

THE EVOLVING ROLE OF THE DESIGNATED PERSON ASHORE

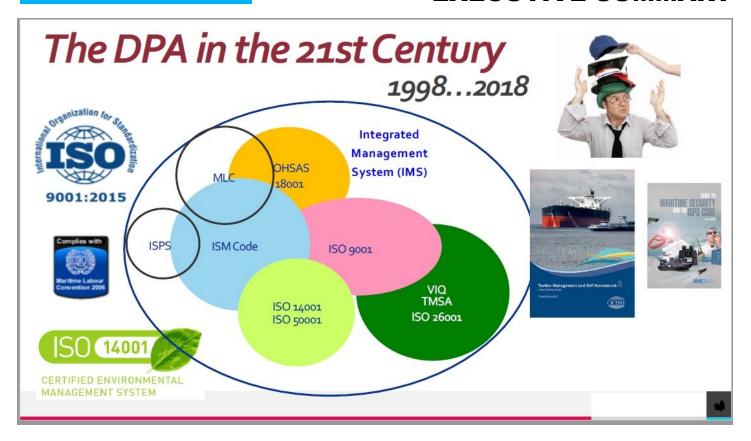
The challenges that lie ahead



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EXECUTIVE SUMMARY



The International Safety Management Code (ISM) was the catalyst for the creation of the Designated Person Ashore (DPA) defining the contact point between the shore management and the ship. This person should be responsible for monitoring not only the safe and efficient operation of a ship but also the organisation of safety audits, the reporting of deficiencies and the monitoring of corrective actions. But from the inception of a the role – created by the British following the 1987 capsizing of the Herald of Free Enterprise ferry outside Zeebrugge – has also prompted much discussion about how this person/function should fit into a maritime organisation.

Health and safety, the cornerstones of a modern industry and the markers set in stone for maritime operations at every level. This is a new era for the maritime world and with increasing regulations bringing everyone into a unified way of working, it means greater attention to detail in these areas is essential for smooth operations. With this in mind, the role of caretaker or the person designated as the 'keystone' in these matters is of great importance. That person is the Designated Person Ashore (DPA) and the role is now even more important than ever.

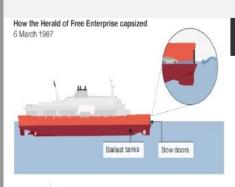
The creation, management and support of a Designated Person Ashore are essential to not only comply with the ISM Code but also to maintain a working regime onboard a vessel that is both safe and environmentally compliant. The role needs to be taken seriously and given the support of the company as the effects of their work can have a direct influence on operations and financial performance. It should also be noted that compliance with the International Safety Management Code (ISM) is a condition for insurance cover.

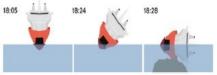
So the role of the DPA assumes even greater importance in light of all these issues. It is a role that has to give the DPA access to the highest levels of management for it to be seen as an effective role. It is also the reason that both class and flag administrations need to have greater auditing of the role and operations of DPAs in the maritime industry.

New Role

Why?

80's - 90's





- · Ballast tanks still
- · Bow doors left open
- - Water pours into car deck · Ship becomes unstable
- causing it to capsize

Source: Department of Transport formal investigation, 1987

BBC

· Water floods whole ship

The first idea of a DPA.

The Management of Townsend-Thoresen, was held accountable for the failure in the management of safety of its ferries and it was estimated that a person particularly designated to deal with the problems of safety in the company was

This failure was regarded as one of the causes of the accident. This was perhaps the case in this company, but in the majority of the other shipping companies, a marine superintendent - with assistant for large companies - was traditionally the "Safety Officer" in charge of all the problems related to the safety of ships and to safe operations.

The General Management of TOWNSEND THORESEN reorganized its management structure after the trial and named an Operation manager as





Scandinavian Star Fire Incident:

- Many people probably did not hear the alarms due to distance between their cabins and the alarms, and due to ordinary mechanical noise of the ship systems.
- Some people probably could not find their way out because of thick smoke obscuring the exit routes and signage.
- Burning melamine panels in the hallways produced poisonous hydrogen cyanide and carbon monoxide, causing rapid unconsciousness and death.
- Numerous Portuguese crew members did not speak or understand Norwegian, Danish or English, were unfamiliar with the ship, and had never practiced a fire drill.
- Only a few crew members even thought to put on breathing masks before entering smoke filled corridors.
- On Deck 5, where most passenger deaths occurred, the hallways were arranged in a layout that contained dead-ends and did not otherwise logically lead to emergency exits.

Why? Another Incident

The birth of the ISM CODE

- The concept of the Designated Person Ashore presented by the British had problems to integrate in the successive resolutions of IMO on the management of safety.
- Once again it is a dramatic accident, the fire on board "SCANDINAVIAN STAR" in April 90 with 158 casualties, which rushed towards passing Resolution A 680 in 1991 followed by Resolution A 741 in 1993 which led to the birth of the ISM Code as we know it.
- The concept of the Designated Person Ashore was supported by the British and was finally presented and agreed in its current form by the working group on the ISM then by the MSC and finally by the 17th assembly of IMO in 93.
- The ISM Code entered into force on July 1st 1998.

INTRODUCTION

This white paper aims to guide, advise and illustrate the role and key tasks of the Designated Person Ashore. Sometimes it is the little things that make the difference between success and failure and the more information and attention to the details, the greater the chance the DPA will perform diligently and safely to benefit all.

The role of a Designated Person Ashore is defined by the International Safety Management (ISM) Code which provides an international standard for the safe management and operation of ships and for pollution prevention. The origin of the Code goes back to the 1980s when there was increasing concern about



the poor management standards in shipping. This resulted in the ISM defining the role of the DPA: "To ensure the safe operation of each ship and to provide a link between the Company and those on board, every Company, as appropriate, should designate a person or persons ashore having direct access to the highest level of management. The responsibility and authority of the designated person or persons should include monitoring the safety and pollution prevention aspects of the operation of each ship and ensuring that adequate resources and shore-based support are applied, as required."

Chapter IX of the International Convention for the Safety of Life at Sea (SOLAS) requires compliance with the ISM Code and in 1998, the ISM Code became mandatory for three types of vessels

- Passenger ships including passenger high-speed craft on international voyages
- Oil tankers, chemical tankers, gas carriers, bulk carriers and cargo high-speed craft of 500 gross tonnage and upwards on international voyages
- Other cargo ships and mobile offshore drilling units of 500 gross tonnage and upwards on international voyages

You may already have a DPA and be aware of their skills and how they navigate through the myriad of maritime regulations to ensure your vessels are operation safely and in compliance with all the regulations. It is here the true worth of the DPA comes into effect: they provide the relevant structure and informed support to create and operate an efficient and effective Safety Management System on board a vessel. These issues have taken on a greater importance, particularly in regard to working with Port State Control (PSC). Now the role of the DPA encompasses not only the vessels they are directly responsible for but also the developments and introductions of integrated management systems, new technology and increasing maritime regulations that are placing more responsibilities on them.

The role and their work is required by The International Safety Management (ISM) Code - an international standard for the safe operation of ships and pollution prevention. - The work is carried out regardless of the date of construction and the ISM Code is for all commercial vessels over 500gt. The DPA is designated to ensure a reliable connection between the company and the crew and to supervise the safe operation of the vessel.

So the role of the DPA has grown and so have the responsibilities. If you are operating any vessels that require the employment of a DPA, then now is the time to ensure you are up to date with every aspect of the DPA's role.

EVERY ANGLE

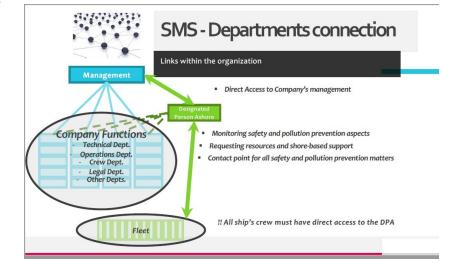
The role of a Designated Person Ashore is defined by the International Safety Management (ISM) Code which provides an international standard for the safe management and operation of ships and for pollution prevention. These tasks, which include both continuous and remote monitoring of related issues means a DPA requires an excellent knowledge of the operations they are supervising. There is considerable debate as to whether a Master mariner, marine engineer or ship management professional makes a good DPA but in reality, it is the attention to detail along with knowledge of the issues and regulations that matter most.

The ISM Code has established safety-management objectives and the creation of a safety management system (SMS) by the owners of vessels is a statutory requirement. This is then the policy for dealing with safety and pollution issues onboard vessels and defines the role of the DPA. Every owner (usually in these cases referred to as the company) is expected "to designate a person or persons ashore with direct access to the highest level of management" in order to provide a link between the company and those on board. To ensure this is maintained, all the procedures relating to the Code are expected to be documented and compiled in a Safety Management Manual, a copy of which should be kept on board.

It is from here that the true role of the DPA comes into effect: they are responsible for maintaining the link between the ISM Code and the safe and environmentally compliant operations of the vessels under their remit. The DPA needs to have the qualities and skills to interact with every member of the crew, the owners and captain of the vessel. The role requires the DPA to:

The role requires the DPA to:

- Act as an advisor and supporter, not as a policeman
- Have the ability to assess, judge and motivate
- Be independent, precise and thorough
- Be prepared to take challenges
- Remain calm in a crisis
- Be sensitive to different cultures
- Recognize the crew's limitations
- Create a sense of communityteam player



- Possess time Management and organization skills
- Have integrity
- Manage changes and stay abreast with the professional trends affecting the maritime sector

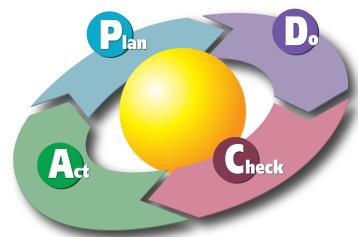
THE ISM CODE

The DPA's role is clearly outlined in the ISM Code in three main areas/duties:

- 1. The company shall designate a person who shall be responsible for monitoring the safe and efficient operation of each ship with particular regard to the safety and pollution prevention aspects:
- In particular, the designated person shall;(a) take such steps as are necessary to ensure compliance with the company safety management

system on the basis of which the Document of Compliance was issued; and

- (b) ensure that proper provision is made for each ship to be so manned, equipped and maintained that it is fit to operate in accordance with the safety management system and with statutory requirements.
- 3. The company shall ensure that the designated person:
 - (a) is provided with sufficient authority and resources; and
 - (b) has appropriate knowledge and sufficient experience of the operation of ships at sea and in port, to enable him to comply with paragraphs (1) and (2) above.



In simple terms the DPA ensures the safe operation of each vessel they are responsible for; monitors both the safety and the pollution-prevention operations and is the link between the Company (the owner/management of a vessel) and those working onboard the vessel. This is not a role that is a paper-one with just a nod towards compliance. This is a serious role with serious responsibilities and the DPA has an important part to play in a wider context such as Port State Control, seafarer welfare and financial issues related to their work.

What should be noted is that the role of the DPA is not totally set in stone: it is both understandable and acceptable that the functions of the designated person can be flexible in regards to the types and sizes of shipping companies and how the ISM code is relevant to all. One example is in operations with integrated systems where the role of the DPA changes to encompass the tasks of a Quality and HSE manager in these cases. There is a need for flexibility on behalf of the DPA in relation to the role, particularly when it comes to new regulations and the increasing importance of PSC controls.

This process of reporting and record-keeping is an established practice in the maritime world and it is the responsibility of the DPA in the event of an accident to demonstrate that "due diligence" was carried out in the operations. In any cases involving serious issues the DPA must transmit to the head of company, in line with the ISM Code, significant information related to the possible causes of any accidents.

THE ISSUES

Health & Safety

The DPA works in conjunction with The Safety Management Manual, which is vessel specific and contains instructions and information for the safe and efficient operations of the vessels in their remit. This means a DPA needs to oversee the operation of the vessel to ensure that proper provisions are made so that the requirements of the manual are complied with. This requires accessibility 24 hours a day and the DPA's contact details should be known by all crew and posted in an easily accessible and public place.

This is particularly important when it comes to injuries to crew members during usual work routines. Then the DPA must be contacted as soon as possible as it is their responsibility to ensure various organisations are notified – these include the insurance companies and the flag administration for the vessel in question.

Port State Control

Dealing with Port State Control means understanding that although they tend to register all defects under ISM compliance, there are a host of regulations that need to be taken into account and related to the vessel's operations. This is a strong challenge for any DPA but technology provides solutions and accurate record-keeping and access to real time information and digital records can make the role of a DPA lot simpler. Yet there are still emerging technologies such as Blockchain and cyber security issues that will present future challenges. The role of the DPA is constantly evolving.

The operational and financial implications of falling foul of Port State Control (PSC) can be very damaging. With an increasing series of new regulations covering such issues as waste ballast water and the IMO's low sulphur fuel in 2020, the role of PSC has also expanded and they are concentrating on ISM related deficiencies as a matter of course. One of the main concerns is that even though the application of the ISM Code is being practiced onboard a vessel, Port State Control can still take action if they believe (and can link) a lack of maintenance to the spirit of the Code. It is here the DPA has a vital role in ensuring the systems are up to date and the procedures followed diligently.

ONGOING VIGILANCE

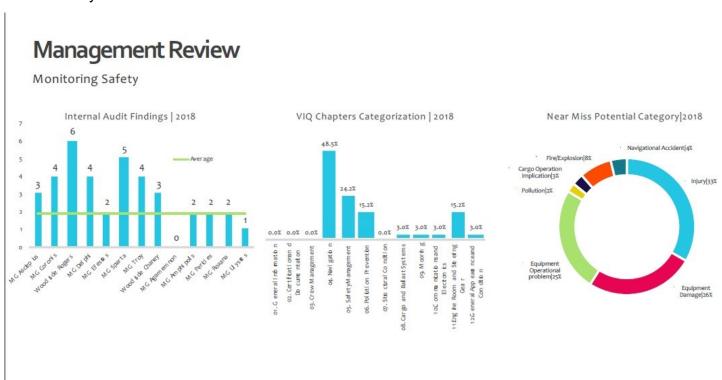
There is no confusion in the role of a DPA: they are the link between the vessel and the shore as clearly identified by the ISM Code. Before a vessel leaves port it is the duty of the DPA to have checked the maintenance regime and be aware of any issues that might affect the vessel's operations at sea – and in port. The buck stops here is the old defence and with the DPA it starts with them even before the vessel has set sail. Avoiding Port State Control detentions is a serious demand from ship owners and operators, hence the need for the DPA to have complete authority over their roles and the scope of their responsibilities.

"Where the ISM Code is embraced as a positive step toward efficiency through a safety culture, tangible positive benefits are evident" International Maritime Organisation (IMO)

A DPA is far more than simply a monitor and guardian of the operational aspects of a vessel. Increasingly insurance companies are demanding that compliance with the ISM Code is a condition for insurance cover. This makes the DPA's role even more crucial in the overall operational sphere. There may be some resistance from established crews and operators about changes needed to be in compliance with the ISM Code but the DPA must be in full control of these matters to ensure they are carried out. This also means complying with all statutory requirements of the flag state relating to safety management and the validity of ISM certificates, ISPS certificates, and other such certificates issued by or on behalf of the flag state in relation to such requirements.

Detentions in port lead to costly delays and the DPA is charged with ensuring these are not due to the lack of compliance with any aspect of the ISM Code or poor maintenance, all deficiencies that are monitored by the PSC.

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THE DPA IN OPERATION

The link between the DPA and the management of the vessel must be clear from the outset. They must be able to contact the CEO for a problem which cannot be solved at a lower management level and all matters related to these communications need to have proof and evidence of transmission such as an email, recording or a letter. In these aspects the DPA must be available round the clock. It is a demanding role but a vital one in the management of the ship's operations.

The role of a DPA has acquired significantly more importance in PSC regimes but the commercial implications covering insurance and health and safety are also vital elements of the DPA's continuous monitoring. The DPA will work and interact with a host of stakeholders from the Master of the vessel through to technical superintendents, flag inspectors, charterers, surveyors, class societies and the all-important Port State Control officials.

Ship owners and managers frequently refer to the role(s) of DPA as 'challenging' and it is not hard to understand why: it is a complex role encompassing multiple strands of monitoring and inspection; a role that requires an excellent knowledge of maritime regulations, safety issues and an ability to liaise at the highest levels of the organisation both on land and at sea. As the role has matured in the past 30 years so have the responsibilities and it is not unusual for a DPA to take on the role of Company Security Officer (CSO) as under the International Ship and Port Facility Security Code (ISPS), every shipping company is required to appoint a company security officer, who would take care of the ship's safety and security.

Although port inspections and maintenance regimes are not directly the responsibility of the DPA there is more than a passing acknowledgement of these issues when accepting the linking role of the DPA with senior management. In this regard the DPA should have a strong ally in the form of the Master of the vessel and the very top echelons of management. An experienced DPA can bring in financial benefits, operational efficiencies, relief from legal tangles and dramatically improve the image of the company and its vessels. It is a role that needs considerable investment in finding the right person because it is a role that is vital to the efficient management of a single vessel or fleet.

The DPA has a number of tools at their disposal to carry out their roles:

- Via visits/inspections on board during calls or trips
- The follow-up of shipboard recordings as safety drills reports
- Familiarisation recordings
- Maintenance and periodic tests of all ship's equipment
- Safety and training meetings
- Orders for repairs or spare parts
- Captains reviews and internal audits (as control measures)

The challenges facing a DPA

Any idea of a closed culture is not in the mind of DPA. They require and need complete access to every management level in the organisation.

Anything that can affect the performance, regulatory compliance, health and safety of the ship and crew pose serious concerns to the DPA.

Recent studies into the role of a DPA have illustrated how important management sees the effectiveness of their work. A big challenge is the respect and importance given to the DPA by the ship's crew and Master: reports are taken seriously and justifying their work to these stakeholders means displaying the in-depth knowledge required of the role.

There is also the risk of prosecution and claims of neglect arising from an accident, which is why close co-operation with the technical department is a vital element of the successful application of the DPA's duties. By their nature shipping companies are of different sizes, structures and operate within different maritime sectors. Their needs are different and the DPA needs to be flexible in thought and process without losing sight of the required knowledge and experience in fulfilling the role.

Duties & Responsibilities of the **DPA**

In summary the role of the DPA should encompass the following:

Monitoring & Supervision

- Adherence to Policy
- Performance of the Safety Management System (SMS)
- Follow-up SMS developments with the management
- Evaluation of internal audits
- Evaluation of Masters' Review
- Evaluation corrective actions
- Evaluation of near misses, incidents and accidents
- Monitoring legal and technological developments and information of management and vessels
- Communication with management and vessel

Development & Maintenance

- Development of the Ship Management System (SMS)
- Maintenance of the Safety Management Manual
- Implementation of the SMS
- Performance of Internal Audits
- Organization of external audits
- Preparation of management reviews
- Defining corrective actions
- Organization of safety training and contingency exercises
- Safety Administration

THE DPA QUALIFICATIONS

DPA qualifications, training and experience as set out in MSC — MEPC.7/Circ. 6

Educational Background

To be able to carry out the assigned responsibilities effectively, an individual must have a proper educational background, wherein he/she will be able to gain knowledge of health and safety regulations.

This can be done by acquiring qualifications

1.from a tertiary institution recognized by the Administration or by the recognized organization, within a relevant field of management, engineering or physical science, or 2 qualifications and seagoing experience as a certified ship officer,

or

3 other formal education combined with not less than three years practical senior level experience in ship management operations.

Personal Qualities and Skills

- Act as an advisor and supporter, not a policeman
- Ability to assess, judge and motivate
- Independent
- Precise and thorough
- Prepared to take challenges
- Remain calm in a crisis
- Sensitive to different cultures
- Recognize the crew's limitations
- Create a sense of community-teamplayer
- Time Management and organization skills
- Integrity
- Manage changes, stay abreast with the professional trend



SUMMARY AND

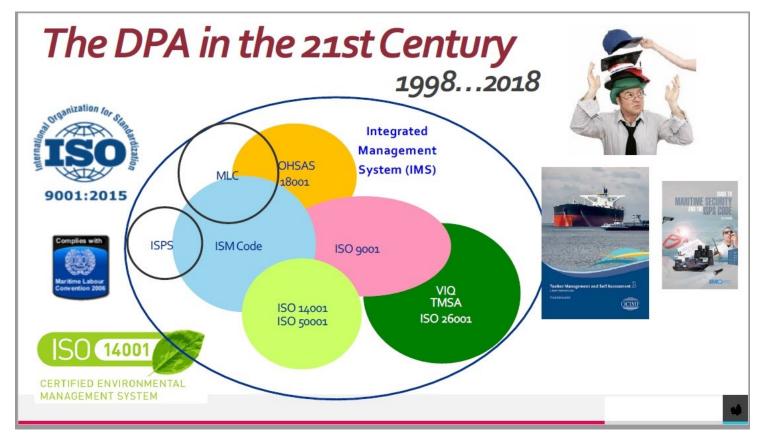
CONCLUSION

An experienced and knowledgeable Master of a vessel is essential in any maritime operation. If the Master is the natural representative of the DPA onboard his ship, then it is only right that the importance of both that role and that of the DPA to the efficient, safe and compliant running of a vessel be appreciated.

The pressures on the operations of vessels in the 21st Century are far more demanding than they were even 20 years ago. The IMO has set out new standards and regulations covering a broad sweep of the maritime industry and DPAs needs to be aware of these and how to ensure the ships under their control are compliant.

The pressures brought to bear by the demands of Port State Control are respected but they need to be managed by the DPA to keep vessels operating without detentions for what can be minor infringements. It is vital therefore to employ a Designated Person Ashore that understands the maritime industry, can navigate the often complex regulations that are in place (and about to come) and can devote a detailed mind to ensuring a vessel never leaves port without the correct procedures in place.

In the new world of technology, environmental and health and safety cultures, the importance of a highly qualified, experienced and diligent Designated Person shore should not be underestimated. The right DPA may be hard to find but the payoff is exceptional in keeping the organisation, vessels and crew





SHIP

AGENCY AND SHORE SUPPORT

GMCG provides flag approved courses for the roles of Designated Person Ashore and Chief Security Officer. We also provide management system consultancy for setting up Safety Management systems, Integrated Management systems and OHSAS standards compliance. GMCG offers software support for planned maintenance systems, third party audits and assessments with global logistic support for vessel inspections and shore support with our MARINE STAR Loyalty program, which is ideal for DPAs and ship managers.

Services

At GMCG we pride ourselves on our exceptional level of service and fastidious attention to detail. Our Ship Support Division is ready to be mobilised around the world to offer class-leading maritime support covering:

- DPA
- Representation of charterers' or owners' protective interests
- Crew and owners' representatives
- ♦ Immigration and medical assistance
- Vessel operations: support for repair, surveys and docking
- Port captaincy and port engineers
- Supplies: bunkers, fresh water, stores and provision
- Supply and forwarding Clearing and forwarding
- Port clearance



Established in 1988, Global Maritime Consultants Group (GMCG) provides expert technical, legal, training and management consultancy for diverse stakeholders in the shipping and offshore sectors.

With offices and agents in over 100 cities and ports around the world, we serve national and international clients from ship builders, owners, agents and seafarers, to offshore operators, to bankers, underwriters and lawyers with an extensive portfolio of professional maritime services.

Our Mission Statement remains:

To uphold exceptional quality of service in delivering progressive and exact professional, technical and operational solutions to the maritime industry.

Values:

MOTIVATION

Supporting all our people to bring energy and enthusiasm to their daily work

OWNERSHIP

Empowering all our people to take ownership of their actions and sharing the fruits of success.

VALUES

Encouraging and rewarding honesty, loyalty, hard work and sincerity.

ENTERPRISES

Empowering and rewarding innovative thinking, and drive to design and deliver services that exceed customer expectations.

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