

ISO 28007 ‘Compliance and concerns about Manpower Providers’ Comments by Chair of SAG on 20 October 2016.

At SCEG symposium, I spoke about the scrutiny and integrity of the audit processes by accredited CBs. And I very much welcome interest in accredited certification to the Standards from the Business and Human Rights Resource Centre who say that they will be asking corporates whether they consider certification in their selection decisions.

Since then very concerned to hear of what I understand to be a growing practice which runs very counter to the intention of ISO 28007 and the process of certification. I am told that some PMSCs who recruit their operatives /PCASP from manpower providers are collecting these individuals from VBAS at the start of a transit and then dropping them off at the end of a transit on another VBA.

This raises serious questions as to how compliance with the selection, background screening, vetting and training provisions of ISO 28007 can be possible i.e. paras 4.3.2-4.4.4. The training section of the Standard is one of the most detailed and comprehensive of the Standard and was the subject of intense negotiation among the drafters of the Standard, including the shipping associations. In terms of recruitment, vetting etc of operatives, sub contractors and outsourced services this places a very heavy obligation both on the manpower supplier and on the PMSC. If it is for the manpower supplier to conduct all the vetting to be sure that personnel are fully briefed on all the legal and regulatory codes to which the PMSC subscribes, then it will be for the PMSC to ensure that the TOR for provision of that service are very strictly drawn up and cover inter alia the following areas:

Responsibilities of the Master and the PMSC the relevant flag and coastal state laws, incident management and preservation of evidence, all aspects and all aspects of the ICOC, including the handling of unauthorised person, as well as Guidance on the RUF as well as training in the use, care and maintenance of firearms.

How does the PMSC check that these and other areas are carried through by their sub contractors? Do they audit their suppliers? How often do they visit their suppliers to audit them? Do they check the personnel records? Do they check that the records and the training records of everyone they use are held for 7 years?

All this places a heavy responsibility also on the CBs who need to verify that the PMSCs are meeting all these requirements.

The shipping associations are very concerned about the practice and will be raising it in various forthcoming meetings. I am concerned and UKAS is watching the situation. Should there be for instance an unintended discharge of a firearm on board by someone sub contracted by a PMSC with accredited certification which incapacitates someone or worse, then the finger will point at everyone from PMSC, sub contractor, ship owner, ship's captain flag state, CB, UKAS. We do not need lawsuits or to go back in time to the period before BMP.