Towards a Safety Learning Culture for the Shipping Industry

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➤ Original Study Aim

➤ Approach

➤ A Course Correction

➤ 10 Safety Learning Approaches

➤ Way Forward

➤ Conclusions

https://www.safemodeproject.eu/uploadFile/742022
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Towards a Safety
Learning Culture for the
Shipping Industry

A White Paper

□SAFEMODE is all about Maritime & Aviation learning from each other in the safety and human factors domains

□It has a focus on design, and learning lessons from safety-related events

□This is seen as good safety culture

Original Aim: There needs to be a **Just Culture** framework put in place in Maritime to facilitate reporting, and thus **learning**. Guidance should be based on leading edge work ongoing in the **aviation** domain

Seafarers

Investigators

Unions

Regulatory Bodies

Interview Approach

1. Investigation

2. Reporting

3. Near-Miss Reporting

4. Understanding the Human Element

5. What keeps ships safe?

6. Safety Management Systems (SMS)

7. Just Culture

8. Safety Learning

Confidential

Online

60-90 minutes

Same structured question format

2-3 interviewers

Written record

Transcripts & draft report verified by interviewees

Content analysed & mined for quotes and themes

Generally high agreement

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19 Interviewees: 17 male, 2 female

Seafarers:
- Master / Captain (6)
- Chief Officer (1)
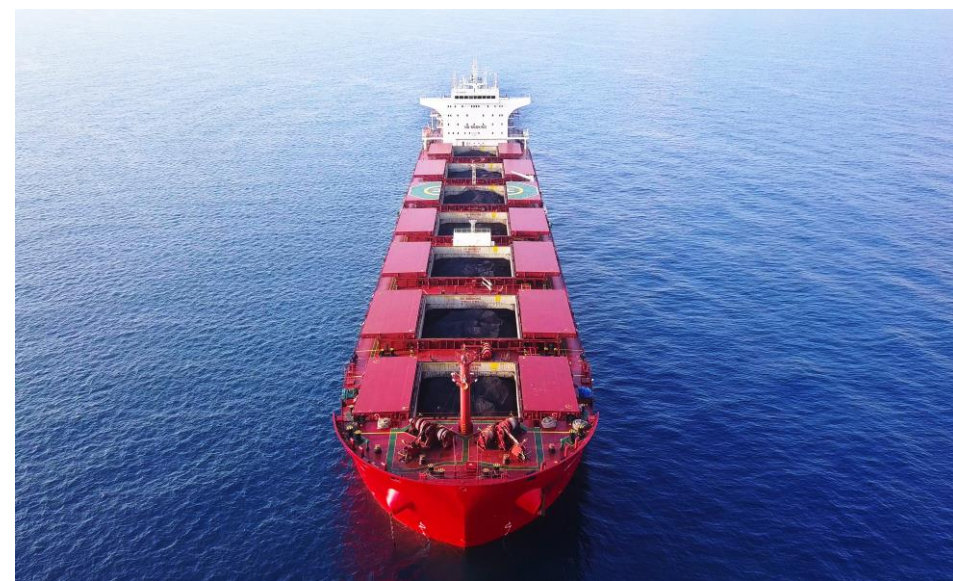- Chief Engineer (2)
- Rating (1)
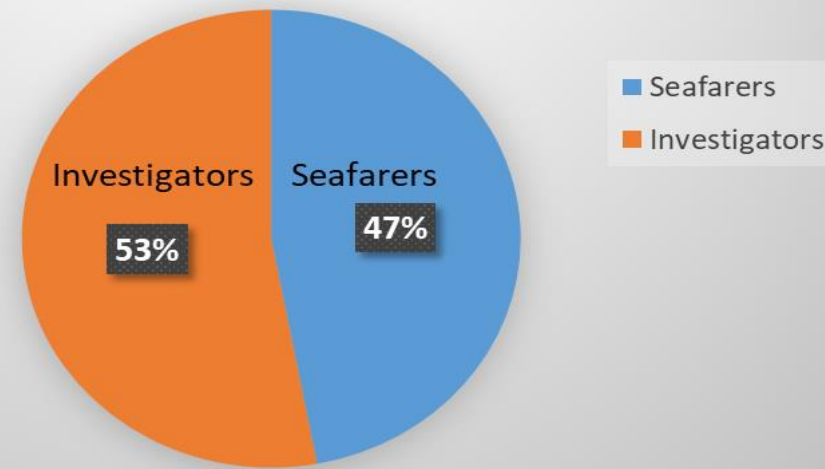
Maritime segment (seafarers)
- cargo 8 (4 chemical tankers, 4 containers) 2 passenger / cruise ships

Geography – countries represented:
- Seafarers – *Mexico, Denmark, Romania, Netherlands, France, India, Sweden, UK*
- Investigators – *USA, UK, Malta, Spain, Portugal, Denmark, Italy*

EMSA, IMO, Unions, Training organization

MCA (HEAG), IMarEST, STABS 2021

What the interviewees said about investigation, reporting, Just Culture and learning

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The Investigator's Perspective

'The aim is to define the causes, not the responsibility. The idea is to determine the technical causes, including the Human Element.'

'Investigation reports are not there to apportion blame, but compliance needs to be verified.'

'Recommendations are generated through a collaborative process.'

'Early on you get a feeling of culpability: whether it will be a straightforward investigation dealing more with technical issues than human ones. Usually navigational incidents are related to Human Factors whereas engine fires are heavy on technical factors.'

'Sometimes by the time I (the investigator) arrive, the person involved has been sent home or is no longer with the company.'

'For the judiciary, there is direct causality, which is different from what is in the incident report.'

'The investigator creates a narrative, then the judiciary creates a different one, sometimes conflictual with the investigatory one. There is a judiciary sense that justice must be served.'

'We are trying to raise our game. We now want to investigate and interview the crew as a team. We want to become a learning organisation.'

The Seafarer's Perspective

'There can be finger-pointing in investigation. Nobody likes it. It can make it difficult to get to the bottom of an investigation.'

'Investigators are not looking for the guilty person, but to see which procedures were not followed.'

'During an investigation the company lawyers come aboard and will protect you, but the main reason is to ensure the company is not seen as being at fault.'

'Sometimes the way questions are asked by the company calls the crew's professionalism into doubt.'

'It is always "blame the ship." That is the first reflex of some companies.'

'An investigator comes on board and starts asking questions to the people involved, trying to understand what the technical issues might be.'

'Sometimes the real truth about what happened does not come out until months later.'

'Degree of openness can vary strongly according to culture.'

'A captain is often blamed by the company if not on the bridge when an incident occurs.'

'There is a lack of empathy and trust from onshore personnel, even when they have offshore experience.'

'The "Five Why's" approach is a good one, as it gets beneath the surface issues.'

II. Reporting

Reporting mainly concerns seafarers, those who report. The responses were generally unfavourable concerning reporting, although there were some instances of positive reporting attitudes and practices. The prevailing picture is one of not reporting unless you have to, because reporting is complicated and seen mainly as a way of attributing blame to those at the 'sharp end'. As one seafarer put it, 'Convince me I won't be punished, and I'll report.'

On the positive side, several seafarers talked of the importance of having an open culture on board the ship, in particular led by the captain and the senior officers. Several captains, including older ones, remarked that this was a general trend they saw as newer and younger captains gained their commands.

There were also several positive examples where ships received weekly information sheets concerning incidents and safety issues from other parts of the fleet, an ...

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III. Near Miss Reporting

Near miss reporting, in which people report events that could have resulted in a reportable event (but did not in this particular instance), are important in a learning system. They help to see what could have happened, and anticipate accidents rather than waiting until they occur. However, the feedback on near miss reporting was negative.

Despite this negative impression, there were constructive comments on how to improve it, and the barriers that need to be removed, including a mistaken mindset that an increasing number of reports indicates a lack of safety. Rather, more reports should be taken as more feedback, more data upon which to understand and improve safety.

National investigators were quick to point out that generally speaking they have just enough resources to analyse formal reports, and so do not have time to delve into the near misses. The near miss reporting domain therefore more properly resides with the organisations and their safety departments.
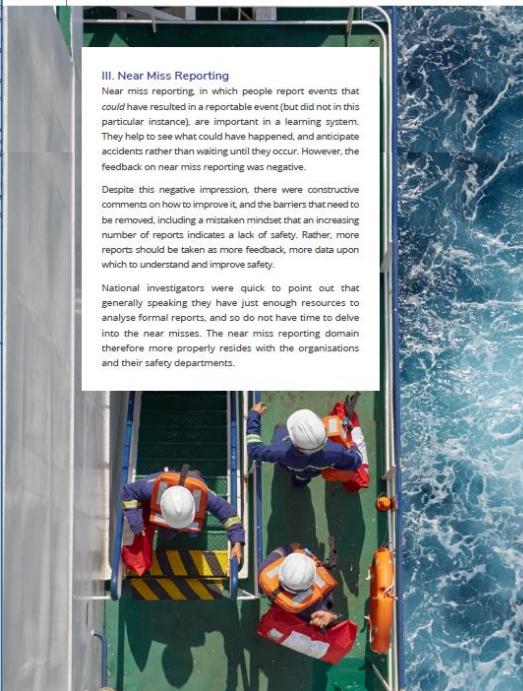
VI. Safety Management Systems (SMS)

Safety Learning is usually part of the safety approach of a company or organisation, and so fits under what is called the Safety Management System or SMS. However, feedback on SMS from seafarers was not positive, as is highlighted in the insert. This to an extent corroborates the earlier assertion that there is sometimes quite a gap in understanding between onshore departments and operations on a ship.

Any SMS usually includes a learning process, but if reporting is poor or 'shallow', as indicated by the interviews, then learning will be limited. Moreover, having a learning process does not mean you have a Learning Culture (in the same ...

Issues

'We do not get the reports we want. We get trips and falls, but never a mariner falling asleep on watch, or an engineer having problems assembling machinery.'

'If you are lucky, 10% of near misses are reported.'

'Some companies have near miss reporting targets in their SMS. So the captain ends up altering reports to reach the target.'

'There is a lot of data but we don't know how to analyse it. We're lacking strong methodologies.'

'Procedures that are not working are hidden.'

'Such reporting schemes promote organisational secrecy rather than organisational learning.'

'For near misses, the narratives are more useful than the checked boxes, but companies count the latter.'

'There is an anonymous reporting scheme. It has been used once in 17 years.'

'We have a near miss reporting system. It is electronic and time-consuming, and not very helpful.'

'Near miss reporting App can be used to report violations by another person, to discredit them.'

Work in progress

'To make them useful, companies need to focus on quality of the reports, not quantity, and disseminate anonymised descriptions of what happened for learning purposes.'

'We have an electronic voluntary reporting system which leads to monthly lessons learned. But on board there is no easy access to computers and very little or no wifi.'

'National administration tried to implement one but there was no participation.'

'We have a near miss system, but if a ship reports too many near misses, the company will say "your ship is not safe."'

'People have to believe they will not be punished, or else they will not report.'

'Our near-miss system informs the SMS. If they (onshore) detect a trend, they update the SMS.'

'A new App is being introduced by the company.'

VII. Just Culture

A number of the comments until now reflect the fact that seafarers are reluctant to report in case they are punished for their actions, whether this amounts to a reprimand, loss of job, or even in extreme cases being sent to prison. Just Culture, which means that no one is punished for honest mistakes, is now implemented in a number of industries to facilitate learning valuable safety lessons. For example, for some time now in aviation the decision has been made that it is better to learn than to blame, because if you blame someone you stop asking the harder questions about the underlying factors that contributed to the event, which will contribute to the next event if unchecked. This decision has certainly contributed to aviation becoming the safest mode of transport. The way it works is that pilots and controllers are not prosecuted after incidents or accidents (aside from a very small number of exceptions), and so feel safe to report honestly and completely, which maximises learning. In Europe, Just Culture in aviation has been enshrined in law, and is defined as follows:

"A culture in which front-line operators or other persons [staff] are not punished for actions or decisions taken by them that are commensurate with their experience and training, but in which gross negligence, wilful violations and destructive acts are not tolerated."
(Regulation No. EU 376/2017)

It is not a perfect definition. Determining what constitutes 'gross negligence', for example, can be very subjective and culturally-dependent. Similarly, 'wilful violations' can be interpreted in different ways. One way out of these difficulties is known as the **substitution test**, in which the question is asked whether someone else in the same situation might have made the same decision or error. It is important that those applying this test are familiar with the realities of

Is making Just Culture a legal requirement a good idea?

'If we could eliminate criminal & civil case proceedings, it would really help. Stop criminalizing seafarers! Sometimes they are used as scapegoats.'

'Ships are manned by ship owners via a cascade of sub-contracting parties and manning agents. Most crew are on 6-month contracts. They know that if they report something, they will never get another contract. Blacklisting is a reality.'

'You need to send the message: we're not blaming you, but we need to learn.'

'Most HR have no marine background. They are defensive as they could end up in industrial tribunal trying to defend the company.'

'The term Just Culture is not what is important. Better to talk about Learning Culture.'

work in practice, with all the constraints and trade-offs that people have to make on a daily basis. Many aviation organisations do not adopt Just Culture merely because the law says they must. For example, one European low-cost airline has a simple rationale as to why Just Culture is important:

- Finding out what's really happening
- Having honest discussions
  - Between managers and staff
  - Between companies
- Learning from events
- Being able to anticipate future events

All interviewees were asked if they believed putting Just Culture into legislation in shipping was a good idea (the Just Culture concept had to be outlined to about half the participants, who had not heard of it). Only half thought the industry was ready for such legislation. All, however, felt that criminalising seafarers was a significant impediment to reporting and learning.

Investigators	Seafarers
'*The investigator creates a narrative, then the judiciary creates a different one, **sometimes conflictual with the investigatory one**. There is a judiciary sense that **Justice must be served**.*'	'*Reporting is what seafarers **try to avoid at all costs**. It is always "**Blame the ship.**" That is the first reflex of some companies.*'
'*For management, **safety is really a technical concern**, they don't think they are part of the accident chain.*'	'*There is a **lack of empathy** and trust from onshore personnel, even when they have offshore experience.*'
'***Seafarers look after each other**, they take actions they were not supposed to take to save the day.*'	'*The **Master's leadership attitude** and the standards he sets on ship will improve safety.*'
*With the **COVID pandemics**, some chartering bodies have opted for revised contracts with no crew change as there is too much time impact. This is almost certainly illegal under IMO regulations yet this is happening.*'	'***Violations of rest hours** and fake reporting are well known. Companies just do not want to hear about it.*'

Is legalization of Just Culture a good idea?

- *'If we could eliminate criminal & civil case proceedings, it would really help. **Stop criminalizing seafarers!** Sometimes they are used as scapegoats.'*

- *'**Maritime may not be ready for it yet**. Ships are manned by ship owners via a cascade of sub-contracting parties and manning agents. Most crews are on 6-month contracts. They know that if they report something they will not get another contract. Blacklisting is a reality...'*

- *'You need to send the message: **we're not blaming you, but we need to learn**.'*

- *'**Most HR have no marine background**. They are defensive as they could end up in industrial tribunal trying to defend the company.'*

- *'The term Just Culture is not what is important. **Better to talk about Learning Culture**.'*
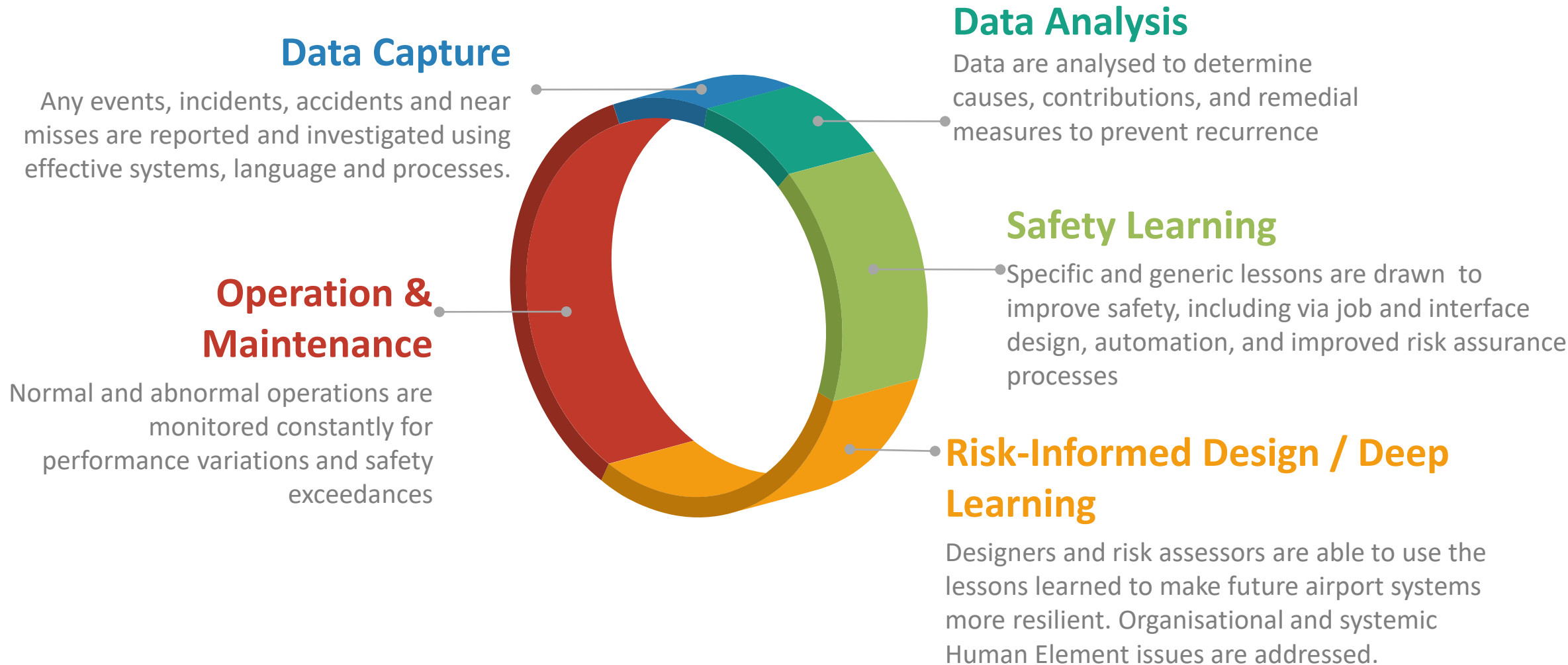
A Course Correction

Safety Culture
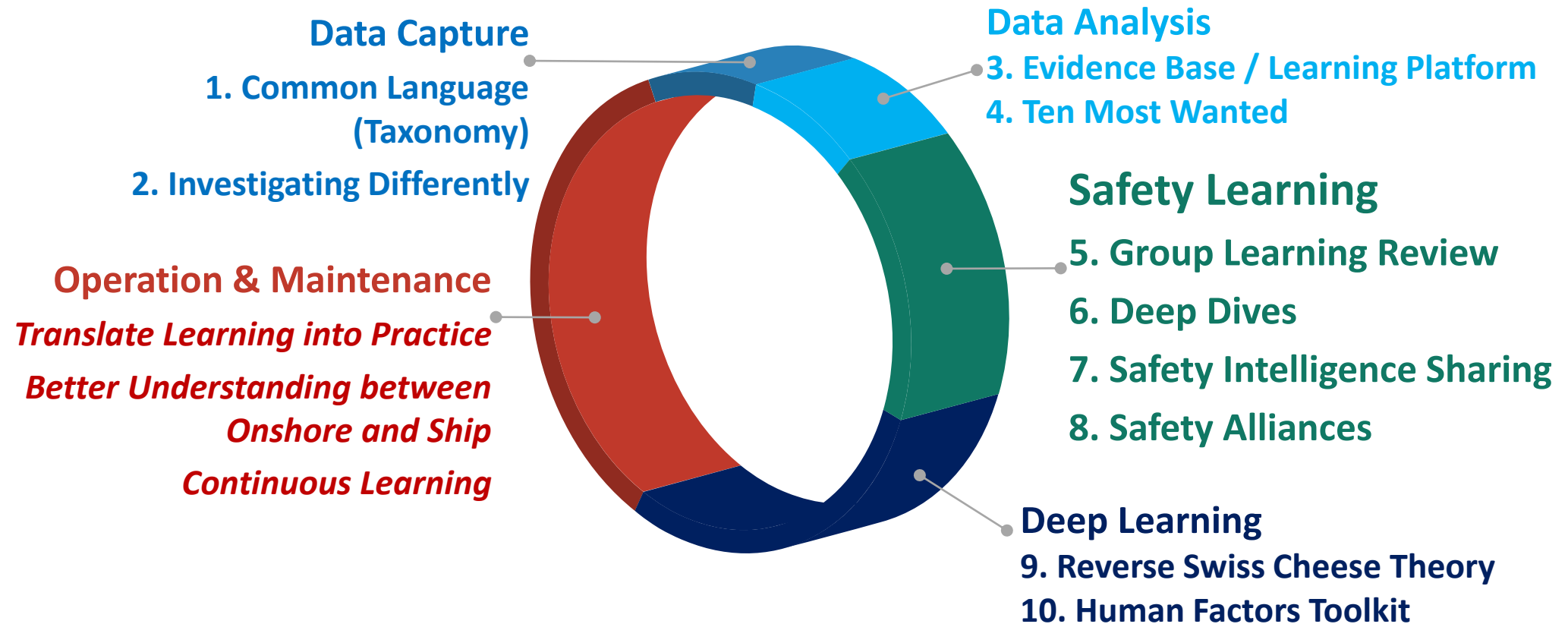
Culture of Care

Reporting Culture

Just Culture

Learning Culture

The SAFEMODE Safety Learning Cycle

Data Capture

Any events, incidents, accidents and near misses are reported and investigated using effective systems, language and processes.

Data Analysis

Data are analysed to determine causes, contributions, and remedial measures to prevent recurrence

Operation & Maintenance

Normal and abnormal operations are monitored constantly for performance variations and safety exceedances

Safety Learning

Specific and generic lessons are drawn to improve safety, including via job and interface design, automation, and improved risk assurance processes

Risk-Informed Design / Deep Learning

Designers and risk assessors are able to use the lessons learned to make future airport systems more resilient. Organisational and systemic Human Element issues are addressed.

Ten Safety Learning Approaches

Data Capture

1. Common Language (Taxonomy)
2. Investigating Differently

Data Analysis

3. Evidence Base / Learning Platform
4. Ten Most Wanted

Safety Learning

5. Group Learning Review
6. Deep Dives
7. Safety Intelligence Sharing
8. Safety Alliances

Operation & Maintenance

Translate Learning into Practice
Better Understanding between Onshore and Ship
Continuous Learning

Deep Learning

9. Reverse Swiss Cheese Theory
10. Human Factors Toolkit

Taxonomy & Database (SHIELD)

PRECONDITIONS

Environment (physical)

Physical or Mental

Equipment and workplace

Competence or Skills

Communications

Perception

Teamwork

SUPERVISION & WORK AS DONE

Known problem
not corrected

Inadequate Supervision

Planned inappropriate
operations

Deviations from
Procedures

ORGANISATIONAL FACTORS

Culture / Climate

Safety Management

Resources

Economy & Business

Safety Alliances, Safety Intelligence Sharing

Flooding / Foundering
Crane operations
Enclosed Spaces
Deck machinery handling
Hot Work Piracy
Contact Man Overboard Loss of Control
Grounding / Stranding
Lifeboat testing Electrocution
Falls from Height
Collisions Hull failure
Capsizing / Listing
Fire/Explosion
Mooring Operations
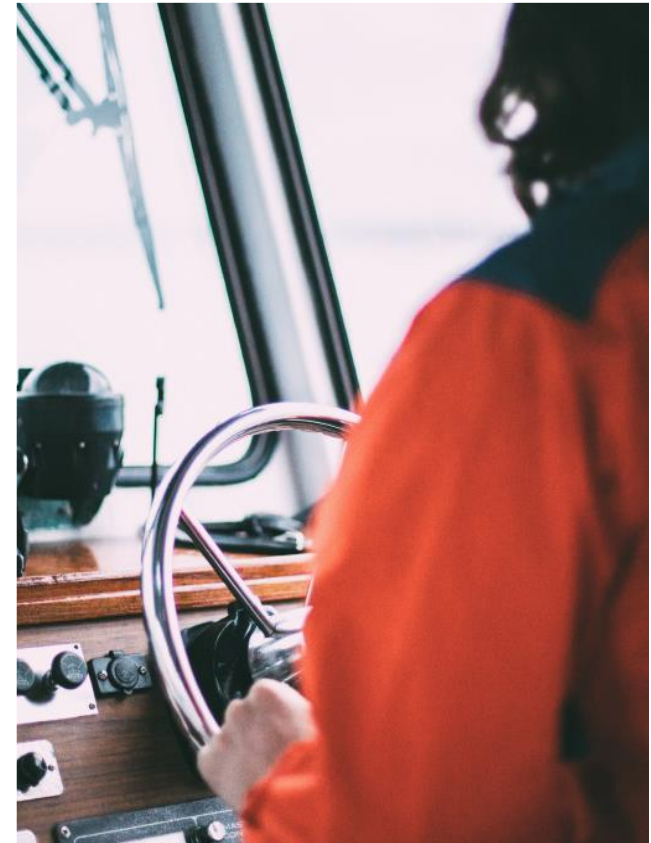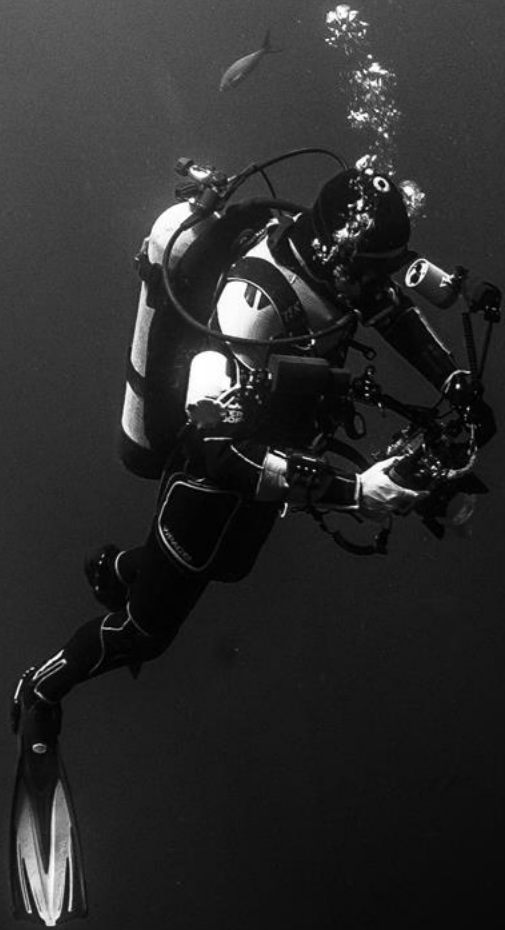
Safety Deep Dives

Explore a specific accident or incident trend

Examine the basis for safety

Which barriers are still working?

Which barriers are no longer working?

What are the key Human Factors involved (both positive and negative?)

Have any external factors changed?

Have internal factors changed (staffing, competency, etc.)?

Are the procedures still fit for purpose?

What are the deep systemic factors?

Where are the hotspots in the fleet?

Where are there best practices in the fleet?

What can be shared across the fleet?

SAFEMODE

Strengthening synergies between Aviation and Maritime in the area of Human Factors towards achieving more efficient and resilient MODES of transportation.

REVERSE SWISS CHEESE – MARITIME

Economy, Pressures, Laws, Regulations, Societal Trends

Upstream

Downstream

ORGANISATION
Strategy & Policy
Resources
Communications
Culture
Safety Management & Learning
Regulatory Compliance

DESIGN
Concept Requirements
Naval Architecture
Standards
Human Factors & Ergonomics
Safety Margins
Operational Feedback

FLEET SUPPORT
Crewing & Certification
Training & Procedures
Safety Management System
Investigation & Learning
Maintenance Planning System
Defect Reporting & Management

VESSEL OPERATIONS
Master's Leadership
Professionalism
Teamwork
Speaking Up / Just Culture
Health & Wellbeing / Fitness for Duty
Onshore-Onboard Collaboration

PROVIDENCE (LUCK)

01
02
03
04
05

Accident

The Way Forward

Conclusions

❏ Safety Learning Culture is seen as the most promising destination for Shipping.

❏ Six use cases from the industry show that Shipping is already on the way.

❏ Adopting safety learning practices will help transform the industry into a safety learning culture.

Minerva Marine

USCG

FastCat Ferries

RNLI

CALMAC Ferries

UKP&I

Thank you for your attention

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