

Unite Response to the Boatmaster Licence Amendments Consultation

1 Summary

- 1.1. Unite is the UK's largest trade union with over 1.3 million members across the private and public sectors. The union's members work in a range of industries including manufacturing, financial services, print, media, construction, transport, local government, food, agriculture, education, health, not for profit and of particular relevance to this submission, the docks, rail, ferries and waterways sectors.
- 1.2. Unite is disappointed that the consultation period for the Boatmasters Licence Amendments was reduced to 6 weeks rather than the 12 weeks formerly employed.
- 1.3. Nevertheless, after UK wide consultation amongst our membership we have been able to make the following representation to the Maritime and Coastguard Agency (MCA) in respect of the review of the Boatmasters Licence (BML) regulations that were laid before Parliament in December 2006.
- 1.4. The union is disappointed that the development stage of this review did not include the input from the full range of stakeholders formerly enjoyed by the original development and seeks to comment that any future review should include all social partners, including trade unions, at the developmental stage.
- 1.5. Whilst Unite welcomes the opportunity to be constructive in its response to this consultation, it is noticeable that there are a considerable number of areas which it cannot agree to as they would have the potential to undermine the safety of its members working in these areas.
- 1.6. Unite does not believe there should be any fast track method to obtain a BML or that the standards currently in place should be relaxed in anyway, especially on the Thames and other often fast flowing congested waterways.
- 1.7. Unite recognises the reasoning for this review but believes that rather than watering down standards to allow for a greater amount of flexibility, standards are already at a minimum safe standard.
- 1.8. In the absence of any evidence to suggest problems exist currently, Unite is concerned that including re-testing on revalidation of the Port of London Local Knowledge Endorsement will result in its members leaving the industry, taking roles of reduced responsibility or failing to revalidate and threatening their employment.

2 Consultation questions

Q.1A Would a T2L2 licence be sufficient for masters operating between Teddington Lock and Putney Bridge? If not, please give reasons.

- 2.1. The proposed Tier 2 Level 2 will not be appropriate for the Thames between Teddington and Putney Bridge for the following reasons;
- This stretch has the lowest bridges on the tidal Thames.
 - This part of the river is the shallowest of all the tidal Thames.
 - This area is most affected by land water variations.
 - The upper reaches are the narrowest yet the same vessels navigate there as do in London
 - Leisure use in the upper tidal reaches is increased, resulting in increased hazards for commercial operators.
 - Our members believe that these upper reaches are the most challenging to navigate given the conditions above which restrict movements due to the small operational tidal window.
 - Emergency response to a paralysing attack on the transport network in London would be reduced given the inability of vessels in the upper reaches to react.

Q.1B Should T2L2 qualifying service times be determined by examiners on a case by case basis as per existing T2 requirements or should QST be specified within the Regulations?

- 2.2. Without specific qualifying service times the MCA will not retain the integrity and transparency required of a national system.

Q.8A Do you think the Port of London local knowledge should area be extended down to Lower Hope Point? If so, please state reasons.

- 2.3. The Port of London Authority local knowledge endorsement area should be extended down to Lower Hope Point. The Port of London is one of the busiest in Europe with over 50 million tonnes of cargo transported each year, most of which is handled below Margaret Ness. Some of the most regrettable tragedies to occur on the Thames took place below Margaret Ness.
- 2.4. Extending the local knowledge area downstream would increase the Thames' ability to react to major emergencies as those qualified down river will be able to bring vessels to central London.
- 2.5. The Port of London area should also be extended upstream to include the tidal Thames to Teddington for the reasons outlined earlier.

Q.31A Do you agree that masters undertaking specialist operations on fast craft should be required to obtain both a fast craft plus a specialist operations endorsement?

- 2.6. Unite agrees that there should be the requirement that both endorsements are needed.

Q.31B Should masters holding a fast craft endorsement, also undertaking another specialist operation be issued with separate endorsements upon revalidation based on proof of

service? If so, would 30 days in the last 5 years prove they had the skills and experience needed?

- 2.7. Unite believes that there should not be a way to avoid the requirement for both endorsements and when a master needs to be revalidated, proof of 30 days service in the last five years would be acceptable. Unite believes however, that the most recent incident when these skills were utilised should have occurred in the last twelve months.

3 Other Points to raise

- 3.1. Port of London Authority Local Knowledge Endorsement Revalidation

3.2. Unite believes that the Boatmaster's Licence was intended to bring a consistent, level playing field to inland waterways qualification in the UK. To insist on examination questions at revalidation for just the Thames area victimises members working there. There is no evidence to suggest that re-examination is necessary, especially considering the cost to the public purse. All other UK Boatmasters, Pilots, STCW Masters and officers of the watch are not asked questions on re-validation of their qualifications. The MCA should consider the upcoming round of re-validations based on qualifying service in line with the regulations as they currently stand. To change the way revalidation occurs just a few months before it is due is unreasonable as Thames Captains are not sure where they have to revise for, how much work is required and in which areas. This would at least help provide the workforce needed for the Olympics.

3.3. Unite believes that the MCA are wrong to apply new rules before the consultation process has ended as this invalidates the whole basis of consultation. Qualifying service time working on the Thames and local knowledge area should be sufficient for revalidation of local knowledge. Unite believes that there is a chance that due to the rushed introduction of revalidation exams, it is likely that the labour pool will be massively reduced for the Olympic year, a year that is planned to be one of the busiest in the River Thames' history. The fact that only the Thames' Boatmasters will require re-examination indirectly suggests to river users that this is a dangerous way to see London. This will also send a message to the rest of the UK that working on the Thames is more dangerous than inland waters elsewhere in the UK. Unite feels that such a statement would discourage a transfer of labour to the Thames on the eve of an Olympic year.

4 Abolition of the BML working group

4.1. Unite is concerned that the MCA has not sought to consult with all of its social partners in the development of the review of the BML in the same way that they did in the development of the original licence between 2003 and 2006. The contents of the review are one-dimensional, operator driven and aimed at reducing costs and training burdens upon a minority of operators with an over-reaching effect and threat to safety. The current proposals will signify the redundancy of the Tier 1 Level 2 licence with the exception of the responsible operators on the tidal River Thames. The MCA should go back to basics with this licence. A new BML working group and steering group needs to be set up to ensure that the certification produced is appropriate, safe and affordable where necessary.

5 **The 3 Level concept**

5.1. Unite maintains that a three tier approach to inland waterways navigation offers the most sensible approach and resolves many of the issues being raised. The current requirements are onerous for much of the country outside of the Thames and therefore we have a licence system that is not fit for purpose. If we have a 3 Level system the legislation could more easily fit the requirements nationally.

- Level 1 for Non-tidal
- Level 2 for Tidal
- Level 3 for Advanced Tidal (or for waters of International significance)

5.2. The third Level will mean there would be fewer issues with qualifying service reductions in less challenging rivers and canals. All of the alternative qualifications could apply elsewhere. There could be a small vessel BML elsewhere. All of the issues could be dealt with if there was a third Level.

6 **Requirement to Register**

6.1. All BML trainees/apprentices should be required to have their start date recorded in their Task Record Book together with any transferred over experience that they are counting to enable masters to judge how training needs should be delivered. This will also dispel rumours about individuals being put through too early etc. etc.

6.2. Transferred credit from maritime experience gained before registration should be recorded in the task book to enable Masters to focus their training requirements

7 **Ship Mooring operations**

7.1. Unite believes a generic licence should be established as the minimum standard for Boatmen employed in ship mooring operations. It is to be remembered that it should be the role of dock workers not those onboard to work on the docks securing craft wherever possible, to prevent crew falling between the dock and the craft.

7.2. Unite also believes that the MCA's position on the securing of cargo does not comply with the letter of the law. The legislation insists that cargo is secured throughout a voyage which we believe should mean from the time the craft leaves the dock until it is again moored at the end of the journey. Unite cannot agree that such a position would be too onerous, as has been suggested by the MCA, as it only takes one mistake to cause a cargo to shift and create the circumstances for loss of life and injuries. Such a cargo shift incident can also cause considerable disruption and loss of trade.

8 **Progress on transferring to European waterways**

8.1. Unite is keen to know what progress has been made in respect of the ability for the holder of a UK Boatmasters being able to transfer to other European waterways such as the Rhine, Seine or Danube.

9 **Conclusion**

- 9.1. Unite welcomes the opportunity to voice our concerns over these proposals and is more than willing to discuss progress towards a safer working environment.

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