



## ▶ AVOIDING CREW AND PASSENGER RELATED INCIDENTS

SHIOWNERS

**The Club is frequently notified of claims related to personal injury of crew, passengers and third parties on board vessels. Mindful of the changes under English law to the compensation for future loss of earnings or future care of said parties, also known as the ‘discount rate’<sup>1</sup>, the Club wishes to draw Members’ attention to preventative measures which can be implemented to mitigate against such claims.**

### RISK ASSESSMENTS

Many personal injuries occur during routine shipboard operations. Implementing effective risk assessments not only reduces the likelihood and/or severity of an incident but may also assist in preventing an incident from occurring all together. The identification of potential risks, and the control measures which mitigate them, raises awareness of the dangers that may exist, especially in cases where crew may have become complacent such as with everyday routine tasks.

Risk assessments can be complemented with toolbox talks prior to undertaking a task. Toolbox talks ensure that all personnel are aware of the risks associated with the task and understand why and what control measures are in place.

The Club has issued a [series of sample risk assessments](#) to assist members in implementing and managing risk assessment procedures.

### IMPLEMENTING SHIP SPECIFIC PROCEDURAL SYSTEMS WHERE THE ISM CODE IS NOT APPLICABLE

There are cases where the International Safety Management (ISM) code may not be mandatory, such as for vessels of less than 500GT or trading domestically. In these instances, the Club recommends the voluntary adoption and implementation of a system of safety procedures, including internal reviews, in line with the objectives of the ISM code to assist with the reduction of incidents. Procedures may include but do not necessarily have to be limited to:

- Crew company and vessel inductions.
- Emergency contingency plans and drills/training.
- Routine shipboard operation procedures including cargo, bunkering, navigation/passage planning.
- A planned maintenance system to plan, monitor and record routine tasks.

Please refer to the Club bulletin [Benefits of adopting ship-specific procedural systems on vessels where ISM does not apply](#) for further guidance.

This system of safety procedures should be considered a ‘living’ document and internal reviews/audits of the system should be carried out to assess its efficacy and identify areas for improvement to ensure continued effectiveness. Should assistance be required to establish or review safety management systems, Members may choose to utilise the services of CTRL.

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<sup>1</sup> In claims involving future lost earnings or future care, claimants are often awarded a lump sum payment to compensate them for their losses. The sum is calculated by reference to the Ogden Tables, which set out various ‘multipliers’ which are then applied to the amount it is expected the claimant will lose each year.

CTRL is a company wholly owned by the Club that provides technical and risk services as well as legal advice and assistance at very competitive rates. [View more information about CTRL.](#)

## INCORPORATING A COMPETENCE ASSURANCE SCHEME

A Competence Assurance Scheme (CAS) can be proactively implemented by Members in order to track the competence levels of their crew and to identify the training needs required to improve the professional skills and conduct of sea going employees. Through completing work-based tasks and achieving goals crew will develop their existing knowledge and increasingly observe good practices on board.

Whilst guidance refers to offshore vessels and workboats, a CAS can be adapted to suit the needs of any vessel type. For further information about such schemes please refer to the Club's publications [Developing competent crew on board](#) and [Developing competent crews on small workboats](#).

## PASSENGER SAFETY

Members operating passenger vessels often incur passenger related injury incidents which result in claims. It may be said that passengers are more susceptible to experiencing an incident due to their lack of familiarity with vessels, especially when the vessel is at sea and affected by environmental factors such as wind, sea state and swell. In response to these claims and to assist Members with incident prevention, the Club has produced several publications these include [Learning from Passenger Vessel Incidents](#), [Implementing risk assessments](#), [Passenger Safety Poster](#) and a number of [case studies](#).

## SAFE ACCESS

Boarding and disembarking a vessel can be dangerous if the means of access is not rigged in accordance with industry practices. There are several hazards associated with the rigging of gangways, which are in many cases avoidable if the correct control measures are implemented. Means of access should be evaluated by a competent person to identify the hazards that exist. Evaluation should be carried out for each individual vessel as boarding arrangements vary depending on the structural lay out of the vessel.

Rigging and transiting of gangways is a routine action. As such, it is beneficial to include crew members in the assessment to guard against any complacency that may set in. Involving the crew also assists with raising awareness of possible hazards and encourages a positive attitude towards safety and the prevention of accidents, especially when unfamiliar third parties and passengers are concerned.

For further information and guidance about the safe practices concerning gangways, please refer to the Club's [Gangway booklet](#) and [Code of Safe Working Practices \(COSWP\)](#), Chapter 22.