GTGP 1.9.7/1.9.9. Further action to formally review Byelaws before March 2018)

**3.4** As part of the 1975 Act (updated by the Harbour Revision Order), the DHB was constituted, which is the overarching decision making Authority for a Trust Port of this nature.

**3.5** The terms of reference of the DHB are to administer Dart Harbour in accordance with the 1975 Act and the recommendations of the Harbour Revision Order (2002).

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<sup>1</sup> Link to Strategic Plan - [Strategic Plan DHNA 3 2 2016.pdf](#)

<sup>2</sup> Link to Pilotage Policy - [Port-marine-safety-code 2016.pdf](#)

3.6 The 1975 Act is based upon the 1847 Harbours, Docks and Piers Clauses Act, that gives the Harbour Master certain statutory powers concerning the management of the Harbour.

3.7 Additionally, the 1964 Harbours Act provides for the operation to be self-financing with the Authority able to fix its own rates in order to pay for the work to be done.

3.8 **The Designated Person** provides independent assurance directly to the Duty Holder that the SMS, for which the Duty Holder is responsible, is working effectively. The main responsibility of the Designated Person is to determine, through inspection, assessment and audit, the effectiveness of the SMS in ensuring compliance with the PMSC. (Inserted following Health check to clarify role of DP and relationship to DH. Requirement for Terms of reference for DP and link iaw GTGP 2.2.28)

3.9 **Dart Harbour Key Safety Management Roles and Responsibilities** – Safety responsibilities of DHNA executive and staff are detailed in their role profiles and are detailed below. Sections below updated to include Safety responsibilities in Role profiles

3.10 Harbour Master – To act as Safety Director - To be responsible for the preparation of Port Security plans and exercises, ensure compliance with government legislation and have overall responsibility for Health and Safety of the workforce and Dart Harbour river users.

3.11 **Deputy Harbour Master** - To act as Safety Officer supported by the Assistant Harbour Master as Deputy Safety Officer. In the absence of the Deputy Harbour Master and pending AHM reaching the necessary level of experience and qualification HM will be the Safety Officer.

3.11.1 Report on (and if necessary investigate) any health and safety incidents to the Harbour Master.

3.11.2 Uphold Dart Harbour safety management system and safety policy statement in response to the Port Marine Safety Code.

3.11.3 Ensure that all staff are trained and aware of their Health and Safety responsibilities. Oversee the annual maintenance programme. Ensure timely, regular and thorough inspections of Dart Harbour equipment and craft.

3.11.4 Act as 5P Oil Spill Incident Commander in the absence of the Harbour Master

3.11.5 Ensure that personal technical competencies are maintained. Commit to further CPD as new Standards are introduced.

3.12 **Mooring Manager – To act as Safety Manager supported by Deputy Mooring Manager as Deputy Safety Manager**

3.12.1 Supervise tasks with regard to compliance with Dart Harbour safety management system, including adherence to risk assessment documentation. Specifically, to provide oversight of Safety Management relating to technical and engineering aspects of operational activities. Act as Reviewer/Supervisor of risk assessments that relate to operational and technical activities.

3.12.2 Investigate and if necessary report on any health and safety incidents to the Harbour Master / Deputy Harbour Master.

3.12.3 Ensure that all safety equipment used on the river is in good condition and report any equipment that is not to the Deputy Harbour Master

3.12.4 To be subject matter expert on all moorings, tackle and associated equipment for the entire Dart Harbour jurisdictional limits.

3.12.5 Be responsible for scheduling of planned moorings, plant and fleet maintenance. Manage use of Hercules and Tardis work barges.

3.12.6 Manage the Hoodown mooring maintenance facility. Act as point of contact if reactive overtime is required due to emerging incidents and coordinate staff overtime to meet demand

3.12.7 Maintain a record of moorings inspected, their condition at the time of inspection, their position and the equipment of which they comprise. Maintain records of Dart Harbour's moorings, tackle, plant and equipment

3.12.8 Ensure that as part of the Local Lighthouse Authority duties, that the Harbour Authority's navigation marks and moorings are kept in good order and suitably maintained. Patrol the harbour areas and those areas managed by the Authority both afloat and ashore at times and in accordance with other instructions as directed. This is to include but is not limited to enforcing harbour byelaws and other applicable legislation, rules and instructions, the collections of dues and fees owed to the Authority for the use of the harbour and provision of services, the assistance of those navigating and mooring within the harbour and the direction of traffic within the harbour including the allocation of temporary moorings.

### 3.13 **Senior Administrator – To act as Office Safety Manager**

3.13.1 Update method statements and risk assessment as required in order to fulfil this role.

3.13.2 Ensure that all safety equipment used by the office staff is in good condition.

### 3.14 **All employees have a duty to:**

3.14.1 Comply with all harbour safety procedures as laid down by DH.

3.14.2 Ensure that marine operations are undertaken in a safe manner.

3.14.3 Report hazard, risk accident, incident or near miss to the Harbour Safety Officer.

### 3.15 **Harbour Users** operating both commercially and for leisure are responsible for:

3.15.1 Their own health and safety and that of other harbour users who may be affected by their acts or omissions.

3.15.2 Complying with byelaws, directions and other regulations aimed at ensuring safe use of the harbour.

3.16 **Relevant Documentation** - Management of these safety controls and procedures are set out in existing public documents, which, together, form a cohesive web of management. As



appropriate, relevant sections of these documents are cross-referenced to PMSC standards and the majority of these can be accessed by the public on the DHNA website:

3.16.1 Dart Harbour and Navigation Authority Strategic Business Plan (2016-2020) (see footnote 1) [Strategic Plan](#);

3.16.2 DHNA Annual Reports [Annual meetings](#); 3

3.16.3 The Dart Harbour and Navigation Authority Act (1975)- [DHNA Act 1975](#);

3.16.4 Dart Harbour Byelaws (1998) - [dart-harbour-and-navigation-byelaws](#);

3.16.5 Dart Harbour PMSC Response – [Link to Compliance Letter](#)

3.16.6 Local Notices to Mariners and harbour publications, such as the latest Dart Harbour Guide – [Link to LNTMs](#)

3.16.7 Dart Harbour Waste Management Plan – [Link to Waste Management Plan](#);

3.17 The following documents and plans are available in the SMS but not available to the public on the website:

3.17.1 Dart Harbour Emergency Plan (not posted on the web)

3.17.2 Dart Harbour Oil Spill Response Plan (OPRC) and the Estuary Plan (EA) (not posted on the web)

3.17.3 Admiralty Chart 2253

3.18 **Plans including Contingency Plans** - The SMS includes policies for emergency plans, conservancy, the environment, management of navigation, pilotage and marine services.

3.19 **Nominated Duty Safety Officer** - The Harbour Master is overall responsible for Safety as described above. In his absence, during working hours safety on the river is managed by the most appropriate member of staff present (normally the most senior and appropriately qualified person - operational manager, the operations coordinator, senior river officer or senior river assistant) who are able to contact the duty harbour master in the absence of operational management. Outside of working hours the ability of the public to contact staff is covered by DHNA Risk Assessment and includes the broad distribution of DHNA out of hours contact details. Urgent safety matters should be referred to the Duty Harbour Master who is responsible for ensuring that the Harbour Master, Duty Harbour Master, the Safety Officer and Safety Managers are informed where appropriate.

3.20 **Emergencies in the harbour** - Emergencies where life is in danger must be notified at once to the Coastguard by one of the following methods:

3.20.1 Dial 999 from a landline and ask for the Coastguard.

3.20.2 VHF Channel 16.

3.20.3 Dial 112 from a cellular phone and ask for the Coastguard.

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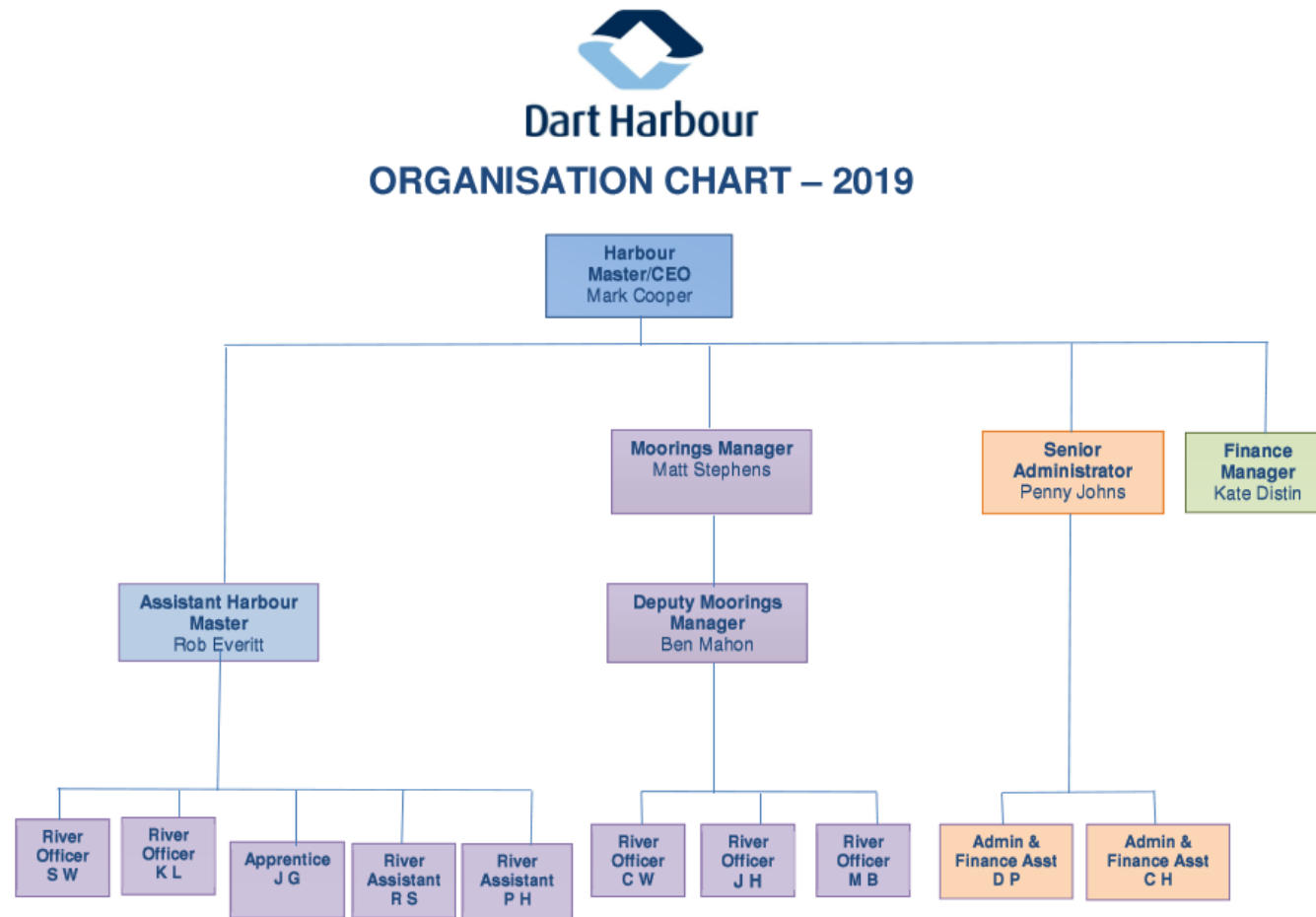
<sup>3</sup> Annual Reports Created with exception of 2016 owing to gap in Harbour Master  
Dart Harbour and Navigation Authority – Safety Management System – Policy Document – Edition 2 (21/01/2019)

3.20.4 Other emergencies where life is not in danger should be notified to one of the operational managers (HM, MM, DMM, AHM) or the Duty Harbour Master by the quickest available means. The duty officer can be reached on the duty mobile advertised on the website and in the harbour guide.

3.21 **Reporting of accidents or near misses** - The public are asked to bring matters of safety – all accidents, incidents and near misses – promptly to the attention of the Harbour Master at the Harbour Office. The reports will be used to help in assessment of the effectiveness of the SMS. Any incident reported in any form should be recorded in the incident log and supporting documentation and incident reporting forms should be scanned and recorded in the electronic filing system.

3.22 **Competence Standards** - DHB will where necessary assess the fitness and competence of all persons appointed to positions with responsibility for safe navigation (Operational Managers - Harbour Master, Deputy Harbour Master, Mooring Manager, Deputy Mooring Manager and Assistant Harbour Master). Employees of the harbour are recruited on their suitability to fill their job descriptions. Employees are appraised annually and, at that time, their job description, performance and training requirements are reviewed. Reports on harbour staff are held in confidential personnel files in the harbour office.

## Organisational Chart



@ 14/01/19

The above chart shows full time staff. The Authority also employs an apprentice and casual workers (Yacht Taxi Service)

**3.23 Recruitment** - The Harbour Master recruits suitably qualified staff to fill the roles set out in the following organisation plan.

**3.24 Training Policy** - It is recognised that the successful implementation of the DHNA SMS can only be achieved through a policy of continuous training, with regular reviews of specific training requirements.

3.24.1 The training policy is to undertake training where appropriate for all members of staff in order to provide the services required by DH and expected by stakeholders. Officers and staff are to be suitably trained to be competent and qualified up to a minimum national standard to fulfil their roles within the organisation.

3.24.2 Safety training is regarded as an indispensable ingredient of an effective SMS and programme as it is with health and safety matters. It is essential that all involved in the safe management and operation of the port will be trained to perform their operations safely. A competence matrix has been developed that includes details of minimum qualification requirements for vessel operations, the details of which staff are qualified for each of the afloat crew positions and shows the status of continuation training. This matrix should be used alongside the risk assessment for the relevant vessel as these show minimum crew levels for specific operations and other required risk mitigations. The continuation training section of the competence matrix is reviewed periodically in order to ensure training is focussed where most appropriate.

3.24.3 The main training profile for the DH is to ensure that members of staff are qualified to operate Dart Harbour vessels and the many items of equipment, such as cranes, used in the daily operation of the harbour as required by their role profile. This includes re-validation of these qualifications. Training is seen as continuous to meet the ever-increasing demands made on DH.

3.24.4 It is vital that employees are correctly trained and then certified in those areas where deficiencies are recognised. Employees are trained both internally and externally to achieve the requisite level. Where mandated standards of training and qualification

3.24.5 Due to the seasonal nature of the work undertaken by DH staff, most of the staff perform service delivery duties during the summer months and maintenance operations during the winter. Both aspects require training.

3.24.6 Records of training show clearly the type and the date of training received, planned dates, and required dates with no date yet fixed. Staff related inhouse training is contained in the competence matrix.

3.24.7 Newly recruited personnel whose duties require them to go afloat require a minimum qualification of RYA Powerboat Level 2 commercially endorsed. These personnel will be trained locally to drive DH vessels. Training requirements are contained in the competence matrix including for those who requirement to be qualified as a licensed boatman.

3.24.8 There will be induction training for seasonal staff prior to commencing their duties, in line with the requirements of the PMSC and role profiles (section 8).

3.24.9 The importance of ‘on the job’ training in the workplace should not be underestimated as it forms an invaluable part of the overall training requirement. The need for continuation training is reviewed using the competence matrix ensuring the appropriate focus is given to in house training.

3.25 **Team Briefings** - Regular team briefs are held to ensure good communications and quality, both in service and in adhering to the SMS. These briefings are informal and held on most working days in Hoodown and recorded on Whats App so that staff not present can be made aware of the operations coordinator and ongoing work and key safety issues.

3.26 **Consultation** - Consultation with harbour users continues through public meetings and through stakeholder group meetings. Feedback from these groups is presented to DHB as recommended in the Trust Ports Review and the Guide to Good Governance.

3.27 **Consultation Process** - To ensure that DHB has strong and direct links with harbour users, local communities and other external organisations with an interest in the river, a formal consultation mechanism has been set up. Three stakeholder groups have registered their interest to work with the Authority in relation to its future harbour activities:

3.27.1 The Commercial Users Group (CUG)

3.27.2 The Association of Dart River Users Clubs (ADRUC)

3.27.3 The Dart Communities Group(DCG)

3.28 The list of groups above is not exhaustive and it is anticipated that further community groups may be recognised and added as time progresses.

3.29 Consultation is a continuous and wide ranging process. It includes regular meetings with the South West Regional Ports Association (SWPRA), British Ports Association (BPA), UK Harbour Masters Association (UKHMA), Marine Management Organisation (MMO), South Devon Area of Outstanding Natural Beauty (AONB), the Maritime and Coastguard Agency (MCA).

3.30 **Environment** - DHB recognises its duty to exercise its functions with regard to nature conservation and other related environmental considerations. DH facilitate the Dart Estuary Forum which normally meet twice a year to discuss environmental issues related tot eh river and catchment area. The meeting is normally attended by representatives from the AONB, EA, Natural England, Plymouth University Marine Science department and other interested individuals including a strong presence from within the 3 main stakeholder groups.

3.31 **Environmental Management Plan** - The policy and functional objectives for managing the River Dart within an Area of Outstanding Natural Beauty (AONB) in an environmentally responsible and sustainable way are contained in the River Dart Environmental Management Plan. Goals and targets are further set in the River Dart Moorings Policy. Limits have been set on the total number of moorings and pontoons. The Harbour Authority has adopted a Waste Management Plan and an environmental management system. DHNA encourages the fitting and use of sewage pump out facilities in the harbour in accordance with their Strategic Plan and the AONB environmental plan. The harbour authority’s Marine Conservation (AONB) Officer maintains good liaison and working links with Natural England and the Environment Agency, who are consulted on potentially damaging operations before a licence to work is granted. There are

several emergency plans drawn up to deal with accidents that might potentially threaten the environment.

## 4.0 MANAGING RISK- PERSONNEL, PROPERTY, PLANET AND PORT

4.1 **Risk Assessment** - It is the policy of Dart Harbour to have powers, policies, plans and procedures based upon a formal assessment of hazards and risks, and to have a formal SMS. The SMS shall be in place to ensure that all risks are controlled – the more severe risks must either be eliminated or kept “as low as reasonably practicable” (ALARP).

4.2 **Detailed Risk Assessments** - The activities and the responsibilities of Dart Harbour are covered in specified areas, for each of which there is a detailed risk assessment. There are two forms of risk assessment conducted by DHNA first those required by the **HSWA** which cover the personal risk to safety through the conduct of routine activities on the river. The second form of assessments are conducted using the **MarNIS** system and these are focussed on foreseeable incidents allowing the cause and controls to be more fully assessed. The two sets of assessment have some overlap but are seen as important to ensure that the authority takes account of a broad set of risk controls as possible.

4.3 **HSWA Risk Assessments** - Each HSWA risk assessment will assess the hazards associated with a specific activity, and assign it a score. The higher the score, the greater the degree of risk. A score of acceptability is set across the board for all hazards, and each score will be compared to the score of acceptability. Scores greater than the score of acceptability are therefore unacceptable and the activity will not normally be undertaken. The current score of acceptability is set at 15. These comprehensive risk assessments will be reviewed routinely and as a minimum on an annual basis. The RA will be signed by the appropriate manager and the HM and will:

4.3.1 Identify hazards and analyse risks

4.3.2 Assess these risks against the appropriate standard of acceptability

4.3.3 Where appropriate, consider a cost-benefit assessment of risk reducing measures.

4.3.4 Hazard scores are arrived at by scoring the likelihood and severity of any hazard 5. The two scores are multiplied together to give the hazard score.

4.4 **MarNIS Risk Assessments** – In addition to personal safety MarNIS considers the risk to property, planet and port. The system allows for assessment of cause and related controls based on a review of potential incidents. The controls are recorded as are potential improvements or future controls. Future controls are transferred to the action grid and managed through weekly management meetings.

4.5 **Significant Risks** - Significant risks that are identified by those activities that attract a hazard score of 12 or more for HSWA Risk Assessments or are recorded as amber or red in MarNIS. These risks must be mitigated by the implementation of specific control measures, otherwise the activity will not be permitted. If for any reason the SMS identifies a control measure that is not effective the activity is to cease until suitable control measures are in place and the risk mitigated to a score as low as reasonably practicable.

4.6 **HSWA and MarNIS Risk Controls** - The safety controls for the risks identified are to be reviewed and amended where necessary in order to:

4.6.1 Identify the greatest risks.

4.6.2 Set a hierarchy of risk control principles

4.6.3 Eliminate risks by avoiding a hazardous procedure or substituting a less dangerous one.

4.6.4 Combat risks by taking protective measures to prevent risk.

4.6.5 Minimise risks by suitable systems of working.

4.7 **Continuous Improvements** - Notwithstanding the scores or assessments arrived at in the risk assessment process, Dart Harbour strives to make continuous improvements. Based upon the risk assessment scores, the priorities identified by the Board will be reviewed along with refinement of the strategic plan. Analysis should feed development of the Budget for the next year and the overhead for a long-term capital build programme. Objectives for the year are normally set at the time of budgeting (Nov of the previous year) to ensure that resource is allocated as appropriate.



## 5.0 Navigation, Pilotage and Marine Services

5.1 **Hydrography** – DHNA relationship with UKHO is in line with the Code of Practice for the provision of Hydrographic Information.

5.1.1 Hydrographic records of dredged and naturally occurring channels in the harbour are maintained by Dart Harbour.

5.1.2 The UK Hydrographic Office (UKHO) receives all Hydrographic information and Local Notices to Mariners (LNTM) produced by Dart Harbour. A formal agreement with UKHO has been signed (Nov 2011).

5.1.3 Any data on new dredging works convened by Dart Harbour will be forwarded to UKHO once the dredging work is complete.

5.1.4 Admiralty Chart 2253 (Dartmouth Harbour) is ordered routinely and changes are monitored through the UKHO website to ensure only approved and up to date navigation products are used.

5.2 **Works and Dredging Licences** - The harbour has regulations and conditions for the issue and control of works licences. Dredging will not normally be carried out by bodies other than by Dart Harbour or its contractors. Dart Harbour is also a statutory consultee of the Marine Management Organisation which is the government appointed agency for the licensing, regulation and planning of marine activities in the seas around the UK.

5.2.1 **Buoyage and Navigation Aids** - Dart Harbour has a comprehensive, well maintained and modern system of aids to navigation based upon risk assessment and installed in consultation with Trinity House. The routine inspection and maintenance regime is laid down and records are maintained in the SMS electronically. Dart Harbour use PANAR (Trinity House) web based app for reporting casualties. [Link to PANAR](#)

5.3 **Anchorage** - Anchorages are shown on Admiralty Chart 2253 and their operation is subject to risk assessment and review. The anchorages and the areas where not to anchor are promulgated in annual publications.

5.4 **Prevailing Conditions** - The Meteorological Office's inshore waters, shipping forecasts are displayed at the harbour office and updated daily. Information is readily available in the media and on the internet. [Link to weather on our website](#)

5.5 **Education** - DH has a Marine Conservation (AONB) Officer with a remit for a programme of environmental education, both formal and informal. This includes a very wide range of awareness raising initiatives, including interpretation boards, information leaflets, illustrated talks and guided walks throughout the river. The Marine Conservation Officer provides close formal links with schools and universities and more informal links with local community and other special interest groups in the area. All known educational activities in the harbour are subject to risk assessments and are led by qualified staff.

## 5.6 **Management of Navigation** - Policy for Management of Navigation.

5.6.1 DH has rules in its Byelaws which every river user must adhere to as a condition of his or her right to use the harbour.

5.6.2 DH recognises its duty to make proper use of powers to make byelaws, and to regulate all vessel movements in its waters.

5.6.3 These powers shall be exercised in support of the policies and procedures developed in the DH SMS, and should be used to manage the navigation of all vessels.

5.6.4 Management of Navigation Organisation and Management Responsibility

5.6.5 Port Passage Guidance - There is no standing requirement for any vessel in Dart Harbour to file a port passage plan.

5.6.6 Patrols - The Harbour maintains a comprehensive patrol presence on the harbour to enforce byelaws and other laws. There is a 24 hour call out system in operation.

5.6.7 Byelaws - The DHB has byelaws, revised in 1998, that provide effective control measures to manage the hazards identified in the risk assessments.

5.6.8 Events - The Harbour Master works closely with all sailing clubs and organisations who use the estuary. Special arrangements are made to promote the safety of the events they run.

5.6.9 Moorings - The Dart Harbour Authority maintains moorings to a high standard on behalf of the DHB. Procedures are laid down for safe operation of the mooring barges. Conditions for mooring licenses, issued by the harbour, require that all moorings are fit for purpose and are inspected annually.

5.7 **Pilotage - Dart Harbour and Navigation Authority limits are a compulsory Pilotage District as laid** down by Section 1 of the Pilotage Act 1987 defining Dart Harbour as a Competent Harbour Authority (CHA). Vessels over 50m length overall are required to take a pilot. Dart Harbour has engaged a portfolio of pilots to meet pilotage tasking. Pilotage activity is the subject of detailed risk assessments, including the use of MarNIS for certain reviews, to minimise risk to vessels transiting within the pilotage zones, and to the harbour and all contained within it.

5.7.1 Pilots are employed by DHNA on a self employed basis and are required to have insurance sufficient to cover any third party claims that result from pilotage incidents. Inserted to align with GTGP 9.2.24

5.7.2 DHNA have a pilotage policy which is reviewed every two years

5.7.2 Pilotage Exemption Certificates (PEC) - For transit of both inner and outer zones using a vessel less than 50m LOA engaged in commercial activity a valid PEC is required for the skipper. DH endorses PECs annually subject to the skipper being suitably qualified. Commercial companies carry out their own method statement and risk assessment work which is reviewed annually by DH prior to an operational licence being issued.

5.7.3 Links for Pilotage information and documents on the website.

<http://www.dartharbour.org/pilotage>

## 5.8 **Marine Services - Policy for Marine Services**

5.8.1 DH's Safety Management System shall cover the use of harbour craft and the provision of moorings.

5.8.2 The formal safety assessment shall be used to identify the need for, and potential benefits of safety management of harbour craft.

5.8.3 DH shall ensure that all vessels or craft which are used in the harbour are fit for purpose, and that crew are appropriately trained and qualified for the tasks they are likely to perform.

5.8.4 DH shall ensure that byelaws are available for these purposes.

## 5.9 **Marine Services Organisation and Management Responsibility**

5.9.1 Craft Regulation - MCA Certification is required for commercial vessels, including trip boats, venturing outside the 'harbour' (category C waters). Passenger vessels, including ferry boats (under 12 passengers) require a licence to operate (issued by SHDC). Vessels and skippers of chartered boats venturing outside harbour limits are regulated according to MCA codes of practice. Ferries, trip boats and taxis carrying no more than 12 people must have SHDC boat and boatman's licences. If part of a company they must also have a valid operating licence. Those carrying more than 12 must have MCA certification.

5.9.2 Towage – Those staff who are required to conduct towing duties are to be fully conversant with the appropriate vessel and towing risk assessments.

5.9.3 Workboats - There are procedures for the safe operation of harbour launches based on the risk assessments. Any private non-commercial vessels working within the harbour should comply with the MGN 496 (M).

5.9.4 Diving - Any diving within the river requires a permit to dive signed by the Harbour Master. Any diving should adhere to the HSE Diving at Work Regulations.

5.9.5 Dredging - Dredging is only to be carried out by contractors approved by the Harbour Master. The requirements to dredge will involve a decision by the Board and consultation with the MMO for approval for dredge and disposal of waste and where appropriate consultation with the AONB and Environment Agency.

5.9.6 Salvage - Only suitably experienced staff are permitted to take part in a salvage operation, and strictly only under the direction of the Harbour Master.

5.9.7 Fuel Barge Afloat - The fuel barges located in the estuary are subject to an annual Devon County Council licence to sell petrol or diesel. The Harbour Master's approval is required before any licence is issued or renewed. Owners/Masters of commercial or pleasure craft that require fuel in excess of 1000 litres require a permit.

## 6.0 EFFECTIVENESS, REPORTING AND INCIDENT MANAGEMENT

6.1 **Recording Accidents and Incidents** – Accidents and incidents are most commonly reported by telephone with others reported by email, letter or verbally to staff. An incident log is maintained in the harbour office. Records are kept of all accidents, incidents and complaints that come to the attention of DH. Any follow up action that may be required is recorded. Written complaints and replies are held on file. HM reviews the incident log routinely.

6.2 **Guidance on the reporting of Incidents** - The contents of the SMS are devoted to prevention of incidents in the first place, but this does not mean they will not happen – it would be unreasonable to expect this. In the event of an incident occurring, staff becoming aware of the incident will take the following actions:

6.2.1 Capture as many details of the incident as possible, on paper or other recordable means.

6.2.2 Report the incident to the HM for assessment on how to proceed.

6.2.3 Where the incident involves the HM it will be appropriate for the Chairman to seek guidance on the need to involve external input to any investigation. Where possible advice and input should be independent and from suitably qualified and experienced people.

6.3 **Guidance on the Handling of Incidents** The HM will decide on whether to informally investigate the incident, or whether to use the HSE RIDDOR Guide and MarNIS for formal incident reporting. The decision will also be taken as to whether to alert other authorities, such as Devon and Cornwall Police, or the Maritime and Coastguard Agency (MCA). **Procedure for Reviews** - The Harbour Master will include both in his staff meetings and in board meetings a review of any accidents, incidents or near misses with a focus on identifying and learning lessons. Incidents are standard agenda items on the operational report to Board meetings. Investigations by the Harbour Master of marine incidents have two essential purposes:

6.3.1 To determine the cause of the incident, with a view to preventing a recurrence of that incident (or similar), and

6.3.2 To determine if an offence has been committed. If this is the case then there may be the need for DH to involve the Marine Accident Investigation Branch (MAIB). There is potential in some cases for prosecution through another authority such as the police or the MCA.

6.4 By ensuring that a robust, rigorous, independent investigation has been carried out, the DH can be assured that their obligations for compliance have been addressed. DH will make any necessary byelaw enforcement decisions based on the severity of infringement taking into account any previous record of infringement by those involved. For speeding and some other minor offences there will generally be escalation through verbal to written warnings before enforcement action. But DHNA will retain the option to carryout enforcement actions on the first and only infringement where the conditions of the case are serious. Serious infringements will generally be referred to the board if time allows and in any case will be discussed between the HM and Chairman.

6.5 Any conclusions from investigations or lessons learned will be included in the SMS together with measures being taken to prevent recurrence. If appropriate a more detailed report will be

submitted to DHB, the MAIB and to any other appropriate authorities by the quickest means possible. Where necessary the MCA may undertake a verification visit. These verification visits are usually arranged following an MAIB investigation into an incident, but could also be triggered by other indicators of non-compliance.

**6.6 Performance Indicators** – The Board will review the strategic objectives of DHNA based on the Strategic Plan annually, and from these the HM will develop a realistic set of performance indicators. The indicators will be the link between the executive and the strategy in that they will show how the executive and staff intend to address day to day and seasonal tasks in order to advance toward the vision.

## 7.0 AUDIT AND REVIEW

7.1 **General** - DH will monitor, review and audit the MSMS on a regular basis. Performance of the system will be assessed against internal performance indicators and, where appropriate, by benchmarking against other ports that have adopted good practice. The review will be as follows:

7.1.1 Monthly spot checks by staff reviewed by MM

7.1.2 Monthly navigation mark check by staff reviewed by MM

7.1.3 Periodic internal checks by Harbour Master Revised to align with GTGP 5.1.1 (Safety reviewed and reported to the board weekly in the weekly update and summarised periodically in operations reports to the board)

7.1.4 Annual external Audit by - Designated Person.

7.2 **Monthly Spot Checks and Internal Audits** - There is a monthly spot check of safety related documentation that is recorded in the company drive. The spot check form is to include a review of the risk assessment register to check that all RA are in date or being reviewed. HM check the incident log periodically (normally weekly in summer and monthly during the winter) . The log is normally reviewed before management meetings to make sure that any outstanding actions are discussed in the meeting. MarNIS risk assessments and control measures that have been identified for longer term implementation are reviewed in management meetings when the action grid is reviewed. The board is informed of safety related issues in weekly updates and in their board meetings by the HMs operational report and by additional board reports where there is anything significant to report.

7.3 **DP External Audit** – In the spring the DP conducts a health check and in the autumn the DP conducts a safety audit. The output of these is reported in the operational section of the board report supported by any MCA/DP formal reports. The DP will also report directly to the board as required for non routine activities and will report to them with a summary of the annual audit.

7.4 **Annual Review and Report** - An audit of the SMS will be conducted each year by the DP. This will be reported to the board each year along with recommendations on work that is required to improve safety, compliance with the PMSC and to address shortcomings. Notwithstanding this report, the system will be kept under continuous appraisal and immediate action taken where necessary. There will be an overview of accidents and failures during the year and this will be included in the annual report at the end of each year.

7.5 **PMSC Compliance and Reporting** - The Duty Holder will report PMSC compliance to the MCA every 3 years in accordance with section 2.30 of the PMSC. To align with GTGP 5.1.1

7.6 **Records** - Dart Harbour will maintain due diligence records. This Safety Management System is in itself clear evidence of care and commitment. The risk assessments provide considerable further examples of how the safety policy has been put into practice.

7.7 **Publication of Plans and Records** - The Annual report will be published every year and will include a section on safety objectives and performance to demonstrate DHs commitment to maritime safety and ensure the involvement of harbour users. It will be referred to at the annual

meeting open to the press and public. The plan will illustrate how the policies and procedures will be developed to satisfy the requirements under the Code. The annual report and annual meeting will outline DHNA intentions for the following year including any commitment to undertake and regulate marine operations in a way that safeguards DH, its users, the public and the environment. It will refer to commercial activities in the harbour, the efficient provision of specified services and the effective regulation of vessels. The report will also include an assessment by DHB, as duty holder of the DH performance against objectives including safety. Information gathered from the monitoring and auditing of the SMS will be used to support the analysis and conclusions.