

NAVIGATIONAL SAFETY MANAGEMENT PLAN



Version 7
2022

Poole Harbour Commissioners	Document ID PHC PMSC – SMS 84	Authorised By Duty Holder	Original Date November 2001	Page Number
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Record of Revision / Amendments

Record	Version	Amendment	Date
1	Version 1	Initial Document	Adopted by Board 30.11.2001
2	Version 2	Minor amendments	Adopted by Board 24.9.2004
3	Version 3	Minor amendments	Adopted by Board 29.10.10
4	Version 4	Full review completed August 2012 Summary of amendments in SMS	Adopted by Board 31.08.2012
5	Version 5	Full review completed February 2016 Summary of Amendments in SMS	Adopted by Board 26.02.2016
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7	Version 7	Full review completed September 2022 Summary of Amendments in SMS	Adopted by Board 28.10.22
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Distribution

Master	SMS folder on server (Restricted Access)	
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1	Chairman (for Duty Holders)	Digital
2	Cloud based SMS database (Accessible to all PHC employees)	Digital
3	PHC Website	Digital
4	Designated Person	Digital
5	MCA	Digital

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1 Introduction

The purpose of this Plan is to establish the policies and supporting procedures of Poole Harbour Commissioners (PHC) within the structure of an integrated Navigational Safety Management System (NSMS). In operational terms this plan may be used as an executive summary of the policies, standards, and procedures, with separate working documents available for deeper level of detail if required. The Navigational Safety Policy and complementary Marine Policies define the organisation and arrangements that PHC has established to monitor, promote, and proactively manage the conduct of navigation and associated marine activities so that safety is enhanced.

1.1 Port Marine Safety Code (PMSC)

The U.K. Government's Port Marine Safety Code applies to all Harbour Authorities and establishes criteria by which they can be held accountable.

This Code has been developed with the assistance of a wide range of interests from the ports and shipping industry.

These national standards will cover every aspect of port marine operations and thereby improve safety for all those who work in ports, harbour craft, visiting vessels and transiting passengers.

The Government has undertaken to promote this agreed standard and to work in close conjunction with port authorities to assist them to discharge these responsibilities properly. Although formal approval by the Maritime & Coastguard Agency (MCA) of each authority's plan is not a requirement, copies of the final published plan will be lodged with the MCA. The MCA intends to work closely with individual Harbour authorities to monitor its effect.

The principles of risk assessment have been applied to marine operations to build this Navigational Safety Management Plan and to meet not only the authority's statutory duties but also the principles of national standards imposed by the Code.

A statement of compliance, signed by the Chair of Poole Harbour Commissioners on behalf of the Board of Commissioners (the Duty Holder) is required by the MCA every three years.

The Port Marine Safety Code does not in any way replace or modify any existing Acts or Statutory Regulations pertinent to the operation of the Statutory Harbour Authority but is supplementary and specific in its intention to improve safety in all port marine operations.

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1.2 Navigational Safety Management System (NSMS)

The NSMS is necessary to provide assurance to Government, Local Authorities, conservation groups, harbour users, stakeholders, the media and the general public that Poole Harbour is being managed in a safe manner.

Public perception of Harbour Authorities regarding the level of safety and associated protection of the environment, are not decided by the statistical performance of the industry, but by major accidents. An accident in Poole Harbour could have catastrophic consequences for port business, the environment and local public relations. PHC, the Harbour Authority, will demonstrate in an open and accountable manner that they are managing the harbour safely.

Human resources are the single most important factor and substandard acts, as well as substandard conditions, are symptoms of basic failures caused by lack of training, motivation and standards, which are primarily a function of management control.

The causes of accidents are usually associated with human error or technical failure. It is therefore justified for Government, Local Authorities and Insurers to insist that safety management systems are implemented in a meaningful and practical manner.

Although Poole Harbour has a good marine safety record, it is important that the systems and procedures used for carrying out the business are monitored, reviewed and improved on a continuous basis. Prevention is better – and less expensive – than cure.

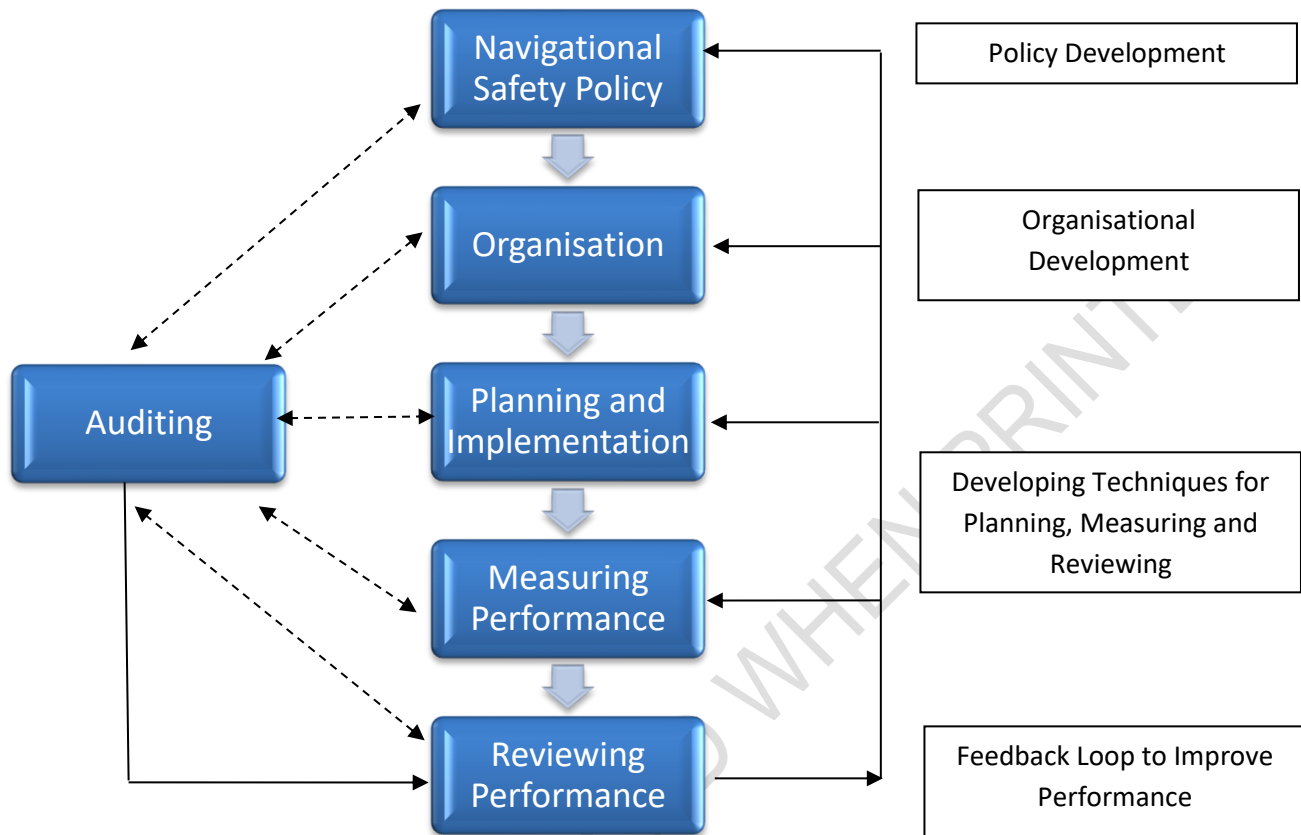
Employees have a collective and individual responsibility to carry out tasks in a safe manner and to bring to the attention of line managers any shortcomings in procedures and practices.

In summary, the primary objective of the NSMS is the implementation of the Navigational Safety Policy which is achieved by:

1. Providing the organisation, arrangements and resources to manage marine activities safely.
2. Recognising that people are the most important asset.
3. Ensuring that due importance and priority are accorded to navigational safety issues.

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1.2.1 NSMS Overview



1.3 NSMS Scope

The Harbour's NSMS applies to marine operations and activities within the PHC's area of jurisdiction. The scope of the NSMS includes:

1. Commercial shipping operations.
2. Marine leisure and sports activities.
3. Marine services; including ship and craft towage, pilot boarding and landing, mooring and line handling, dredging, Aids to Navigation.
4. Other marine services and navigational activities.

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1.4 NSMS Components

The NSMS consists of several controlled documents each relating to a specialised area thereby making the acquisition of information readily available. To supplement the above, reference material from several statutory publications is included within the NSMS.

All documents can be accessed from the Safety Management System cloud-based database and is available to employees wishing to reference the system for information on a particular subject.

The NSMS focuses on the operational and administrative output of the Harbour Master's Department including:

1. Pilotage
2. Towage
3. Harbour Control (Vessel Traffic Service)
4. Harbour Patrols & Enforcement
5. Hydrography
6. Marine Conservancy
7. Marine Safety & Contingency Management
8. Competence Training

The SMS Modules contained in the database include:

1. Risk

- a. Risk Assessment
- b. Safety Data Sheet
- c. DSE Assessment
- d. Manual Handling Assessment
- e. Fire Assessment
- f. Noise Assessment
- g. Hazard & Near Miss Reporting
- h. COSHH Activity Assessment
- i. PHC Safety Reporting

2. Incident

- a. Accident / Incident Record
- b. Accident / Incident Investigation
- c. RIDDOR

3. People

- a. Person Register
- b. Training Needs Analysis
- c. TNA Templates
- d. Course Details

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4. Task Management

- a. Action Manager
- b. Review Manager
- c. Approval Manager

5. SMS Documents

- a. Navigational Safety Management Plan
- b. Harbour Control Operating Procedures
- c. Pilotage Directions
- d. Emergency Plan / Security Plan
- e. Oil Pollution Response Plan
- f. Waste Management Plan
- g. Harbour Patrol Instructions
- h. Towage Procedures
- i. PMSC Procedures
- j. Emergency Procedures
- k. Emergency Exercises
- l. Aquatic Management Plan
- m. Marine Policies
- n. Safe Systems of Work
- o. Safety Memos
- p. Marine MOU's
- q. Safety Guidance
- r. PMSC Procedures
- s. Safety Committee Meeting Minutes
- t. Monthly Marine Safety Reports
- u. Aids to Navigation Maintenance Schedule
- v. Legislation
- w. Hydrographic Surveys
- x. Regulation and Enforcement
- y. Stakeholder Meetings
- z. Audit and Review
- aa. Health & Safety Manual
- bb. Employees Handbook

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1.4.1 NSMS Components Overview



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1.5 Maintaining the Plan

In implementing the Navigational Safety Management Plan PHC will promulgate:

- 1 Defined, clear levels of authority and communication between all Harbour Personnel.
- 2 Instructions and guidance to ensure the safe operation of:
 - Commercial shipping
 - Recreational activities
 - Harbour Authority vessels
 - Other marine activities
- 3 Procedures to ensure the safe operation and maintenance of all navigational aids.
- 4 Procedures to ensure that the harbour is surveyed regularly and appropriate measures taken to maintain shipping channels and berths at the prescribed depth.
- 5 Procedures for:
 - Reporting marine accidents, and incidents including near misses.
 - Reporting system non-conformities
 - Responding to emergency situations
 - Conducting internal and external reviews and audits
 - Regular exposure of marine safety issues by way of a monthly report to the Board

2.0 Policy

The Navigational Safety Policy sets out PHC's intentions and commitment to safety. It also describes the organisational responsibilities and arrangements established to ensure that the Policy is implemented. The Policy, with its supporting marine policies, contributes to operational objectives and states PHC's commitment to meet its legislative responsibilities. The fundamental objective of the Navigational SMS is to demonstrate the consistent application of these Policies.

2.1 Policy Development and Communication

The Navigational Safety and Marine Policies were developed by the Harbour Master's Department and approved by the PHC Board. The Policies have been communicated to PHC staff, harbour users and interested parties and are posted on the PHC website. In addition, PHC has developed a Consultation Policy, the application of which will further aid the development of the Navigational SMS, the involvement of all harbour users and stakeholders, and contribute to compliance with the Port Marine Safety Code.

Copies of all Navigational Safety and Marine Policies are freely available to all and there is a continuing process of briefing and updating information with regard to navigational safety.

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2.2 Purpose and Use of Policies

The primary purpose of the PHC Navigational Safety and Marine Policies is to provide an overall standard for marine operations throughout Poole Harbour. They also provide a reference point for a variety of operational decisions including the selection of resources and the design and implementation of safe working practices.

2.3 Commitment Statement

The PHC Board, as Duty Holder and the body with ultimate responsibility, has committed itself to comply with the requirements of the Port Marine Safety Code which is confirmed in the PMSC policy statement. Furthermore, it is committed to ensuring that adequate resources are available to discharge its navigational safety obligations.

One purpose of this document is to show a link between the policies set by the Board and the management arrangements, controls and provisions that discharge those policies.

The Board has confirmed, to the Maritime & Coastguard Agency, its continued compliance with the requirements of the Code and is required to do so every 3 years.

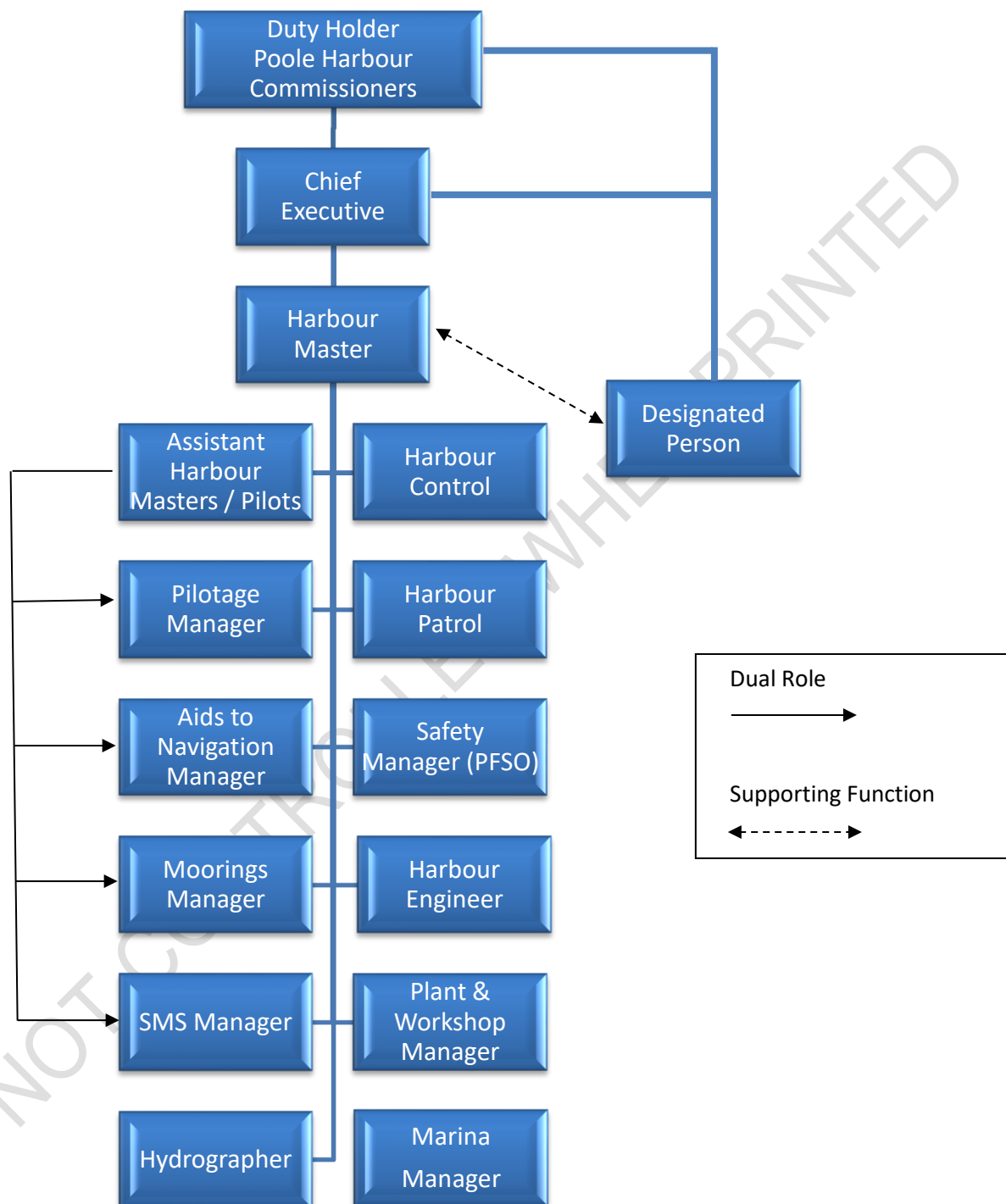
2.4 Policy Review

The Duty Holder undertakes a formal review of all Marine Policies on a 3-yearly basis or as circumstances dictate.

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3.0 Organisation Powers, Duties and Responsibilities

3.1 Organisation Chart – Navigational Safety



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3.2 Legislation

A full review of the Harbour Authority statutory powers and duties was conducted in May 2005 and throughout 2007, resulting in the Poole Harbour Revision Order 2012. An overview of Key Statutory Harbour Powers was undertaken in 2019 and Poole Harbour Commissioners currently obtain their statutory duties and powers from the following legislation:

1847	Harbours, Docks and Piers Clauses Act
1847	Commissioners Clauses Act
1894	Merchant Shipping Act
1914	Poole Harbour Act (sections 20, 21, 22 & 23 only)
1928	Poole Harbour Petroleum (Consolidation) Act
1988	Poole Harbour (Amendment) Byelaws
1964	Harbours Act
1974	The Health & Safety at Work Act
1981	The Transport Act
1985	Dangerous Vessels Act
1987	Dangerous Substances in Harbour Areas Regs
1987	The Pilotage Act.
1994	Conservation (Natural Habitats, &c) Regulations
1995	Merchant Shipping Act
1997	Merchant Shipping (Port Waste Reception Facilities) Regulations
1999	Poole Harbour Revision Order
2001	Poole Harbour Revision Order
2002	International Ship and Port Facility (ISPS) Code and SOLAS Amendments
2003	Railways & Transport Safety Act
2004	Regulation (EC) No 725/2004 on enhancing ship and port facility security
2005	Poole Harbour (Chain Ferry) Byelaws
2005	Port Security Directive: Directive 2005/65/EC on enhancing port security
2006	Poole Harbour Opening Bridges Order
2009	Marine and Coastal Access Act
2011	Poole Harbour (Harbour Traffic Signals) (Poole Bridges) Byelaws
2011	MS (Vessel Traffic Monitoring and Reporting Requirements) Regs.
2011	Port State Control Regulations
2012	Reporting of Accidents and Incidents Regulations
2012	The Poole Harbour Revision Order
2012	Powers of General Direction
2013	Marine Navigation Act
2013	Reporting of Injuries Diseases and Dangerous Occurrences Regulations
2015	The Poole Harbour (Works) Revision Order

The Harbour Master and his authorised deputies have the powers of Special Direction under the Harbours, Docks and Piers Clauses Act 1847, and other powers as per sections 51 to 76 of that Act and has powers of General Direction under the Poole HRO 2012.

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3.3 Duty Holder - Poole Harbour Commissioners

The Harbour Authority accepts responsibility for ensuring that its duties and powers are discharged to the standard set out in the Port Marine Safety Code (PMSC).

The PMSC is directed at Harbour Authorities (and other marine facilities, berths and terminals) and to the Commissioners who are members of the Board.

The Code requires each Harbour Authority to hold themselves accountable for the discharge of its duties and powers to the standard laid down. It requires the Board members to accept responsibility for ensuring that the Authority discharges its duties and powers to that standard. Duties and powers relating to the safety of marine operations in any harbour have been entrusted to the Statutory Authority. Board members are collectively and individually responsible for the proper exercise of their authority's legal duties. It follows clearly that it - and they – are severally and collectively the 'Duty Holder'. The role of Duty Holder within the Port Marine Safety Code is a pivotal position and rests with Poole Harbour Commissioners.

In order to comply with the Code, the Duty Holder on behalf of the Harbour Authority must:

1. Be aware of and review their existing powers based on local and national legislation.
2. Comply with the duties and powers under existing legislation, as appropriate.
3. Ensure all risks are formally assessed and as low as reasonably practicable in accordance with good practice.
4. Operate an effective Navigational Safety Management System (NSMS) which has been developed after consultation and uses formal risk assessment.
5. Use competent people (i.e. trained, qualified and experienced) in positions of responsibility for safety of navigation.
6. Monitor, review and audit the marine SMS on a regular basis – an independent designated person has a key role in providing assurance for the Duty Holder.
7. Publish a safety plan showing how the standard in the Code will be met and a report assessing the performance against the plan.
8. Comply with directions from the General Lighthouse Authorities and supply information & returns as required.

In addition, Harbour Authorities should seek additional powers if the existing powers are insufficient to meet their obligations to provide safe navigation.

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3.4 Chief Executive Officer

The Chief Executive Officer is accountable to the Chairman of the Board of Poole Harbour Commissioners and is responsible for:

1. The implementation of the Port of Poole Quality System.
2. The operational and financial control of the Authority's function as Clerk and Collector of Port Dues.
3. The implementation of all statutory duties, subject to the control and general management of the Commissioners undertaking.
4. In conjunction with the departmental officers, the day-to-day management of the undertaking, including development and planning.
5. The approval of trade contracts.
6. The management of public relations and advertising.
7. Representation on behalf of PHC on appropriate national and regional organisations, including the British Ports Association.
8. Administration of business risk assessment register.

3.5 Harbour Master

The Harbour Master is appointed by the PHC Board to discharge the statutory role of Harbour Master in accordance with the PMSC (para 2.6). He is responsible for delivering navigational safety policy and keeping the Chief Executive advised and informed. This role is key to ensuring that the Navigational SMS fulfils the marine aspects of PHC's statutory duties and relevant non-statutory obligations. The Harbour Master is to:

1. Manage the NSMS, including administration of the cloud-based SMS.
2. Monitor all matters relating to marine safety.
3. Ensure adequate resources and support is available. Where they are lacking, bring to the attention of the CEO and Designated Person and take appropriate action to rectify the shortfall. Subsequently identify areas where extra resources are required and bid for funding.
4. Administer measures to review procedures and systems, with the aim of continuously improving overall performance of the existing systems.
5. Prepare a monthly Safety Report relating to deficiencies, non-conformities, accidents and incidents.
6. Carry out Reviews of the System as specified within the parameters laid down in the Port Marine Safety Code.
7. Ensure that all staff are trained in accordance with the Port Safety training and familiarisation procedures, using accredited competence standards where appropriate.
8. Ensure all NSMS documentation and certification is controlled, up dated and distributed.
9. Ensure the maintenance and proper marking of the shipping and small craft channels.
10. Programme hydrographic surveys and dredging in consultation with the Harbour Engineer.
11. Ensure the effective maintenance, repair and replacement of navigational aids.
12. Enforce all Statutory Acts, Poole Harbour Acts, Harbour Revision Orders, Harbour Byelaws and General Directions with respect to the safe navigation of marine traffic.
13. Allocate berths in conjunction with the Port Manager as appropriate.
14. Supervise the recording, control and licensing of the moorings.
15. Provide and manage the provision of the Pilotage Service within the Port.
16. Provide and manage the provision of the Towage Service within the port.
17. Liaise with Governmental authorities (DfT, MCA, MAIB etc)

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18. Liaise with local authorities, organisations, yacht clubs, boatyards, fishing and sailing associations and other stakeholders.
19. Control the Departmental Budget.
20. Prepare an annual safety report for the Board.

3.6 Designated Person (DP)

PHC require a practical, pragmatic, and cost-effective Designated Person (DP) in order to provide independent assurance directly to the Duty Holder.

In meeting this obligation under the PMSC, the PHC Board has appointed an independent 'Designated Person', who maintains a right of direct access to the Board.

The main role of the 'Designated Person' is to:

1. Determine through assessment and audit that PHC has an effective and appropriate Navigational Safety Management System.
2. Provide the PHC Board with independent and professional advice regarding PHC's overall compliance with the requirements of the Port Marine Safety Code.

Other responsibilities include:

1. Monitoring the thoroughness of the risk assessment process and the validity of the assessment conclusions.
2. Monitoring the thoroughness of the incident investigation process and the validity of the investigation conclusions.
3. Monitoring the application of lessons learnt from individual and industry experience and incident investigation.
4. Assessing the validity and effectiveness of indicators used to measure performance against the requirements and standards in the Code.
5. Assessing the validity and effectiveness of consultation processes used to involve and secure the commitment of all appropriate stakeholders.

The role of the DP does not obscure the accountability of the Duty Holder.

3.7 Assistant Harbour Master / Pilot

Assistant Harbour Master / Pilots are responsible to the Harbour Master for the development and implementation of appropriate procedures and guidelines to contribute to the delivery of the Navigational SMS and other supporting policies within their operational area. In all cases, relevant staff should be fully involved and be able to contribute to such development.

Within this overall remit, they are responsible for:

1. Identifying and proposing control measures to mitigate navigational hazards.
2. Appropriate training of assigned personnel.
3. Maintaining overall navigational safety awareness.
4. Conducting Incident investigations as required.

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5. Maintaining relevant data input to cloud-based SMS.

The Assistant Harbour Masters are also Pilots and are responsible for the efficient day to day work programme maintaining conservancy duties. Their main managerial roles are:

1. Pilotage Management.
2. Aids to Navigation Management.
3. Moorings Management.
4. SMS Management.

3.8 Harbour Control Officer

The Harbour Control Officer (HCO) is a watch keeping officer responsible to the Harbour Master for the safe management of all marine traffic navigating within the limits of Poole Harbour. The HCO is authorised to make decisions on behalf of the Harbour Master, keeping the Harbour Master informed. The Harbour Control, Officer being responsible to the Harbour Master, is to:

1. Authorise Masters of vessels to enter, leave, or move berth within the Harbour limits.
2. Advise Masters of all Commercial Shipping approaching, leaving and navigating within the harbour, the movement of all shipping affecting their passage.
3. Accept, record and take appropriate action on all Pilotage requests from Ships Masters and their Agents.
4. Ensure that all vessels subject to the Poole Harbour 'Pilotage Directions' have either an Authorised Pilot on board or are under the Command of a Master/Mate holding a valid Pilotage Exemption Certificate whilst navigating within the Statutory Limits of Poole Harbour.
5. Ensure that Pilots, Pilot Cutter, Tug Crews and Berthing Parties are alerted for duty as required.
6. Liaise with Dock Foremen, Port Manager, Berth Operators and Ships Agents to ensure the expeditious handling of all vessels.
7. Co-ordinate the movement and actions of all Harbour Patrol Craft.
8. Initiate Emergency Plans in accordance with laid down procedures and respond to Marine Incidents as appropriate.
9. Maintain a Log of all accidents, incidents and occurrences which may affect marine safety.
10. Maintain a log of Aids to Navigation defects within cloud-based SMS.
11. Advise the duty Assistant Harbour Master or Harbour Master of any Incident or untoward occurrence.
12. Monitor the meteorological phenomenon and other occurrences within the Harbour limits and promulgate as appropriate.
13. Monitor the movement and presence of vessels loaded with hazardous cargoes.
14. Monitor the movements of recreational craft and pass marine information as appropriate.
15. Liaise with H M Coastguard, UK Border Agency, Marine Police, RNLI, Yacht Clubs, Royal Marines, Boatyards and other stakeholders as required.
16. Maintain duty logs and records of ship movements, weather and tidal conditions and other matters as required by the Harbour Master.
17. Oversee movement of commercial vessels using all appropriate means, radar, CCTV, AIS etc.,
18. Administer and authorise movement of class 1 and class 7 cargoes through the port.
19. Ensure all relevant publications relevant to Harbour Control are maintained up to date
20. Administer and authorise hot work requests within port limits.
21. Administer and authorise bunkering requests within port limits.
22. Administer and authorise helicopter movements within port estate in liaison with Port Manager and Safety Manager.

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23. Administer and authorise commercial dive requests within port limits in liaison with Safety Manager and Harbour Engineer.
24. Liaise with contractors regarding the correct operation of VTS equipment.
25. Maintain relevant data input to cloud-based SMS.

3.9 Patrol Officer

Patrol Officers are responsible to the Harbour Master for the monitoring of and reacting to infringements of legislation within PHC jurisdiction. Patrol Officers have the full authority of the Harbour Master whilst on duty and their duties include:

1. Encouraging and ensuring safe behaviour through education
2. Enforcing Harbour Byelaws and General Directions
3. Investigating legislation infringements, making recommendation to the Harbour Master for further action, in line with the Enforcement and Prosecution Policy
4. Helping harbour users in difficulty where an element of danger exists
5. Projecting a positive and helpful image
6. Assisting other agencies if requested
7. Maintaining relevant data input to cloud-based SMS

3.10 Safety Manager and Port Facility Security Officer (PFSO)

The Safety Manager is responsible to the Harbour Master and within the Navigational SMS they must advise the Harbour Master on matters concerning Health & Safety including:

1. General health and safety issues.
2. Personnel accident investigations.
3. Accident trend analysis.
4. Monitor safety and evaluate current procedures and practices.
5. Current legislation relating to health and safety matters.
6. Advice on protective clothing.
7. Advice on Radiation Protection, Hazardous Cargoes including Explosives.
8. Medical fitness.
9. Workplace training requirements.
10. The movement of dangerous cargoes across the Port estate.
11. The movement of personnel across the Port estate, with specific reference to Port security.
12. Administration of cloud-based SMS.
13. Maintaining relevant data input to cloud-based SMS.

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3.11 Hydrographer

The Hydrographer is responsible to the Harbour Engineer for all hydrographic surveying and associated record keeping. For the purposes of the Navigational Safety Management System, they must:

1. Prepare and collate up to date harbour depth, berth and channel data for the Harbour Master and Admiralty Hydrographic Office.
2. Establish and operate tidal measuring equipment.
3. Maintain and operate the survey vessel.
4. Maintain all hydrographic and surveying equipment.
5. Manage the day-to-day processing of information and keeping records.
6. Advise Harbour Master of results on surveys
7. Provide Harbour Control, pilots and ship captains with latest survey charts
8. Assist HM Staff with the positioning of navigation aids.
9. Provide the Harbour Master with a monthly summary on harbour surveys

3.12 Harbour Engineer

The Harbour Engineer is responsible to the Chief Executive for the management of the Engineering Department. For the purposes of the Navigational Safety Management System, they must:

1. Programme and manage contract dredging (In consultation with the Harbour Master).
2. Provide adequate resources to ensure quays and berths are fit for purpose.
3. Maintain relevant data input to cloud-based SMS.

3.13 Plant and Workshop Manager

The Plant and Workshop Manager is responsible to the Harbour Engineer for the supervision of the plant and vessel maintenance staff and ensures that the necessary standards of safety and workmanship are achieved and maintained. Additional duties include:

1. Manage the planned hull maintenance and repair of harbour vessels and associated equipment.
2. Ensure that adequate resources are available to minimise the downtime of PHC vessels.
3. Maintain the infrastructure and services to the Harbour Control Office and Emergency Response Centre.
4. Inspections carried out on all lifting plant, lifting tackle, air receivers and other certificated equipment and to maintain the appropriate records.
5. Maintaining relevant data input to cloud-based SMS.

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3.14 Marina Manager

The Marina Manager is responsible to the Chief Executive Officer for the safe and efficient management of the PHC marinas and works closely with the Harbour Master and Safety Manager to maintain compliance with the PMSC and Occupational Health and Safety. NSMS Duties include:

1. Ensuring compliance with applicable elements of the PMSC.
2. Identifying and proposing control measures to mitigate navigational hazards.
3. Appropriate training of assigned personnel.
4. Promoting navigational safety awareness.
5. Reporting accidents and incidents.
6. Conducting investigations as required.
7. Maintaining relevant data input to cloud-based SMS.

4.0 Implementation

4.1 Navigational Safety Objectives

In association with duties and responsibilities PHC annually reviews its Strategic Objectives. In support of these objectives the Harbour Master will ensure that navigational safety objectives are met, which include the ongoing maintenance and development of the Navigational SMS. In general, these objectives seek to:

1. Reduce risks to as low as is reasonably practicable.
2. Ensure all reasonably practicable measures are taken to identify the hazards and minimise associated risks arising from operational activities in Poole Harbour.
3. Ensure conformance with our navigational safety and marine policies, associated operating controls and applicable port and marine legislation and non-statutory obligations.
4. Periodically review data gathered from audits, inspections, incidents and any concerns raised to evaluate and determine where improvements and changes need to be made.
5. Implement employee competence training and Navigational SMS awareness programmes.
6. Encourage employees to become more involved and participate in continually improving our overall navigational safety performance.
7. Facilitate port user involvement in the maintenance of the Navigational SMS and the overall improvement in the provision of navigational safety.
8. Communicate PHC's ongoing efforts and achievements in facilitating navigational safety in the Harbour to all stakeholders.
9. Review the effectiveness of and continually improve the PHC Navigational SMS.

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4.2 Navigational SMS Action Manager (database module)

The NSMS Action Manager reflects the objectives listed above and incorporates the recommendations following risk assessments, reviews, incident investigation and associated marine safety recommendations where considered appropriate.

The overall purpose of the Action Manager is to make clear all actions requiring to be implemented, to identify the person responsible, and to set target completion dates. The Action Manager also includes Harbour Master's targets affecting marine safety and arising from the annual marine safety reports and the audit and review process.

The NSMS Action Manager provides a tool for the continuous monitoring by management of all objectives and recommendations requiring implementation.

5.0 Navigational SMS Database

5.1 Hazard Management Database

The Hazard Management database contains comprehensive details of all identified hazards, together with the associated risk control measures employed to mitigate those hazards. Both hazards and risk control measures have a designated 'owner'. All hazards are maintained within the system in ranked order, based on the outcome of the risk assessment process. This ranking structure will change with time as the hazards and risk controls continue to be reviewed, reassessed and rescored.

The archive also includes a comprehensive audit record, which documents the outcome of the scheduled proactive hazard review process, any incident review, and the addition of any new risk and its associated assessment. In each case the outcome of the review is recorded separately and includes:

1. The action taken and recommendations made by the Harbour Master.
2. The names of those involved and their recommendations.
3. The subsequent decisions made.

The administration of the Hazard Management database is the responsibility of the Harbour Master who:

1. Maintains, administers and interprets the Hazard Management database to ensure effective support to the marine departments.
2. Constructs and presents Hazard Management information in reports as required and in an effective and appropriate format, such that the overall navigational safety performance of the Harbour may be reviewed and assessed.

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5.2 Accident and Incident Record Database

The cloud-based SMS database holds the details of all reported navigational accidents and incidents, including near misses and other occurrences having significance to the maintenance of navigational safety. The inputs are normally provided by the Harbour Control Officers; however, other harbour users and the general public can report directly to the system.

The day-to-day administration of the Incident database is the responsibility of the Harbour Master, Assistant Harbour Masters and Harbour Control Officers who will:

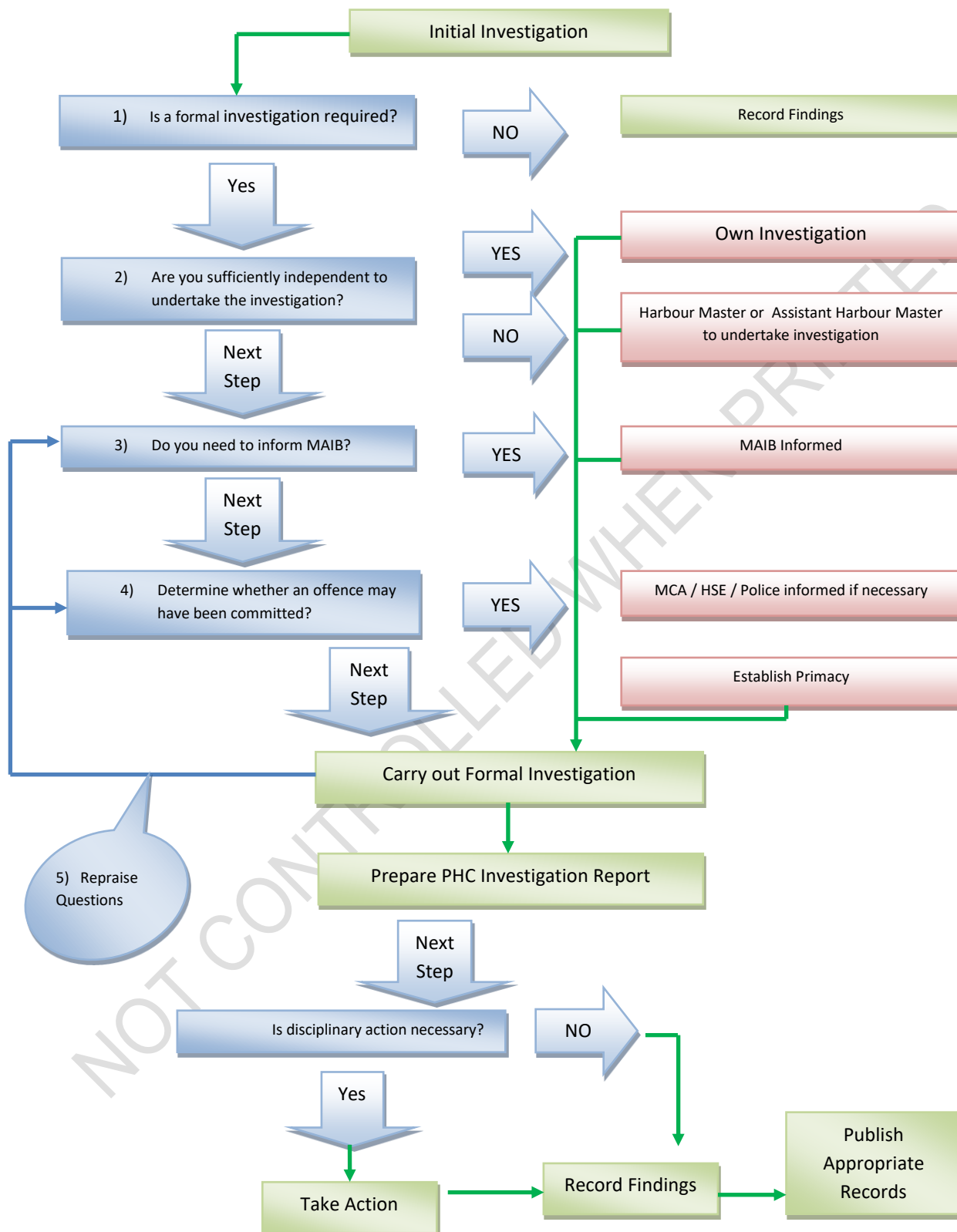
1. Maintain, administer and interpret the accident and Incident database to ensure the effective recording, availability and archiving of marine incident information.
2. Construct and present Incident information reports as required in an effective and appropriate format, such that the overall navigational safety performance of the Harbour may be reviewed and assessed.

Once a record has been initiated, additional information is included in respect of the outcome of the Harbour Master's initial regulatory investigation, and subsequently details of any follow-up disciplinary action and/or prosecution. The Harbour Master's findings and recommendations (if any) of his navigational safety investigation are also recorded in respect of the incident's impact on the Navigational SMS. Incident records also allow effective cross-referencing to the Hazard Management database, thereby prompting and recording an assessment of the hazard(s) and associated risk control measures relevant to an incident.

Each record is interrogated by the Harbour Master, Assistant Harbour Master and/or Patrol Officer to ensure the follow up process is carried out including completion of the investigation and conclusion section. Incidents can only be closed when no further follow up action is required.

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5.3 Flowchart for conducting an Investigation



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6.0 Risk Control Measures

The generic risk control measures employed by PHC can be categorised as follows:

6.1 Documentary Risk Controls

1. Regulatory Framework – Includes the Poole Harbour Acts, HROs, Byelaws & Directions.
2. The provision and promulgation of accurate hydrographic survey charts, tidal and other navigational information, navigation warnings and weather advice.
3. Departmental Operational Manuals & Guidelines.
4. Process or task specific Operating Procedures
5. Emergency Plans and Procedures
6. Local Notices to Mariners in addition to general navigational and safety guidance and advice.
7. Computer Harbour Program – main record of ship movements in the harbour.
8. Formalised Training and Assessment
9. Harbour Master's Memos

6.2 Hardware Risk Controls

1. Radar - providing effective coverage from the Pilot Boarding Station to the Port of Poole.
2. AIS – complementing and reinforcing radar, especially during bad weather conditions and for vessels with a poor radar return.
3. VHF Communication – Marine radio covering whole of the SHA jurisdiction, providing effective port communications for shipping, Harbour Control, PHC and other regulatory craft and harbour users.
4. VTS System – PC based integrated traffic display system operated within the Harbour Control office.
5. Tide Gauges – located at the harbour entrance and the Town Quay providing live tidal information in support of tidal prediction software.
6. Weather Station – Providing live weather information.
7. Aids to Navigation – Buoys, marks and lights etc. All maintained by PHC as the Local Lighthouse Authority. All third-party aids are maintained by owners i.e. yacht clubs and marinas, and (in the river) Frome by the Environment Agency
8. Moorings located throughout the harbour. The continued relevance and utility of which are subject to ongoing review and assessment.

6.3 Departmental Risk Control Functions

6.3.1 Marine Conservancy

The Harbour Hydrographer has established an effective hydrographic survey programme for Poole Harbour to establish and confirm the depths of berths, channels and fairways, and to inform the Harbour Master and port users of any shoaling, obstructions and/or new wrecks identified during survey work. A risk assessment is carried out on those new or repositioned wrecks, which pose a new or changed hazard. A procedure exists for acting on the findings of the wreck risk assessment. Tide gauges are maintained to provide real time observations for safety of navigation and records on which to base predictions. All hydrographic operations are managed through guidance contained in the Hydrographic Manual and international best practice.

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6.3.2 Pilotage

All pilotage matters are the responsibility of the Pilotage Manager, who shall determine, by a continual process of risk assessment, the identification of safe boarding and landing areas and the safe transfer of pilots as required by the appropriate current regulations. The pilotage service provided is administered through best demonstrated practice and associated operational instructions and guidelines.

6.3.3 Harbour Control (VTS)

Poole Harbour Control provides a Vessel Traffic Service which satisfies the statutory duty, as well as the responsibility under the Port Marine Safety Code, to contribute to safety of life at sea, improve the safety and efficiency of navigation and support the protection of the environment within Poole Harbour and approaches (VTS area) by mitigating the development of unsafe situations.

The Harbour Master is responsible for the effective management of Poole Harbour Control including the operational and maintenance aspects of VTS, and the recruitment, training and authorisation of VTS staff to internationally recognised standards.

In the event of a technical failure of the Harbour Control office, emergency back-up of most services is provided in the Pilot Office and on board any one of two pilot vessels.

6.3.4 Harbour Patrol

A harbour patrol is maintained in Poole Harbour with supporting administrative and regulatory functions to assist in the effective regulation and enforcement of the Navigational Safety Policy. Clear instructions for Harbour Patrols are included in the NSMS with support from the Enforcement and Prosecution Policy.

6.3.5 Marine Safety and Contingency Management

This central support function includes the administration of emergency planning, the maintenance of an appropriate regulatory framework, including the revision of Byelaws and Directions; and the publication and promulgation of navigational information and advice e.g. Local Notices to Mariners etc.

6.3.6 Marine Services

The Aids to Navigation Manager is responsible for the provision and maintenance of PHC Aids to Navigation in Poole Harbour.

Maintenance of other aids to navigation, including marina entrance lights is the responsibility of the owners; however, PHC monitors the reliability and availability of all such aids to navigation as the Local Lighthouse Authority (LLA). Trinity House is the General Lighthouse Authority (GLA) responsible for auditing the performance of maintenance by PHC.

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6.3.7 Emergency Preparedness and Response

PHC has established emergency response plans and procedures to address specific marine emergency incidents. Training exercises are programmed on an annual basis to familiarise and update staff on these emergency procedures and to exercise individual response actions. Appropriate Staff training and emergency exercise records are maintained.

6.3.8 Environmental Management

PHC maintains effective procedures and control measures designed to ensure that the potential impact on the environment is fully considered when planning or approving commercial and recreational activities within the Harbour. Reference is made to the PHC Environmental Policy Statement and the Poole Harbour Aquatic Management Plan.

6.3.9 Vessel Compliance

The Port Marine Safety Code requires PHC to manage marine operations and regulate navigation within the harbour to reduce the risk of marine accidents and incidents to a level where the risks are as low as reasonably practicable. There are many component parts to this process, including the risk assessment process itself, which identifies active risk control measures such as the provision of Pilots, VTS service and up to date hydrographic information.

An important component part of this system is that vessels navigating the harbour, whether subject to pilotage or not, are maintained to appropriate standards, and operated in a competent manner commensurate with the relevant national and international legislation. Unfortunately, this is not always the case. A vessels method of operation, state of equipment or manning competencies should not compromise the ALARP levels already arrived at by risk assessment. There is no guarantee that a compliancy system can be 100% effective, however every reasonable measure needs to be taken to try and reduce the chances of a sub-standard vessel increasing the level of navigation risk.

Measures are in place which attempt to confirm, as far as possible, the compliancy of vessels entering or leaving Harbour limits. These measures include:

1. Confirmation of defect status prior to arrival / departure.
2. Harbour Control monitoring of ship movements.
3. Harbour Control monitoring ISPS, CERS and waste declarations.
4. Effective Bridge Resource Management and appropriate support for the embarked pilot.
5. Positive reporting of the master/pilot exchange (MPX).
6. Embarked pilot observations of standards of equipment, maintenance and manning.
7. Referral for MCA or Flag / Port State Control inspection.
8. Compliance with relevant port security requirements.
9. Small Commercial Craft Registry.
10. Harbour Control monitoring of leisure and small commercial vessels.
11. Harbour patrol monitoring of leisure and small commercial vessels.
12. Stakeholder liaison meetings.

Vessel compliance is integral to, and supports, the PHC's Enforcement and Prosecution Policy. The measures adopted will be subject to regular review and revision in the light of experience.

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7.1.1 Periodic Monthly Reviews – Proactive

The Assistant Harbour Master (SMS Manager) will coordinate schedules, in accordance with agreed criteria, of the individual hazards and their associated risk control measures, for ongoing review. This schedule ensures that all currently identified hazards are reviewed over a 12-month period. All hazards and risk control measures have been allocated an 'Owner', normally one of the four Assistant Harbour Masters. The Owner is responsible for the review of each hazard and its risk control measures. The Harbour Master will participate in each review in consultation with staff members and other harbour users as appropriate.

7.1.2 Post-Incident Reviews - Reactive

Following a navigational incident, the Duty Assistant Harbour Master will undertake an initial investigation. This will establish whether there has been a failure to comply with PHC regulations, or internal procedures, and whether further regulatory action is warranted. The Harbour Master will also investigate the circumstances of the incident from a Navigational SMS perspective and establish whether there is a need to review the relevant hazard and its associated control measures. This review may involve appropriate staff and active harbour users.

7.1.3 New Risk Assessments

Whenever circumstances change to introduce activities into the Harbour which are outside the existing scope of the Navigational SMS, the Harbour Master or one of the Assistant Harbour Masters will, in full collaboration with the relevant stakeholders, undertake a risk assessment of the intended operation.

7.2 Navigational SMS Recommendations

Any recommendations arising from the deliberations of the Harbour Master and his staff may require consideration and approval from the CEO or the Board. Each will be informed as appropriate, of plans to develop or introduce new risk controls, together with any budgetary implications. Following such approval, the Harbour Master will record the outcome in the Hazard Management database (as appropriate) and any new or revised operational guidance will be put in place, accompanied by training as necessary. Planned implementation will be recorded in the SMS Action Manager.

7.3 Document Control

This document is controlled in accordance with ISO 9001:2015

The Harbour Master is responsible for this document.

Revision Procedure

This document will undergo a full review every three years and such revisions will take account of any procedural changes, changes to the Port Marine Safety Code and where applicable, changes to the Guide to Good Practice. All significant amendments to this document must be approved by the Duty Holder (Poole Harbour Commissioners).

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7.3.1 Manuals, Procedures and Operational Guidance

The cornerstones of PHC's Navigational SMS are the knowledge, skills and competence of individuals within the system, underpinned by appropriate training. Operating controls in the form of departmental manuals, operating procedures and/or guidance notes reinforce this. Departmental manuals provide direction and guidance on the core functions of the department. They also provide an overview of recruitment, training and, as appropriate, authorisation procedures and standards. Operating Procedures and/or Guidance Notes are produced by function, as deemed necessary, to describe the activities to be carried out for each operational process or task, including any precautionary measures that need to be observed. Operating Procedures and Guidance Notes may provide, where appropriate, the step-by-step instructions for all or any of the following:

1. What activities are to be done
2. In what sequence
3. By whom
4. When
5. At what frequency
6. What records and paperwork to prepare and/or retain

7.4 Consultation and Communication

Feedback from both PHC staff and other Harbour users is a vital component of the Navigational SMS. All are actively encouraged to be involved in the management of navigational safety. This includes input into the development and implementation of the Navigational SMS and its operational risk management controls. Examples of consultation, involvement and communication employed by PHC in the maintenance of the Navigational SMS include:

1. Stakeholder liaison meetings
2. Hazard identification consultations
3. Risk assessment consultations
4. PHC staff appraisal process
5. PHC staff group meetings
6. Accident and Incident (including Near Miss) enquiries and reports
7. Legislation & Enforcement consultation process
8. Strategic planning consultation process
9. PHC website
10. Social Media Network

7.5 Risk Assessment Standards

7.5.1 Methodology

The general risk assessment process used for marine activities is based on that adopted by the International Maritime Organisation (IMO). This formal approach involves the following five sequential assessment stages, applied in appropriate depth:

1. **Data gathering and familiarisation.** Review of the existing management structure, risk control arrangements, policies, procedures and operational functions.

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2. **Hazard Identification.** Identification of potential hazards and mapping of existing control measures.
3. **Risk Analysis.** Consideration of the likelihood of identified hazardous incidents and their associated potential consequences, including prioritising of their risk factors.
4. **Risk Assessment.** Comparison of risk factors with effectiveness of existing risk control arrangements, and subsequent determination of additional control measures.
5. **Risk Control.** Judgement and endorsement of specific control measures to be implemented and managed through the Navigational SMS.

7.5.2 Risk Level Criteria

The resulting risk level from each identified hazard is determined by numerically comparing the potential severity of the consequences (against life, the environment, property and port business) and the likelihood of that hazard occurring. Hazards are then ranked according to their numerically scored risk level. It is the principle aim of the ongoing hazard review process to actively manage the risk control measures associated with each hazard and attempt to reduce the level of risk, and therefore the ranked score, at each review.

8.0 Training

8.1 Competence Assurance

The competence assurance process is linked directly to considered personnel selection and recruitment procedures, relevant job descriptions and appropriate pre-determined recruitment selection criteria.

Typically, the process comprises four stages:

Stage 1: Pre-Job

A person shall not be permitted to undertake work until the entry-level criteria have been satisfied. Entry-level requirements are normally defined within the relevant job description and vacancy notice.

Stage 2: Induction Training

All new staff, including any temporary personnel, will receive appropriate induction training. This will take the form of general induction training common to all new staff, followed by departmental induction training and operational briefings as appropriate. Relevant departmental managers are required to record that induction training has been successfully completed.

Stage 3: Supervision and On the Job Training (OJT)

Once a person has been identified as suitable to fulfil a specific job function, that person will be placed under the supervision of a competent person, who will recommend when the person is considered competent. Alternatively, in certain cases, this period of supervision may take the form of On-the-Job Training, following which a formal assessment of competence is conducted.

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Stage 4: Competence

A person may be considered competent once they have completed all necessary induction training, and has been assessed either by their supervisor, or by formal assessment on completion of OJT. The principles of competence assurance are followed when recommending authorisation of a Pilot Exemption Certificate.

8.2 Marine Training

Training is a key element within the Navigational SMS. In order to ensure that personnel are properly trained, the principles of job analysis and training design are followed. In particular, the persons responsible for marine training (Assistant Harbour Master and Safety Manager) will:

1. Identify operational and safety training needs.
2. Establish a skills matrix of competency levels required for key tasks.
3. Plan how training requirements are to be met by and when.
4. Establish a process to appraise the effectiveness of training.

8.2.1 Marine Training Policy

In support of the Navigational SMS, PHC has developed and maintains an internal Marine Training Policy.

8.2.2 Pilot Training

The Harbour Master has the responsibility for the development, provision and maintenance of the training of Authorised Pilots and Pilot Exemption Certificate Holders. This function has been delegated to the Pilotage Manager who will ensure that all training requirements are up to date and comply with latest legislation and guidelines and conforms to the Pilotage Act 1987 as amended and PHC Pilotage Policy.

8.3 Safety Management Training

It is PHC policy that all senior managers and line-managers shall attend a Navigational Safety Management induction briefing to ensure that they are fully aware of the provisions of the Navigational SMS, and of specific roles and responsibilities assigned to them within this programme. The topics to be covered shall include:

1. Overview of relevant PHC Byelaws, General and Pilotage Directions.
2. Review of the Navigational Safety and associated Marine Policies.
3. Outline of management and operating procedures, and their provisions.
4. Principles of individual accountability and responsibilities.
5. Formal and informal procedural controls in place.
6. Outline of response to emergencies and contingencies.

8.4 Task Changes

Changes to operational systems and/or safety critical tasks or activities may be required when:

1. Employees transfer to different operating functions, tasks or work locations, or where they are required to take on new responsibilities or to deputise for an employee performing a different activity.

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2. There is a significant change in the work equipment or risk management systems employed (This may also require a re-assessment of the risks).
3. Needed to reflect changes in legislation or local policy.

8.5 Refresher Training

To ensure that employees remain abreast of developments and to prevent any decline in the level of competence and skills of either management or staff, relevant training and instruction shall be repeated periodically, as appropriate. This will ensure that continued competence and skill levels are maintained in accordance with required competence, pre-determined job requirements and/or risk control criteria.

8.6 Training and Competence Records

All training and instruction provided to employees will be duly recorded and kept in the cloud-based SMS database.

8.7 Appraisals

In order for Management to assess the requirements and aspirations of personnel, annual appraisals will be conducted:

The CEO will appraise the:

1. Harbour Master
2. Harbour Engineer
3. Marina Manager

The Harbour Master will appraise the:

1. Assistant Harbour Masters / Pilots
2. Harbour Control Officers
3. Marine Conservancy Staff
4. Harbour Patrol Officers
5. Safety Manager / PFSO

Each person will be requested to complete a personal 'Appraisal' form prior to attending. The Appraisal Form is a self-assessment document and as such is dependent on the co-operation of the individual to enable management to make a positive judgement on the best way to meet the requirements of both the Harbour and the individual.

The appraisals will be informal, the intention being to assist the assessor not only to measure an individual's knowledge and performance, but to appreciate their training requirements, personal ambitions and to assist each person in achieving their objectives and maintaining a good work/life balance.

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9.0 Performance Monitoring

The PHC performance-monitoring programme is designed to progressively improve navigational safety. By measuring key indicators, which reflect both the performance of PHC and that of harbour users, appropriate measures can be adopted and introduced which improve navigational safety.

9.1 Performance Measures

The following measures are used to monitor navigational safety and PHC performance:

Facilitating the safety of navigation within Poole Harbour

1. Total number of marine incidents
2. Number of marine incidents per 100 Harbour Program movements
3. Number of formal Harbour Master warnings issued
4. Number of prosecutions initiated (excluding pollution incidents)
5. Total number of reported pollution incidents
6. Harbour Control system performance
7. Non-availability of navigation lights
8. Number of occasions when significant hydrographic information is not published within 24 hours
9. Number of MAIB investigations initiated
10. Number of attributable ship delays
11. Number of PHC registered craft overdue for inspection due to PHC failings

9.2 Compliance Monitoring

The day-to-day monitoring of Navigational Safety Management controls and provisions is measured and checked through departmental monitoring regimes using the criteria laid out in Section 4.

Evaluation of the level of compliance is achieved through:

1. Proactive systems that monitor performance in relation to objectives and operating standards.
2. Reactive systems, which investigate incidents and unwanted events.

9.2.1 Proactive Monitoring

The responsibility for conducting compliance monitoring lies primarily with departmental managers. However, managers must ensure that all levels of management are involved in the monitoring regime.

9.2.2 Reactive Monitoring

Incident Reporting and Investigation

PHC wishes to create an environment within which all navigational incidents and near misses are reported. PHC Byelaws require that a vessel's Master must provide a report to the Harbour Master should his vessel be involved in certain incidents. However, all are encouraged to report other incidents, for only by understanding the causes and avoidance measures adopted in all such circumstances can more serious incidents be avoided. Reports can be sent directly to the SMS via the portal on the PHC website.

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In relation to the Navigational SMS an Incident is defined as: ‘Any unplanned event which causes, or is liable to cause, an undesirable outcome’.

The above definition encompasses:

1. Injury or death to one or more persons.
2. Damage to property (i.e. vessels, port infrastructure or aid to navigation).
3. Damage to the environment.
4. Damage to port business (i.e. financial loss or damage to PHC’s reputation).
5. Non-compliance with a statute or regulation.
6. Near Misses

Note that the inclusion of ‘liable to cause’ brings Near Misses into the definition of incident.

Examples of those to be considered include:

- Situations where a vessel needs to take exceptional avoiding action.
- A vessel passing another so close as to create a risk of collision or interaction.
- A vessel passing so close to relatively shoal water as to create a risk of grounding.
- A vessel passing so close to a structure as to create a risk of contact.

The Harbour Master is responsible for the investigation of navigational incidents, both from the Navigational SMS perspective and in the regulatory sense (whether there has been a breach of PHC or other regulations).

The requirements of the Navigational SMS and enforcement investigations may conflict as in certain circumstances the Marine Accident Investigation Branch and/or Maritime and Coastguard Agency may become involved. In such cases, PHC will take a provisional view of any failings of the Navigational SMS and act upon them. A full appraisal of the outcome of any external investigation (following the publication of any reports or the conclusion of any investigation, inquiry or prosecution) will subsequently be undertaken and any remaining issues considered at that time.

9.3 Records and Record Management

The SMS Manager in liaison with all staff within the Harbour Masters department is responsible for maintaining appropriate records in the Navigational Safety Management System. The SMS automatically records a complete and accurate audit trail of the development and maintenance of the Navigational SMS which can be interrogated when necessary.

In addition, departmental managers are responsible for identifying any supplementary records that are required to be kept, and for establishing the necessary procedures and/or guidance notes for keeping and retrieving these records, as related to their areas of responsibility. All supplementary records kept shall be included in the SMS for information and/or use if required.

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10.0 Audit and Review

The auditing process of the Navigational SMS requires an assessment of continuous development and improvement and its responsiveness to events and changing circumstances.

To comply with the requirements of the PMSC, all formal internal audits of the SMS will be conducted by the person appointed 'Designated Person' by the PHC Board. An external audit and report every 3 years will be commissioned to check ongoing PMSC compliance.

10.1 Audit

10.1.1 Objectives

Audits are conducted to achieve the following objectives:

1. To determine if the Navigational SMS is being operated in accordance with PHC's Navigational Safety Policy and the provisions of the Port Marine Safety Code (PMSC).
2. To monitor the overall effectiveness of the system.
3. To identify and implement ways of improving overall performance.
4. To confirm that relevant procedures are understood and being actioned by those involved.
5. The overall objective is to implement systematic, independent, audits to support the continuous improvement in navigational safety performance.

10.1.2 Independent Audits

Designated Person

To undertake an annual audit of the Navigational SMS for the purpose of assessing the following:

1. The continued provision of an appropriate and effective Navigational SMS.
2. PHC's ongoing overall compliance with the requirements of the Port Marine Safety Code.

External Marine Consultant

To undertake a 3 yearly audit for the purpose of assessing continued compliance with the requirements of the Port Marine Safety Code. This will be carried out prior to the PHC 'Duty Holder' signing the MCA required PMSC compliancy statement.

10.1.3 ISO Audits

The overall PHC management system is subject to and has been certified ISO 9001:2015 and ISO 45001:2018 accordingly, the PHC processes which contribute to the management of navigation are subject to internal and external ISO audits to confirm they continue to comply with the ISO standard.

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10.2 Ongoing Reviews

Reviews of SMS performance are carried out as follows:

- Monthly** by the Harbour Master to review individual navigational incidents and any developments to the SMS arising from such incidents, and prepare a marine safety report for the Board to include an appraisal of progress in implementing the SMS Action Plan;

by the Designated Person to review the Harbour Master's marine safety report, minutes of stakeholder meetings and review any marine incidents and trend analysis;
- Quarterly** by the SMS Manger to review sections of the SMS to ensure compliance with current legislation and general quality assurance;
- Six Monthly** by the Designated Person to analyse and consider any trends in navigational incidents and to report to the Board;
- Annually** by the Harbour Master to consider the overall performance of the SMS during the period (incident record, hazard review performance), and to reflect on any major developments (e.g. serious/major incidents and their outcome, enforcement history, major regulatory changes);

10.2.1 Review of relevant external information

MAIB Safety Digest and Incident Reports

PHC receives copies of each published MAIB Safety Digest. The Harbour Master and Assistant Harbour Masters review each issue to identify any reported incidents, which impact or have the potential to impact upon the PHC Navigational SMS. All such incident summaries are then circulated around the Harbour Masters Department for information/action, with a view to taking any necessary action, including the promulgation of any lessons learned.

Other Publications and Reports

The same process will be applied to any other relevant publications and reports, about which PHC becomes aware.

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11 Marine Policies

11.1 Port Marine Safety Code Policy Statement

The Chief Executive and the Commissioners of Poole Harbour Authority are the Duty Holders and for the purposes of the Port Marine Safety Code, both collectively and individually, accept responsibility for ensuring that the Harbour Authority discharges its duties in accordance with the Code. They have responsibility and accountability for the Harbour Authority's role and powers in relation to marine operations and harbour undertakings within their control. The Chief Executive is responsible for the operational and financial control of the Harbour Authority. The Chief Executive and Commissioners are advised on all matters related to the Authority's statutory powers and duties by the Harbour Master, Officers and Safety Manager. The Chief Executive oversees the implementation of policies and decisions of the authority and has ultimate executive responsibility for the safety of operations and staff.

The Board of the Statutory Harbour Authority understands their statutory and common law duties, which include an obligation to conserve and facilitate the safe use of the harbour and an express duty to take such action as the Harbour Authority considers necessary or desirable for, or incidental, to maintenance, operation, improvement or conservancy of the harbour.

The Board of the Duty Holders is committed to undertake and regulate marine operations in a way that safeguards Poole Harbour, its users, the public and the environment. Consultations take place with those who work in and use the harbour to ensure that they are fully involved in the preparation of safety policies and procedures. Full and comprehensive risk assessments have been undertaken in respect of all activities and facilities within the harbour, leading to the development of a comprehensive Safety Management System for marine operations. Protection of the environment is recognised by general and specific duties to exercise functions in a manner which has due regard to nature conservation and environmental considerations.

The Commissioners will ensure that current plans are available to deal with emergency situations, and that the resources required to implement and exercise these plans are maintained.

The Board of the Duty Holders is committed to the continuous improvement of safety within Poole Harbour by the continuous development of policies, systems and techniques of risk control governed by an independent audit system.

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11.2 Navigational Safety Policy

Poole Harbour Commissioners (PHC) has a primary responsibility to facilitate the safety of navigation within Poole Harbour. To this end, it is Board policy that PHC shall:

1. Maintain an effective Navigational Safety Management System based on a continuing, formalised, assessment and mitigation of risk in consultation with harbour users.
2. Review regularly the effectiveness of, and if necessary, seek amendments to, its legal powers, Byelaws and Directions in respect of navigational safety.
3. Monitor and manage vessel traffic within the VTS Area to contribute to safety of life at sea, improve the safety and efficiency of navigation and support the protection of the environment by mitigating the development of unsafe situations.
4. Provide adequate patrol resources to enforce local, national and international regulations.
5. Provide adequate resources to escort vessels during busy periods as required.
6. Provide an appropriate level of pilotage service in accordance with the Pilotage Act 1987.
7. Provide a towage service based on formal risk assessment.
8. Prepare and publish hydrographic surveys.
9. Undertake maintenance dredging as appropriate.
10. Remove sunken vessels and other obstructions that are, or may become, a danger to safe navigation.
11. Ensure the provision of necessary aids to navigation within Harbour limits and maintain a close liaison with Trinity House the General Lighthouse Authority (GLA).
12. Promulgate effectively navigational, tidal and other relevant information to all harbour users as required.
13. Provide effective management and co-ordination in respect of the PHC's response to emergency incidents within its area of jurisdiction including publishing and maintaining emergency plans.
14. Ensure, through risk assessment that the licensing of harbour works takes due regard of the safety of navigation.
15. Take all reasonable measures to avoid damage to property and the environment.
16. Encourage all users and organisations in the harbour to take responsibility for assessing the risks involved in their events and activities, and for filing their own risk assessment.
17. Maintain harbour craft and marine department infrastructure and equipment to legal requirements and agreed industry standards.
18. Manage the assets of the Harbour Authority prudently having regard to the principle that all users of facilities should contribute through dues to the safe operation of the harbour.

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19. Protect the health and safety of its employees working in the marine environment, transiting passengers and individuals utilising the harbour for commercial or recreational pursuits.
20. Comply with the letter and also the spirit of relevant United Kingdom and international legislation and promote further measures as appropriate for the protection of health and safety for all who may be affected by its activities.

NOT CONTROLLED WHEN PRINTED

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11.3 Pilotage Policy

Poole Harbour Commissioners (PHC) is a Competent Harbour Authority (CHA) within the meaning of the Pilotage Act 1987 and publishes Pilotage Directions. These Directions define PHC's Pilotage District and the requirements for compulsory pilotage within it. They also lay down regulations under which Pilotage Exemption Certificates (PEC) are issued and administered within the Pilotage District.

PHC Board policy in respect to pilotage is to:

1. Ensure that the operation of the pilotage service is compliant with national regulations, guidelines and competency standards.
2. Recruit, employ, train, examine and authorise pilotage staff to national competence levels in full compliance with the requirements of the Pilotage Act 1987, Port Marine Safety Code and National Occupational Standards.
3. Keep under review its Pilotage Directions to ensure that they are based on formal risk assessment and are fully in accord with the current Navigational Safety Management System.
4. Promote close working relationships between Pilots, Harbour Control Officers, Pilot boat crew and Port Operations staff.
5. Maintain a competent and Authorised Pilotage Service.
6. Ensure Pilot boat crew are trained and certified in accordance with the requirements of the Small Commercial Vessel Code (MGN 280).
7. Ensure the Pilot boats operated by the Authority are surveyed and certified under the Merchant Shipping (Small Workboats and Pilot Boats) Regulations 1998 and the associated Small Commercial Vessel Code (MGN 280).
8. Maintain a fully supported Pilotage Service, able to respond to all properly notified pilotage requirements.
9. Keep the means of boarding and landing pilots under review to ensure that these operations are always undertaken as safely as possible.
10. Administer the PEC system to ensure that all PEC applicants and holders fully meet the requirements laid down in the Pilotage Directions.

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11.4 Hydrographic Policy

The safety of navigation is dependent upon the provision of relevant, up to date hydrographic information, delivered in a form most appropriate to each sector of the wide spectrum of Harbour and Port users.

To this end it is Board policy that PHC shall:

1. Undertake such hydrographic surveys as are necessary for safe and efficient navigation within Harbour limits.
2. Carry out a managed programme of hydrographic surveys of the seabed of the Poole Harbour from the landward limit to the seaward limit and bounded by the Mean High Water line.
3. Set and maintain programmes, standards and specifications for PHC hydrographic services, including the competency, training and continued professional development of appropriate personnel.
4. Provide Harbour and Port users with up-to-date, timely and accurate hydrographic information, and where appropriate on a commercial basis.
5. Provide continuous, timely and accurate tidal data.
6. Maintain hydrographic and tidal information.
7. Maintain a close liaison with, and provide relevant data to, the United Kingdom Hydrographic Office.
8. Represent the PHC's hydrographic interests nationally and internationally.

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11.5 Enforcement & Prosecution Policy

Poole Harbour Commissioners (PHC) the Harbour Authority is responsible under the Port Marine Safety Code for the effective enforcement of its Regulations, which are adopted in order to assist in managing the safety of navigation within the Harbour. In this Policy, enforcement comprises the promulgation of regulation and guidance, effective surveillance, incident investigation, and where appropriate formal warning and prosecution. Where appropriate, and where empowered to do so, PHC will prosecute offenders for committing offences, including those set out in the Harbours, Docks, Piers and Ferries Poole Harbour Revision Order 2012, the Merchant Shipping Act 1995 and in ancillary regulations, General Directions and Byelaws. To this end, it is Board policy that PHC shall:

1. Maintain through regular review, an effective regulatory framework, which is integrated with relevant national legislation and includes local regulation resulting from risk assessment, or as otherwise made necessary.
2. Ensure that PHC Regulations and associated guidance are widely promulgated.
3. Develop and maintain effective enforcement procedures, which comply with relevant national legal requirements and guidelines.
4. Develop and maintain effective investigation procedures for use in the event of a navigational Incident, which support PHC enforcement procedures, but also meet the requirements of the Navigational Safety Management System in respect of identifying and promulgating any 'lessons learned'.
5. Ensure that all staff involved in an incident investigation, or who are required to follow PHC enforcement procedures, receives effective and relevant training.
6. Maintain an effective surveillance and spot check regime, to monitor compliance with, and detect breaches of, relevant national and PHC regulations.
7. Respond to breaches of regulation, where justified by the evidence and other circumstances, using formal warnings and legal prosecution. The options are:
 - Education
 - Deterrent
 - Verbal warning
 - Written warning
 - Written request for full report with possible interview
 - Prosecution proceedings
8. When bringing prosecutions observe the Code for Crown Prosecutors and evidential Codes in so far as is appropriate.
9. Manage the progress of enforcement activities, including incident investigations and prosecutions, and the maintenance of appropriate records.
10. Endeavour to maintain sufficient craft on the water to regulate marine activities, to deter irresponsible users and to gather evidence for possible prosecution as required.

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11.6 Marine Training Policy

Appropriate and effective training and the associated competence of marine operations personnel are essential elements in the facilitation of navigational safety. To that end, and in compliance with the requirements of the Port Marine Safety Code (PMSC), Poole Harbour Commissioners (PHC), the Statutory Harbour Authority shall:

1. Adopt the competence standards for marine personnel associated with the PMSC or demonstrate that any standards adopted as an alternative are fully equivalent.
2. Ensure that adequate resources are made available to maintain the established standards of competence and training.
3. Assess the suitability of all persons appointed to positions with responsibility for safety of navigation to ensure the required competence standards are met.
4. Establish and maintain an appropriate and effective ongoing schedule of marine operational training for PHC staff.
5. Ensure that all marine based (PHC) staff are appropriately trained and qualified for the tasks they are likely to perform.
6. Facilitate and encourage exchange training and familiarisation between different marine operational disciplines as required.
7. Establish and maintain an effective ongoing schedule of emergency management and response training and exercises.
8. Establish a regular review and assessment programme for all marine training to ensure that standards are maintained, training is appropriate, relevant, cost effective and meets operational staffing requirements.
9. Ensure that appropriate training records are maintained.
10. Encourage a culture of personal development through training.

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11.7 Harbour Control (VTS) Policy

The Authority has a statutory duty, as well as a responsibility under the Port Marine Safety Code, to contribute to safety of life at sea, improve the safety and efficiency of navigation and support the protection of the environment within Poole Harbour and approaches (VTS area) by mitigating the development of unsafe situations. To achieve this PHC shall:

1. Establish and continually review the provision of a Vessel Traffic Service (VTS) based on the outcome of formal risk assessment.
2. Operate the VTS within national and international guidelines and legislation.
3. Ensure that VTS operators are trained to the appropriate UK national requirements and their qualifications are kept current and valid.
4. Establish operating procedures for VTS and for implementation of emergency contingency plans.
5. Carry out regular training and exercises for VTS personnel in operating and emergency response procedures.
6. Regularly review VTS operations to ensure that the service is harmonized with ship reporting, routing instructions, aids to navigation, pilotage and port operations as appropriate.
7. Report any apparent infringement of legislation using the Safety Management System.
8. Maintain appropriate standards of communications on channels assigned for VTS purposes.
9. Ensure that appropriate manning is available to provide the service taking into account appropriate guidance.
10. Ensure that equipment appropriate to the service is available, taking into account appropriate guidance.
11. Ensure that VTS personnel are vested with the appropriate authority and delegations to fulfil their duties.
12. Periodically audit and review the performance of port VTS in accordance with appropriate guidelines, recommending and facilitating improvements where necessary.
13. Publish details of the VTS, including the details of radio watches, designated frequencies and hours of operation in the appropriate nautical publications.

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11.8 Moorings Policy

Poole Harbour Commissioners (PHC) is the moorings licencing authority for Poole Harbour. To this end, it is Board policy that PHC shall:

1. Manage Poole Harbour moorings in accordance with Articles 9, 10 and 11 of the Harbours, Docks, Piers and Ferries Poole Harbour Revision Order 2012.
2. Continue to licence all the moorings in the Harbour, negotiating with Crown Estates as required.
3. Demand stricter requirements by way of evidence of appropriate insurance and adequate maintenance from all private mooring holders.
4. Require a statement from all yacht clubs, mooring contractors and trusts to the effect that they have adequate insurance and undertake appropriate maintenance.
5. Phase out deep-water private swinging moorings by natural wastage, offering the tenancy of a contractor's mooring subject to availability.
6. Reduce shallow water private swinging moorings by natural wastage but continue to allocate a limited number of new mooring holders at the Harbour Master's discretion to fill some of the vacancies created by default or through relinquishment by the owner.
7. Phase out moorings in environmentally sensitive areas.
8. Limit moorings in recreationally busy areas and reduce in number or re-locate where appropriate.
9. Encourage shore side pontoon berths in appropriate locations.
10. Continue to take a firm stance on unauthorised and unmarked moorings in the harbour.
11. Move private moorings by mutual agreement into 'private blocks' for ease of monitoring and inspection.
12. Not allow any further private moorings in the quiet areas of the harbour.
13. Levy a differential charge for unoccupied moorings.
14. Assume first option to buy a block mooring business from the owner on a commercial basis when they wish to sell.
15. Seek to make more effective use of appropriate deep-water areas for deep water moorings.
16. Monitor and review the Moorings Policy and numbers on a regular basis with a view to enhancing recreational boating opportunities having due regard to safety, the environment, availability and demand.

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11.9 Wrecks Policy

Poole Harbour Commissioners (PHC) has a primary responsibility to facilitate the safety of navigation on Poole Harbour which includes the removal of sunken vessels and other obstructions that are, or may become, an impediment to safe navigation. To this end, it is Board policy that PHC shall:

1. Be governed by Section 252 of the Merchant Shipping Act 1995 and articles 19-22 of the Harbours, Docks, Piers and Ferries Poole Harbour Revision Order 2012 in the event of a vessel becoming a wreck in or near the approaches to Poole Harbour limits that involves the process of wreck removal.
2. Exercise their wreck marking and removal powers where, in their opinion, a wreck is, or is likely to become, an obstruction or danger to navigation.
3. Have regard to the environment in the exercise of these powers.
4. Ensure a risk assessment is undertaken for any wreck in, or near the approaches to Poole Harbour. Poole Harbour Commissioners powers to raise, remove, destroy or mark a wreck which is, or is likely to become, a danger to navigation will be exercised having regard to that assessment, with the aim of reducing the risk to as low as reasonably practicable.
5. Inform the UKHO of wrecks within Harbour limits.
6. Consider taking possession of, raise, remove, or destroy the whole, or any part of the vessel, and any other property to which the power extends.
7. Light or buoy the vessel until it is raised, removed, or destroyed.
8. Subject to various restrictions, sell the vessel or part of the vessel so raised or removed and any other property recovered during the exercise of the above powers.
9. If a vessel is abandoned, or if the owner has made no valid attempt to remove a vessel that has been sunk or stranded, consider acting to raise or remove or destroy the vessel if it is an obstruction or danger to navigation or to lifeboats engaged in the lifeboat service.
10. Ensure there is a well-documented reason for the Authority to require the removal of the vessel.
11. Ensure that ownership of the vessel is established beyond any doubt or evidence obtained to show that the vessel has been abandoned.
12. Ensure notice is given to the owner (if known) or posted on the vessel or in a public place that the Authority intends to take possession of the vessel and raise, remove or destroy it (so that the owner has a reasonable opportunity to remove the vessel).
13. Ensure any sale is advertised in the local press.
14. Ensure where the wreck has not sunk, and is still visible, a photographic record of the vessel's condition will be made before any attempt is made to salvage it.
15. Ensure if the vessel is beyond the salvage or dispersal capabilities of Poole Harbour Commissioners, a reputable salvor or wreck removal contractor will be engaged to carry out the work under a recognised wreck removal contract.

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16. Ensure the contractor has suitable insurance to cover any residual liability.
17. Ensure any such salvor or wreck removal contractor will be asked to submit a detailed salvage plan covering:
 - the method of raising the vessel.
 - arrangements for limiting environmental damage.
 - if pollution does occur, how it will be dealt with.
 - agreed delivery location/beaching site/drying berth.
 - diving operations connected with the salvage operation, and an assurance that they are to be carried out in accordance with diving regulations.
 - a suitable plan for the final disposal of the vessel, whether this involves sale of the entire vessel or part thereof.
18. Advise the MCA if any salvage involves the possibility of marine pollution.
19. Liaise with the Receiver of the Wreck Department of the MCA as required.
20. Ensure periodic surveys will be carried out to check the position of dangerous wrecks.
21. Ensure this Policy will operate within the relevant statutory and regulatory framework relating to wrecks, in force from time to time.

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11.10 Dredging Policy

Subject to continued compliance with the Poole Harbour Commissioners Maintenance Dredging Protocol (MDP) and the Environmental Policy Statement (EPS) PHC shall:

1. Continue a policy of hydrographic monitoring of the whole Harbour, using this information to inform adjustments and revisions to harbour marks for the safety and convenience of all users.
2. Recognise the need for maintenance dredging within active berths and marinas. Poole Harbour Commissioners will support dredging regimes undertaken where necessary to maintain acceptable depths for the safety of commercial shipping within the Harbour.
3. Exercise their powers to undertake maintenance dredging of the main navigation channels within Poole Harbour to acceptable and published depths. These channels include the Swash Channel, Middle Ship Channel, Turning Basin and Little Channel.
4. Support proposals to improve facilities for shipping and increased trade through capital dredging.
5. Continue to grant licences to operators of marinas, havens and other facilities, to carry out necessary maintenance dredging from time to time. Licences will be granted on the basis that operators will fall in line with the MDP, accompanying Sediment Management Plan (SedMP) and obtain any other approvals as required.
6. Ensure as far as possible that “minor” channels are maintained in a manner to allow their continued safe use by vessels of a similar nature and size to those at present using them. This will be achieved by increased monitoring and adjustment if appropriate and by minor dredging subject to statutory approvals. Channels considered most likely to fall into this category are North Channel, Wych Channel to Pottery Pier, Wareham Channel to WH12 Buoy, Rockley Channel to Rockley Point and the Backwater Channel upstream of ‘Twin Sails’ bridge.
7. Remain aware that there are farmed shellfish beds within certain areas of the minor channels mentioned above. It is likely that they are contained in areas not susceptible to accretion. However, these sites will be monitored with the SedMP adjusted as considered necessary.

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11.11 Environmental Policy Statement

Poole Harbour Commissioners' mission statement is to promote the safe and sustainable use of Poole Harbour, balance the demands on its natural resources, develop strategic infrastructure, work closely with our stakeholders, support the safe management of appropriate activities within the Harbour and work strategically with key agencies in order to manage the Harbour in a sustainable and responsible manner whilst maintaining a sustainable and commercially viable medium sized trust port.

The Commissioners are committed to continuous improvement of their environmental performance by fulfilling their duties relating to conservation, regulation and enhancement of the port and harbour of Poole and complying with relevant legislation.

In implementing this policy, the Commissioners shall ensure that they:

Environmental Management

- 1 Endorse the principles of best practice.
- 2 Assess and mitigate environmental risks for all aspects of the Commissioners' operations.
- 3 Include measurable environmental objectives and targets in business plans.
- 4 Conduct regular management reviews and audits to identify areas for improvement.
- 5 Adhere to the PHC procurement policy.
- 6 Record all significant environmental occurrences.
- 7 Publish environmental performance in an annual environmental review.

Resource Management

- 1 Continue to monitor and where possible reduce resource consumption.
- 2 Seek opportunities to apply innovative technology to reduce emissions and energy consumption.

Waste Management

1. Continually assess recycling, re-use and waste minimisation opportunities.

Communication & Training

1. Communicate with employees, contractors, regulators and the general public to ensure people are aware of their roles and responsibilities and are competent in performing them.

Pollution Prevention and Control

1. Ensure that contingency plans and controls are in place and regularly reviewed and tested, to endeavour to prevent spills of oil, chemicals or potentially contaminating materials.
2. Apply best available technology, without involving disproportionate costs, to plant acquisitions, facilities and activities to advance pollution control and emissions reduction.
3. Pursue good house-keeping policies to ensure tidiness on the Port Estate.
4. It is the Commissioners' policy for the 'polluter' to pay for the cost of clean-up and disposal following land and marine based incidents.

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11.12 Consultation Policy

Both the Guide to Good Governance and the Port Marine Safety Code emphasise the importance of effective consultation by all Harbour Authorities with all stakeholders and beneficiaries. This includes all those who work in the harbour in some way, as well as those that represent them.

It is therefore Board policy that PHC shall publish matters of relevance to, and encourage comment and contribution from, stakeholders and beneficiaries.

In particular, PHC shall:

1. Consult as early as is practicable with stakeholders and beneficiaries when changes to PHC legislation and policy are being considered.
2. Consult widely with port and harbour users and other relevant stakeholders in respect of navigational safety issues and proposed changes to navigational arrangements.
3. Include appropriate PHC staff in the consultation process.
4. Include appropriate practicing Harbour users in the ongoing work to identify navigational hazards, assess the risk of such hazards and recommend appropriate control and mitigation measures.
5. Provide regular feedback on the Authority's performance, in particular its compliance with the Port Marine Safety Code, to all stakeholders and beneficiaries.
6. Publish an annual review of PHC activity and achievements.
7. Publish policies, plans and periodic reports that may be required to demonstrate compliance with standards.

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