

Clerk of the Authority
Caroline Lacey
County Hall, Beverley
East Riding of Yorkshire, HU17 9BA

Chief IFC Officer
David McCandless, BSc. MSc.
Town Hall, Quay Road, Bridlington
East Riding of Yorkshire, YO16 4LP



All enquiries should be directed to:
Sarah Murray
NEIFCA Operational Support Manager

Tel: 01482 393515
Fax: 01482 393699
E.Mail: sarah.x.murray@eastriding.gov.uk
Our ref: NEIFCA
Date: 28 August 2018

Dear Member

Executive Meeting of North Eastern Inshore Fisheries & Conservation Authority –
Thursday 6 September 2018

I hereby give you notice that the next Executive meeting of North Eastern Inshore Fisheries and Conservation Authority will be held on **Thursday 6th September 2018**, at the **Green Lane Centre, Green Lane, Whitby, YO22 4EH** starting at **10:30am**.

On arrival please ask for David McCandless. Can members please send apologies by Monday 3 September 2018, please telephone 01482 393515 or email ne-ifca@eastriding.gov.uk. Thank you to members who have already given their apologies.

The agenda and reports for the meeting are enclosed.

Please contact me if you have any queries.

Yours Faithfully

David McCandless
Chief IFC Officer

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

EXECUTIVE MEETING

Green Lane Centre, Whitby, North Yorkshire, YO22 4EH

6 September 2018

COMMENCING 10:30 am

AGENDA

1. Apologies for absence
2. Declaration of Personal or Prejudicial Interests – Members to declare any interests in items on the Agenda and the nature of such interests
3. To take the notes of the meetings held on 23 May 2018 as correct records (*pages 1-2*)

Items for Decision

4. Strategic and Operational Risk Register – Review - (*pages 3-14*)
5. Yorkshire Coast Marine Protected Area Proposal - (*pages 15-20*)
6. Defra White Paper – ‘Sustainable Fisheries for Future Generations’ – (*pages 21-32*)
7. NEIFCA Staffing & Operational Policies – (*pages 33-58*)
 - 7a. *Salary Supplement Policy*
 - 7b. *Learning and Development Fees and Expenses Policy*
 - 7c. *Staff Privacy Policy*

Items for Discussion

8. 4 Yearly Report to Parliament – ‘Conduct and Operation of IFCAs’ – (*pages 59-78*)
9. NEIFCA Health & Safety Policy & Safe Working Practices 2017/2018 – Review - (*pages 79-120*)
10. Budget Monitoring 2018/2019 (*pages 121-124*)
11. Chief Officer’s Update – (*pages 125-128*)

Items for Information

12. Replacement Patrol Vessel Update – (*pages 129-132*)

Any other items which the Chairman decides are urgent by reason of special circumstances which must be specified

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

MEETING OF THE EXECUTIVE COMMITTEE

23 MAY 2018

Present

Dr Stephen Axford
Kirsten Carter
Councillor Chris Matthews
Councillor Tony Randerson
Mr Gary Redshaw

Representing

MMO appointee
MMO appointee
East Riding of Yorkshire Council
North Yorkshire County Council
MMO appointee

Chief Officer Mr David McCandless, Clerk Caroline Lacey and East Riding of Yorkshire Council Senior Audit & Risk Officer Amanda Day also attended the meeting.

The Committee met at the Authority's Offices in the Green Lane Centre, Whitby. The meeting started at 09:30.

55.

APOLOGIES

Apologies for absence were received from Council Member Mr Edward Bell and MMO Appointee Mr Nigel Proctor.

56.

NEIFCA ANNUAL AUDIT REPORT 2017/2018

The Clerk submitted a report to inform Members of the findings of the annual audit report. The Senior Audit and Risk Officer presented the report to members at the meeting. The overall control effectiveness within NEIFCA was considered to be satisfactory and the residual risk exposure moderate. Members were informed that the internal auditing team had also reviewed the asset disposal limit and recommended that the level is set at £10,000. The disposal of any assets above that limit and or purchase by either an officer or a member of the Authority would require Committee approval.

Resolved – That the notes be received.

57.

UNISON CONCERNS

The Clerk submitted a report to inform Members of concerns raised by Unison, the response to those concerns and process of investigation. Members were informed that to date no evidence had been provided to substantiate the concerns raised by Unison.

Resolved – (a) That the notes be received.

(b) That the procedure set out in the Whistleblowing Policy in relation to the concerns be followed.

(c) That the Clerk write to the Unison representative and ask for any evidence to be provided with a deadline of the 30 June 2018.

58.

ANY OTHER BUSINESS

Nothing to Report.

The meeting closed at 10:45am

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Executive Committee
6 September 2018

Strategic & Operational Risk Register – Six Monthly Reviews

Report of the Clerk.

A. Purpose of Report

To inform members of the Executive Committee that in accordance with the Authority's Risk Management Strategy, a six monthly review of the Strategic and Operational Risk Registers has been undertaken and is reported for approval.

B. Recommendation

That the revised Strategic and Operational Risk Register be approved and reviewed in six months' time.

1. Background

- 1.1 The Risk Management Strategy and associated Strategic and Operational Risk Registers were first approved by the shadow Authority at its quarterly meeting held on 25 January 2011 (Minute 17 refers).
- 1.2 The Authority agreed that the Risk Management Strategy be reviewed on an annual basis and that the Strategic and Operational Risk Registers be reviewed every six months and reported to the Authority (Minute 17 refers). In accordance with these recommendations the Risk Management Strategy and Operational Risk Registers were reviewed, updated and reported to members on 8 March 2018. (Minuted item 49 refers).

2. Strategic & Operational Risk Register Reviews

- 2.1 The Strategic and Operational Risk Registers have been reviewed to consider any potential changes which have occurred over the last six months and affected the key risks identified within the Registers. The risks have been reviewed and the changes are highlighted in bold within the attached registers. An updated position for each of the key indicators is also included in the Register. The next review of the Strategic Risk Register is scheduled for March 2019. The identified risks have also been ranked in order of significance (highest residual risk score).
- 2.2 The main, identified changes in strategic and operational risk relate to the Authority's anticipated role in supporting the implementation of the national IVMS project, accessing adequate funding to support the building and commissioning of a new patrol vessel and non-compliance with the new egg bearing lobster legislation.

- 2.3 The revised Strategic Risk Register is attached as Appendix 1, the Operational Risk Register as Appendix 2 and the risk based enforcement matrix, a sub register of the Operational Risk Register, as Appendix 3 for members information. All changes are highlighted.

Contact Officer

Caroline Lacey, Clerk of the Authority
Ext 3000

Background Papers

Strategic Risk Register
Operational Risk Register

NORTH EASTERN INSHORE AND CONSERVATION AUTHORITY - STRATEGIC RISK REGISTER

Risk No	Performance Plan Strategic Objective	Category of Risk	Risk	Gross Risk Score	Control Action	Residual Risk Score	Further Action Required	Update	Risk Owner
NEIFCA 1	An Authority which attracts and keeps the best staff.	Customer/ Staff	Specialist staff and skills shortages. Sickness absence. Triggers include:- (i) Inability to recruit and retain staff. (ii) Inadequate succession planning. (iii) The Authority has a small but dedicated workforce. (iv) Private sector competition	6 (2x3)	Recruitment, retention policies, training and development, surveys of existing staff, analysis at exits interviews and managing sickness absence.	6 (2x3)	Recruitment processes expedited to fill vacancies when they arise.	First Mate position currently vacant recruitment process underway.	Chief Officer & Deputy Chief Officer
NEIFCA 2	A reputation for smart and prudent stewardship.	Disaster Planning	Major incident, i.e. patrol vessel collides with another vessel or runs aground.	4 (1x4)	The appropriate qualifications/licences/tickets are held by the crew. Train staff with skills in marine environment. Adequate Insurance.	4 (1x4)	Continue to keep up to date with training and appropriate qualifications		Chief Officer & Deputy Chief Officer
NEIFCA 3	A reputation for smart and prudent stewardship.	Financial/ Economic	Cuts to service, balance budget. Triggers include:- <ul style="list-style-type: none">Reduction in Government fundingBudget over spends, insufficient reserves.Precept set too low.Lack of compliance with financial regulationsIncreased pressure on resources from other agencies	6 (2x3)	Three year financial plan in place based on prudent projections and sensitivity analysis. Budget process flexible enough to deal with changes in funding e.g. savings plans. Lobbying with other Authority's to get better deals. Government assumptions used in the planning exercise. Formal considerations of reserves. Monthly revenue and capital budget monitoring. Demonstrating the ability to manage in-year budget pressures. Early closure of accounts. Attraction of EU and other grants for project works.	3 (1x3)	Ensure sound business cases are made to Authority funders for continued financial support. Continue to apply for EU and other grants for project work.	Board agreed that the levy for 2018-19 be increased by £38K to meet identified pressures alongside the continuation of the IFCA 'New Burdens' funding support for until March 2020.	Clerk/ Treasurer/ Chief IFC Officer

Risk No	Performance Plan Strategic Objective	Category of Risk	Risk	Gross Risk Score	Control Action	Residual Risk Score	Further Action Required	Update	Risk Owner
NEIFCA 4	A reputation for smart and prudent stewardship	Reputation	Loss or damage to reputation through poor press and public relations	6 (2x3)	Good internal communications, PR, reports to Authority, Press releases approved by the Chief Officer and Clerk/Chairman where necessary. Members and key managers to have received media training. Members receive detailed briefings on sensitive issues and confidentiality requirements supported by Standards Committee and procedures. Back up arrangements through the national Association and partner IFCA's.	3 (1x3)	Reviewed on a quarterly basis		Chief Officer
NEIFCA 5	A reputation for smart and prudent stewardship. Strategic objectives	Reputation	Failure to achieve policies, aims and objectives.	6 (2x3)	Annual Plan produced each year outlining strategic objectives. Performance measured against number of targets. Reviewed in March. Exceptions reported to Authority. Constitution, Standing Orders Schemes of Delegation. The Authority has put in place structures and processes to govern decision making.	3 (1x3)	Reviewed on a quarterly basis by the Authority.		Chief Officer
NEIFCA 6	A reputation for smart and prudent stewardship. Statutory responsibilities.	Reputation Legal	Failure to meet statutory responsibilities set out by legislation. Main causes of risk are:- (i) Poor leadership/ judgement by managers. (ii) Inadequate monitoring review. (iii) Lack of professional staff. (iv) Legal challenge. (v) Lack of trained, experienced staff.	6 (2x3)	Series of performance targets set and measured to meet the requirements. Reported on quarterly basis to the Authority. Understanding and adherence to all governing legislation	3 (1x3)	Reviewed on a quarterly basis by reporting to the Authority.		Chief Officer

Risk No	Performance Plan Strategic Objective	Category of Risk	Risk	Gross Risk Score	Control Action	Residual Risk Score	Further Action Required	Update	Risk Owner
NEIFCA 7	A reputation for smart and prudent stewardship.	Reputation/ Legal	Officers acting beyond their statutory remit through inexperience. Legal challenge. Potential incident. Adverse publicity.	6 (2x3)	Full training in role. Qualifications. Performance monitoring, target setting, recruitment procedures.	4 (2x2)	As roles develop, change, continuous training and development. EDP process to be utilised for this.	Relatively in-experienced team of officers although training is prioritised accordingly.	Chief Officer
NEIFCA 8	A reputation for smart and prudent stewardship	Reputation/ legal	<p>Failure to deliver revised fisheries management policies within Marine Protected Area Sites which fall within the Authority's jurisdiction.</p> <p>Procedural delays in the formal making of regulations.</p>	6 (2x3)	Full engagement with Defra, MMO, national working groups and local management groups.	3 (1x3)	Regular updates and progress reports to Science Advisory Group, Executive and full Committee.	'Red Risk' EMS management complete. 'Amber' and 'Green' planning currently 'on track'.	Chief, Deputy Chief Officers. Senior Environmental & Scientific Officer Environmental & Scientific Officers.
NEIFCA 9	A reputation for smart and prudent stewardship.	Financial Reputation	<p>Failure to manage the Authority's assets, caused by:-</p> <ul style="list-style-type: none"> • Lack of funding • Service failures/poor maintenance • Poor risk assessments and controls • Inaction on behalf of the Chief Officer and his assistants. 	6 (2x3)	Asset Management Plans - including audit and survey result to target investment and maintenance at high priority areas. Patrol Vessel renewal fund. Maintenance programme. Risk assessments. Inspections and surveys. Insurance.	3 (1x3)	<p>Review and define inspection survey programme. Ensure compliance with the programme. Review health and safety arrangements. Review adequacy of sums insured and compliance with insurance policy conditions. Operating a close monitoring regime on investment priority criteria. Strengthen asset management and control.</p>	Allocation of funds to the Renewals Fund made as part of the annual budget setting and increased by £20K for 2018/2019 year. Sixth monthly review of asset registers.	Chief Officer Deputy Chief Officer

APPENDIX 2

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY - OPERATIONAL RISK REGISTER

Risk Number	Process	Risk Identification	Risk Analysis	Risk Control	Residual Risk	Monitoring		
	Risk Category	Risk	1-6 = Low 8-12 = Medium 13-20 = High	Control Action	1-6 = Low 8-12 = Medium 13-20 = High	By Whom	Review Frequency	Triggers for Action
1	Financial reputation, technical.	<p>Insufficient funding to replace main fisheries vessel, North Eastern Guardian III.</p> <p>Only £500K allocated to support vessel replacement and renewal within the EMFF programme for England with reduced time lines to access due to the UK referendum result to leave the EU.</p>	12 (3x4)	<p>Maintenance of current funding levels to the vessel renewal account including allocating an additional £20K in the 2018/2019 year. Continued investment in current vessel as a saleable asset. Monitoring and utilisation of all appropriate external funding avenues. One off appropriation of funds to the Renewals Fund considered. Officers currently exploring all external funding options to support vessel replacement although no additional external funding sources have yet been found.</p>	12 (3x4)	Chairman, Clerk, Chief Officer and Deputy Chief Officer	Quarterly	Budget financial review & reporting to Committees and internal working groups.
2	Staffing	<p>Lack of staffing resources to deliver service and that staff have adequate skills training to achieve performance requirements.</p> <p>Increasing pressures from partner agencies to support their front-line services and primary service delivery could have a negative impact on the delivery of IFCA statutory duties and responsibilities.</p>	9 (3x3)	<p>Communication networks. Staff flexibility. Monitoring of workloads. Workforce Development. Vacancy Management. Adhere to Sickness Policy. Implement Training Plans. Health and Safety. Recruitment processes expedited to fill vacancies. Active participation in the MMO/IFCA joint working project and maintenance of active dialogue with all key partner agencies. AIFCA, NIMEG & TAG.</p>	6 (2x3)	Clerk and Chief IFC Officer.	Quarterly.	<p>Reports to Authority. Team meetings/ EPAs. Sickness Review Meetings. Vacancy/sickness. Performance monitoring results. Proactive training programmes.</p>

Risk Number	Process	Risk Identification	Risk Analysis	Risk Control	Residual Risk	Monitoring		
	Risk Category	Risk	1-6 = Low 8-12 = Medium 13-20 = High	Control Action	1-6 = Low 8-12 = Medium 13-20 = High	By Whom	Review Frequency	Triggers for Action
3	Financial and reputational	Breaches of new General Data Protection Regulations which come into force at the end of May 2018 could lead to fines and reputational impacts.	9 (3x3)	Key staffed trained and familiar with new GDP regulations. Data Protection Officer role agreed, creation of a register of data processing activities, utilisation of impact assessments when required, creation of public and internal privacy statements and active management of all data processing activities. Advice from ICO.	6 (2x3)	DPO Clerk Chief Officer Support Officer	Monthly	
4	Financial reputation, technical.	Volatility of global oil/fuel markets and national tax changes. Markets remain unstable	4 (2x2)	Regular monitoring of fuel spends included within quarterly reports to Authority. Additional provision made within annual precept.	4 (2x2)	Chairman, Clerk, Deputy Clerk, Chief Officer and Deputy Chief	Monthly.	Budget financial review & reporting
5	Legal/ reputation.	Legal challenge resulting from failure to undertake statutory responsibilities in terms of enforcement or poorly drafted Authority bye-laws.	4 (2x2)	Performance monitoring in terms of enforcement targets. Drafting of bye-laws in consultation with Legal Services. Proper consultation processes followed in accordance with statutory requirements. Involvement of NEIFCA Legal team, MMO, DEFRA in final approval of bye-laws.	4 (2x2)	Clerk, Legal Advisor and Chief Officer.	Monthly and quarterly reports to Authority.	Performance monitoring reports. Legal challenges.

Risk Number	Process	Risk Identification	Risk Analysis	Risk Control	Residual Risk	Monitoring		
	Risk Category	Risk	1-6 = Low 8-12 = Medium 13-20 = High	Control Action	1-6 = Low 8-12 = Medium 13-20 = High	By Whom	Review Frequency	Triggers for Action
6	Financial reputation.	<p>Failure to deliver projects through lack of resources or investment.</p> <p>Loss of funding and grants resulting in inability to proceed with projects.</p> <p>Change in legislation resulting in inability to generate funds.</p> <p>Reputation for inability to utilise grants awarded.</p> <p>Continued risk level due to ongoing national MPA management programme.</p> <p>Future funding implications of the UK referendum result to leave the EU.</p> <p>Supporting the implementation of the national IVMS project places additional risk onto the Authority, however, at present these are considered manageable.</p>	6 (2x3)	<p>Budget setting and monitoring process.</p> <p>Procurement policy followed.</p> <p>Appropriate resources available to undertake the project.</p> <p>Skills and knowledge of staff.</p> <p>With regard to supporting national projects ensure maintenance of dialogue and a proactive approach.</p> <p>Business Cases considered with full whole life costs of projects made</p>	6 (2x3)	Clerk and Chief Officer.	Monthly	<p>Performance monitoring reports.</p> <p>Budget reports.</p> <p>Legislative changes.</p> <p>Government funding initiatives.</p> <p>Authority decisions.</p> <p>Contract variation slippage.</p>
7	Professional, contractual, legal reputation.	<p>Failure to effectively support projects, poor contract documentation, failure to meet contract deadlines, failure to meet legal requirements and procurement legislation</p> <p>Provider fails to deliver the contract.</p> <p>Supporting the implementation of the national IVMS project places additional risk onto the Authority, however, at present these are considered manageable.</p>	6 (2x3)	<p>Use of internal/external experts/consultants.</p> <p>Robust specifications.</p> <p>Risk Assessments.</p> <p>Strong contract management.</p> <p>Financial, technical and legal vetting of all providers.</p> <p>Procurement policy followed.</p> <p>Monitoring and reporting processes.</p> <p>Meet statutory requirements.</p> <p>With regard to supporting national projects ensure maintenance of dialogue and a proactive approach.</p> <p>Additional support provided through the national IVMS project board.</p>	6 (2x3)	Chairman, Clerk and Chief IFC Officer.	Monthly.	<p>Procurement processes.</p> <p>Legislative changes.</p> <p>Contract variations.</p> <p>Timetable slippage.</p>

Risk Number	Process	Risk Identification	Risk Analysis	Risk Control	Residual Risk	Monitoring		
	Risk Category	Risk	1-6 = Low 8-12 = Medium 13-20 = High	Control Action	1-6 = Low 8-12 = Medium 13-20 = High	By Whom	Review Frequency	Triggers for Action
8	Customer Service/ reputation	Failure to provide agreed service. Failure to establish and achieve performance targets therefore having a detrimental impact on the delivery of service to the customer and achievement of performance objectives.	3 (1x3)	Performance Indicators. Inspections audit. Workload monitoring. Policy and procedure compliance. Staff training. Communication with customers.	3 (1x3)	Clerk and Chief IFC Officer.	Quarterly	Annual reports. Performance monitoring reports. Feedback from staff and customers.

OPERATIONAL RISK REGISTER – RISK BASED ENFORCEMENT MATRIX

Risk Number	Process	Risk Identification	Risk Analysis	Risk Control	Residual Risk	Monitoring		
	Risk Category	Risk	1-6 = Low 8-12 = Medium 13-20 = High	Control Action	1-6 = Low 8-12 = Medium 13-20 = High	By Whom	Review Frequency	Triggers for Action
1	Environmental	Habitat damage caused by invasive fishing methods. Damage to protected features of European Marine Sites or Marine Conservation Zones Significant increases in nomadic scallop dredging activity surrounding the NEIFCA area	8 (2x4)	Ongoing monitoring of activities. Active participation in associated schemes of management. Introduction of emergency and long-term Byelaw regulations and codes of conduct governing activities. Enforcement of existing regulations. Timely use of emergency byelaw making procedures when necessary. Working closely with the MMO and Defra to ensure adequate protection remains in place. New byelaw regulation confirmed on 17 December 2015 to strengthen the management of scallop dredging within the Authority's district.	4 (1x4)	Chief Officer, Deputy Chief Officer Environmental & Scientific Officers	Quarterly to Authority and associated working groups	Significant increases in related activity. Evidence of damage and impact. Complaints
2	Environmental	Impacts on fish and shellfish stocks through over-exploitation Pressures on stocks, particularly crustacea remain high although work is continuing on revised management measures. Over-exploitation of the Farne Deep's nephrop fishery by large pair and multi-rig trawlers leading to associated economic impacts on smaller scale local fleet	8 (2x4)	Detailed monitoring of stock health. Development of dedicated management plans and strategies. Tailored management provisions. Sound enforcement. Fisheries accreditation schemes. National coordination Working closely with MMO, CEFAS, DEFRA and NIFCA colleagues to support more effective national management of nephrop stocks Consultation processes continuing during 2018 in the development of a potting effort management regime.	4 (1x4)	Chief & Deputy Chief Officers and Environmental & Scientific Officers	Quarterly & monthly	Non achievement of stock indicators. Declining catches and fleets. Complaints and comments.

Risk Number	Process	Risk Identification	Risk Analysis	Risk Control	Residual Risk	Monitoring		
	Risk Category	Risk	1-6 = Low 8-12 = Medium 13-20 = High	Control Action	1-6 = Low 8-12 = Medium 13-20 = High	By Whom	Review Frequency	Triggers for Action
3	Environmental	Impacts on fish and shellfish stocks through non-compliance with regulations Significant intelligence being gathered and collated relating to non-compliance with berried lobster regulations	6 (2x3)	Targeted approach to enforcement at ports and areas of known high non compliance at peak season. Focus on ports of high volume landings out of season. New intelligence gathering system established to better inform targeted enforcement activity. Eight cases relating to egg bearing lobsters currently under investigation and 1 case successfully prosecuted on 7 August 2018. New lobster testing protocols in place and active testing has commenced.	4 (2x2)	Chief, Deputy Chief and IFC Officers	Monthly	Intelligence reports. Surveillance. Routine observations and complaints
4	Environmental	Impacts on other marine species such as sea birds, cetaceans and other organisms associated with fishing activities	4 (1x4)	Monitoring through fishing permit schemes and accreditation processes. One off studies and assessments. Timely use of emergency byelaw making procedures when required.	4 (1x4)	Chief Officer, Deputy Chief Officer Environmental & Scientific Officers	Quarterly to Authority and associated working groups	Negative feedback from catch reporting schemes and or studies. Complaints

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Executive Committee
6 September 2018

Yorkshire Coast Marine Protected Area Proposal

Report by the Chief Officer.

A. Purpose of Report

To inform members of a proposal to establish a Yorkshire coast Marine Protected Area Management Partnership

B. Recommendation

1. That members note the report.
2. That members endorse the proposal

1. Background

- 1.1 The wider Yorkshire region of the Authority's District encompasses a number of Marine Protected Areas (MPAs) including: Two Marine Conservation Zones (MCZ), one proposed MCZ site and one European Marine Site at Flamborough Head. Although assessment and monitoring of fishing activities occurring across all of these sites is well coordinated nationally through the Authority, only the Flamborough Head site has a dedicated scheme of management, a supporting management group and a coordinating Project Officer. It is now proposed that the scope of the established management group overseeing the Flamborough Head site is widened to include all the other MPAs located in Yorkshire under a new Yorkshire coast Marine Protected Area Management Partnership. This would ensure a much more coordinated approach to MPA management across the Yorkshire region involving a much wider range of organisations including both statutory and non-governmental. Such a partnership would be unique nationally, demonstrate a strong and innovative vision and is presented for members endorsement.
- 1.2 A background paper outlining the proposal is attached to this report for members additional information.

Contact Officer

David McCandless
Chief Officer
Ext. 3690

Flamborough Head European Marine Site Management Scheme

Proposals for a Yorkshire Coast Marine Protected Area Management Partnership

Background

Under the Conservation of Habitats and Species Regulations (2017), public offices which exercise legislative powers, are defined as both Relevant and Competent Authorities for the Flamborough Head European Marine Site (EMS). This places a statutory duty on eleven organisations to maintain and protect this internationally-important site. All current Relevant Authorities are longstanding members of the Flamborough Head EMS Management Scheme, which has the sole aim of managing the site to ensure it reaches, or is maintained in a, 'favourable' condition. Actively engaging with the work of this partnership assists Authorities in meeting their legal obligations towards the EMS.

On a national level, nine of the eleven Relevant Authorities also have statutory responsibilities towards the Runswick Bay Marine Conservation Zone (MCZ) and/or Holderness Inshore MCZ under the Marine and Coastal Access Act (2009). The Yorkshire coast MCZs were designated in 2016 and are primarily afforded protection for intertidal and subtidal habitats. As Relevant / Public Authorities, organisations must carry out their functions in a manner which best furthers the conservation of the site. In practical terms this generally relates to responsibilities under the Planning Act (2008), although other legislation, such as the Natural Environment and Rural Communities Act (2006), stipulates that public authorities must have regard to the conservation of biodiversity when enacting any of its functions.

Proposal

It is proposed that the Flamborough Head EMS, Holderness Inshore MCZ and Runswick Bay MCZ are managed by a single partnership of organisations, all with an interest in the conservation and appropriate management of the designated sites. Engaging with a broader range of stakeholders in this manner would strengthen the existing EMS partnership, provide opportunities to access additional resources and support coordinated environmental management of the Yorkshire coast. Similarly, a broader partnership may more readily engage in marine conservation and policy discussions on a regional and national scale, sharing best practice whilst promoting Yorkshire's unique and valued marine environment.

A 'Yorkshire Coast MPA Management Partnership' would engage and help to coordinate a wide range of organisations with the aim of improving and maintaining management of protected areas. The partnership's main focus would remain with the statutory designations, however it may also be prudent to consider water quality as part of this wider management and in acknowledgement of the connectivity between the three MPAs. Whilst this might be particularly relevant for the protection of conservation features, many partners also have responsibility for broader management of the water environment, redoubling the need for coordination along the Yorkshire coast.

The proposed partnership would assist Relevant Authorities in meeting legal obligations towards the new MCZs, whilst continuing to provide effective management for the Flamborough Head EMS through the 2016-2021 Flamborough Head EMS Management Plan. Funding for the existing Management Scheme and Project Officer is secure until March 2019. In order for the current arrangements to continue after this date, it will be necessary to enter into new funding negotiations with Relevant Authorities. Initiating such negotiations in advance could allow the existing partnership to build a sustainable management structure which would assist Authorities in meeting a greater number of legal obligations yet remain cost-effective and efficient.

It is anticipated that all Authorities would continue to benefit from the employment of a dedicated officer who would ensure that the partnership could capitalise on new opportunities whilst remaining engaged with site-level issues and stakeholders. It is expected that the competencies and requirements of an officer within a wider partnership would be at a higher-level than currently established, however with support from other Authorities and external funding streams, this would not represent a significantly increased burden on Relevant Authority budgets.

Potential Funding Sources

Relevant and Public Authority contributions would continue to be vital to the work of the partnership and support the core functions of the group. Additionally, encompassing a wider management role could allow the partnership to explore opportunities within organisations which were not previously accessible, such as funding for the management of coastal water bodies through a Catchment Based Approach (CaBA).

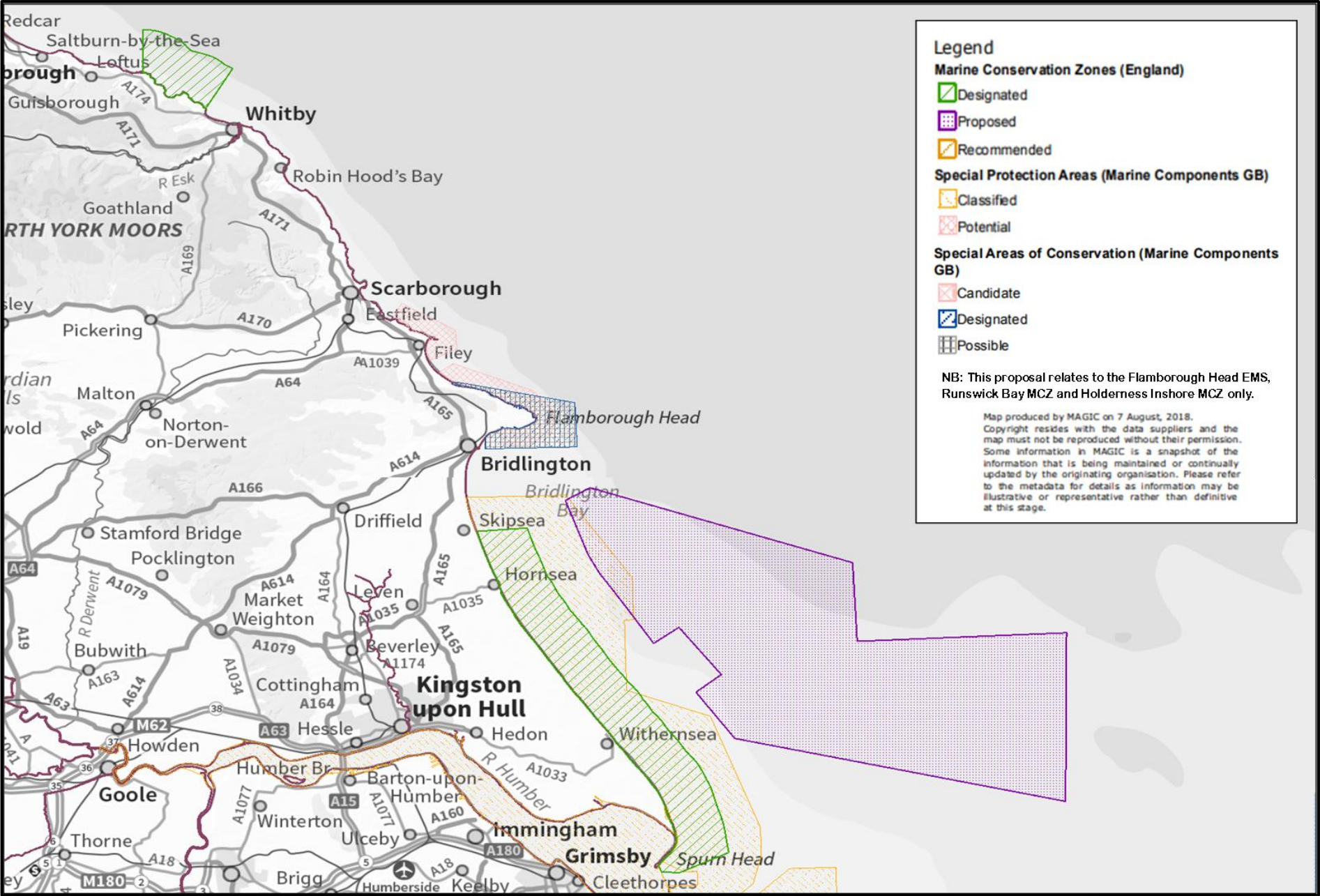
Furthermore, there are a variety of external funding sources which could also be explored to support the development and growth of a new partnership. These include the Heritage Lottery Fund Resilient Heritage programme, specific partnership funding through Big Lottery Fund and Biffa Award, alongside local financial support from the European Maritime and Fisheries Fund. Until the full scope of a new partnership is agreed, however, eligibility for such financial support cannot be guaranteed.

Next Steps

Following discussions around the draft proposals in April 2018, further positive conversations have taken place with individual Authorities and wider stakeholders. It is anticipated that informal engagement of Authorities and other interested parties will continue into the autumn, whilst external funding opportunities are explored.

It is important that the Relevant Authorities' Group continues to provide a steer on the development of any wider partnership and will, therefore, be asked to agree to revised proposals before any external funding bids are developed. Similarly, the Relevant Authorities' Group must agree before any wider management of coastal waters is established, either as a pilot project or as a coastal catchment partnership.

Map of Flamborough Head EMS in relation to Runswick Bay and Holderness Inshore MCZs



NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Executive Committee
6 September 2018

Defra White Paper – ‘Sustainable Fisheries for Future Generations’

Report by the Chief Officer.

A. Purpose of Report

To provide members with a draft response for consideration and submission to the Defra led consultation on the EU exit fisheries White Paper titled, ‘Sustainable Fisheries for Future Generations’

B. Recommendation

1. That members note the report.
2. That members endorse the response and authorise the Chief Officer to submit it to Defra on behalf of NEIFCA.

1. Background

- 1.1 The Defra White Paper outlining the governments’ plans and ambitions for UK fisheries, post exit from the EU, was published for consultation on 4 July 2018. The paper covers the expected EU exist transition period, the future promotion of sustainable fisheries, access agreements to waters and fishing opportunities, the establishment of a new UK framework for fisheries management and the wider reform of UK fisheries management through a Fisheries Bill.
- 1.2 The broad ambitions outlined within the paper indicate positive intent and are generally welcomed within the draft response attached to this report. The lack of reference to IFCAs within the paper or their future role in supporting and delivering UK fisheries management is, however, disappointing. One of the major issues facing the local industry is uncertainty surrounding future trading arrangements which will be dealt with separately outside the detail contained within the White Paper.
- 1.3 An Executive Summary and background to the White Paper is attached for information alongside a copy of the draft response

Contact Officer

David McCandless
Chief Officer
Ext. 3690



SUSTAINABLE FISHERIES FOR FUTURE GENERATIONS

Fisheries White Paper

This briefing document is designed to help operational staff, who deal directly with the fishing industry, answer questions about the Fisheries White Paper.

Defra's Fisheries White Paper is a policy document that sets out proposals for the UK government's future fisheries policy. The White Paper is open for consultation for 10 weeks until 12 September 2018.

Responses to the consultation can be made via the website, email to fisheriesengagement@defra.gsi.gov.uk or by post, details for which are overleaf.

More information and the White Paper can be found at <https://www.gov.uk/defra>

Sustainable fisheries for future generations

The Fisheries White Paper

Key messages

- The Fisheries White Paper – **‘Sustainable Fisheries for Future Generations’** – **charts the course for a sustainable and profitable fishing industry.**
- Leaving the EU means **taking back control of our waters for the first time in 40 years**, access will be on the UK’s terms and for the benefit of UK fishermen. When we leave the EU, the UK will become an **independent coastal state** under international law.
- The UK will have the opportunity to move towards a **fairer share of fishing opportunities** - overhauling the current system where UK fishermen have received a poor deal that is based on fishing patterns from the 1970s.
- The government will **introduce the Fisheries Bill** in this session of Parliament, to create powers to give the UK full control of our waters, set fishing opportunities and manage fisheries.
- Underpinning everything will **be our commitment to sustainability** – supporting future generations of fishermen and allowing our marine environment to thrive.
- There will be a ten week consultation over the summer.

Future access to waters and fishing opportunities

- We will take back control of who has access to our waters, and on what terms.
- The government will negotiate access and fishing opportunities with our European neighbours on an annual basis.
- We will seek to move away from relative stability towards a fairer and more scientific method for future quota shares.
- We do not yet know the outcome of the UK’s negotiations to withdraw from the EU or on a future economic partnership. The White Paper is clear that market access for fisheries products is separate from the question of fishing opportunities and access to waters.

Commitment to sustainability

- Healthy stocks are the foundation on which all else depends: commercial fishing, recreational fishing and thriving communities.
- We remain committed to fishing within sustainable limits (maximum sustainable yield) to restore stocks to healthy levels. We will publish an annual statement setting out the health of fish stocks based on the latest scientific evidence.
- We will continue to work towards ending the wasteful practice of fish discards and comply with the landing obligation.
- We will make clear that vessels will only be allowed to fish in our waters if they adhere to our high sustainability standards.
- As set out in its 25 Year Environment Plan, the government will pursue an ecosystem approach to fisheries management that will minimise impacts of fishing on the wider marine environment.

Devolution and a UK framework

- Our approach will benefit the whole of the UK.
- Fisheries is devolved and the UK government is committed to respecting the devolution settlements. Particular attention will also be given to maintaining cross-border co-operation between Northern Ireland and Ireland.
- The UK government will continue to work with the Devolved Administrations to develop a new UK framework for fisheries management, which will maximise their power to manage their fisheries while maintaining the integrity of the UK internal market.

The Fisheries Bill

In the White Paper the government has announced proposals for the Bill to include powers to:

- enable UK to take back control of access to our fishing waters
- preserve equal access for UK vessels throughout UK waters
- set fishing opportunities (quotas or days at sea)
- manage the exploitation of sea fisheries resources to ensure we can protect our marine environment
- allow the UK to respond to scientific advice, protect the marine environment and meet our international commitments by taking a power to amend retained EU law
- introduce reforms to fisheries management in England, including schemes to tender or auction quota and to enable fishers to avoid the problem of choke species
- improve Marine Management Organisation's cost-recovery powers and modernise grant making powers

Reforms to fisheries management

- We will continue to use existing methodologies based on Fixed Quota Allocation for apportioning any existing quota within the UK.
- For any additional fishing opportunities we negotiate as an independent coastal state, we will explore other methodologies such as zonal attachment. Defra intends to begin a conversation with the Devolved Administrations and stakeholders to allocate these on a different basis.
- We are fully committed to working with partners to introduce a management regime that works for the catching sector, coastal communities, the seafood sector, consumers, NGOs and the wider public.
- We will consider, with interested parties whether and how to replace the EMFF, which has supported the sector across the UK.
- In England, the government will:
 - develop a tailored package of measures to prevent wasteful discarding
 - develop a new approach to tackling 'choke species'
 - consider the establishment a reserve of quota to be managed and allocated according to new criteria to meet future industry needs
 - review the current "under 10" category of low impact inshore vessels
 - consider a targeted scientific trial of the 'effort system' for quota management
 - consider the further integration of recreational angling into the new fisheries framework;
 - to use technology to support the collection and use of data and information to develop a much more transparent regime;
 - explore new management systems for non-quota stocks (e.g. shellfish) in western waters

A guide to UK fisheries policy

How does UK fisheries policy currently work?

Fisheries management in the UK currently operates under a set of EU rules called the Common Fisheries Policy (CFP). Central elements of the CFP include mutual access to EU waters, and the allocation of fish stock shares to Member States based on historic fishing patterns ('relative stability'). Total Allowable Catch (TAC) are agreed between the EU Commission (acting on behalf of Member States) and countries with which it has shared stocks e.g. bilaterally with Norway and the Faroe Islands. TAC for each stock for the next year are agreed annually at the December Fisheries Council. Once EU TACs have been set, they are divided between Member States in the form of national quotas. The EU distributes quota to Member States in accordance with a method known as 'relative stability' – this grants EU countries a fixed percentage of quota for each fish stock covered by TACs. Relative stability was agreed in 1983 and was based on Member States' historical fishing patterns dating back to the 1970s.

The CFP also provides comprehensive rules in a number of other areas, including the size of the EU fishing fleet, conservation of fish stocks, technical standards, data collection, landing obligations, funding, and allocation of fishing opportunities.

Fisheries policy is also an area of devolved competence under each of the three devolution settlements, meaning that England and each Devolved Administration is free to manage its fisheries within the boundaries set by the CFP, as well as other international obligations. The current UK-wide approach to fisheries is achieved because each Fisheries Administration is required to comply with EU law – including the CFP – and because they have agreed a voluntary fisheries concordat which sets out how they work together.

What will change when we leave the EU?

When we leave the EU, the UK will become an independent coastal state under international law (United Nations Convention on the Law of the Sea), with jurisdiction over our territorial sea and Exclusive Economic Zone – out to 200 nautical miles (nm), or the median line between us and neighbouring states.

In the short term, the UK will continue to abide by CFP rules during the implementation period. From 2020 we will be negotiating access to waters and fishing opportunities as an independent coastal state.

The Fisheries White Paper - 'Sustainable Fisheries for Future Generations' - charts our course for managing fisheries after Brexit.



Important fisheries terms

1. **Fishing opportunities** – these are catch limits (expressed in tonnes or numbers) that are set for most commercial fish stocks and can be calculated using **quota** or **effort** (i.e. limits to days that may be spent at sea). At the moment, **Total Allowable Catches (TAC)** for each stock are agreed at an EU level and then proportions of the TAC are allocated to Member states as fishing opportunities.
2. **Fixed quota allocation units (FQAs)** - the current methodology used to apportion quota within the UK. Fishing opportunities are apportioned to each of the four Fisheries Administrations by the Secretary of State. Each of the Fisheries Administrations is then able to allocate its quota to its industry as it wishes. FQAs were established in 1999, based on historic catches from 1993 to 1996, and the government recognises that UK fishermen have invested in FQAs. The government will continue to use this methodology for the apportionment of existing quota after we leave the EU.
3. **Zonal Attachment** - the general term used to describe the spatial distribution of fish stocks: there is no single agreed definition of how zonal attachment should be measured. For any additional fishing opportunities the UK negotiates as an independent coastal state, we will explore alternative methodologies to FQAs, such as zonal attachment.
4. **Effort system (or days at sea)** - a measure of the fishing activity of vessels based on fishing capacity and the time spent fishing. Some fishermen advocate a greater use of an effort system in place of the quota system. Defra will consider a targeted scientific trial of this methodology by small scale, low impact fishing vessels in English waters.
5. **Maximum Sustainable Yield (MSY)** - for a given fish stock this is the highest possible annual catch that can be sustained over time, by keeping the stock at the level producing maximum growth. After we leave the EU we will remain committed to fishing within MSY, in line with the commitments we have made in our 25YEP and internationally.
6. **Ecosystem approach** – this means not only managing commercial fish stocks but effectively managing the wider impacts of fishing on other marine species and on marine habitats. We will pursue this approach to help minimise the impacts of fishing on the wider marine environment.
7. **Reserve of quota** – in England, we will consider the establishment of a reserve of quota drawing on any additional fishing opportunities available to England. Some of the quota from the reserve could then be used to meet the future needs of the industry including to raise revenue (through a tendering or auctioning system) or to help offset choke species.
8. **Landing obligation/discard ban** - an obligation to land all catch to end wasteful discarding of fish. UK Ministers worked with the EU to introduce this crucial reform to the CFP to avoid up to a million tonnes of fish being thrown back into EU waters each year. The UK government remains committed to the discard ban.
9. **Choke species** – “choke” occurs when fishermen have used up all their quota for a specific stock, but are unable to avoid catching the species because they are found in mixed fisheries (i.e. amongst other fish). The White Paper proposes two solutions to this problem in England: a reserve of quota that could be used to offset choke species, coupled with a new scheme to help fishermen unable to find quota to set against their catch.

Facts and figures – the fisheries sector

The seafood sector is worth over £1 billion to the UK

- The sector includes catching, processing and aquaculture.
- Seafood sector represents 0.08% of the UK economy and contributes £1.45 billion.
- In the UK, the seafood sector employs around 33,000 people.

UK catching sector

- There are around 12,000 fishermen in the UK fleet – most (81%) of them work full time.
- The UK fishing fleet is made up of 6,000 fishing vessels, roughly 80% of which are classed as small (10m or under in size).
- In 2016, UK fishermen caught a total of 701,000 tonnes of sea fish, with a value of over £936 million. Around 60% of total catch by value was caught by the Scottish fleet.
- Of that total amount fisherman caught, 570,000 tonnes of fish was harvested within the UK's waters (EEZ) - it was worth over £770 million.
- UK vessels landed 130,000 tonnes (£140 million) of fish into EU ports and 120,000 tonnes (£110 million) to non-EU countries.
- Foreign vessels landed 50,000 tonnes (£80 million) of fish to UK ports.
- On average between 2012 and 2016, other EU Member States' vessels landed around 760,000 tonnes of fish (£540 million revenue) caught in UK waters per year whereas UK vessels landed 90,000 tonnes (£110 million revenue) of fish caught in other Member States' waters per year in the same time period.
- Catching fish is not only for commercial reasons, during 2015 -2016 around 106,000 people on average take part in recreational fishing in England per week.

The UK has a thriving aquaculture sector

- Aquaculture employs over 3,000 workers, with around 60% employed in Scotland (2013).
- The sector contributes £275 million to the UK economy (2014).
- We are the leading aquaculture producer in the EU by value and second by volume (2014).
- Atlantic salmon production in Scotland dominates UK aquaculture by volume and value.
- As a whole the aquaculture sector produced over 200,000 tonnes of seafood in 2014. This was valued at almost £800 million, with most of that coming from finfish (such as salmon) as opposed to shellfish (such as crabs).

The importance of the processing sector

- The seafood processing sector employs around 18,000 people (2016). It has a turnover of £4.4 billion, contributing almost £800 million to the UK economy (2014).

And UK seafood is consumed all over the world

- The UK exports £1.6 billion of seafood all over the world. Salmon caught or farmed in the UK is particularly popular.
- In total the UK imports £3.1 billion of seafood, meaning we run a global trade deficit in seafood. Our most popular imports by value include shrimps and prawns, cod and salmon.
- However, we run a trade surplus with the EU. We export £1.2 billion to the EU, but only import £1 billion.

All enquiries should be directed to:

David McCandless BSc. MSc.
Chief Officer
Tel: 01482 393690
Fax: 01482 393699
E.Mail: david.mccandless@eastriding.gov.uk
Web Site www.ne-ifca.gov.uk
Your ref:

Our ref: neifca/
7 August 2018

Email:
Fisheries White Paper Consultation Team
Defra
First Floor
Seacole Block
2 Marsham Street
London
SW1P 4DF

Dear Sirs,

RE: Consultation – ‘Sustainable Fisheries for Future Generations’

This response to the consultation paper ‘Sustainable Fisheries for Future Generations’ which outlines the UK Government’s proposed new approach to fisheries management following exit from the European Union has been drafted and submitted on behalf of the members and officers North Eastern Inshore Fisheries and Conservation Authority (NEIFCA).

North Eastern Inshore Fisheries and Conservation Authority (NEIFCA) was established on 1st April 2011 under provisions contained within the Marine and Coastal Access Act 2009 to manage the exploitation of sea fisheries resources within an area between the River Tyne in the North and the South Bank of the Humber Estuary. The seaward limit of the Authority’s jurisdiction currently stretches to 6 nautical miles. The Authority’s area of jurisdiction covers some 224 coastal miles encompassing over twenty primary fishing ports and launching sites, utilised by over 250 commercial and 600 hobby vessel operators.

During 2016 over 3,916 tonnes of whitefish and 8,620 tonnes of shellfish were landed at major fishing ports located within the Authority’s District for a total first sale value of over £21 million. The fishing industry continues to make a significant contribution to the regional economy and the long-term sustainability of local coastal communities and this consultation is therefore of great interest to both the members and officers of NEIFCA.

In terms of the consultation documentation NEIFCA would like to make the following general points:

- First and foremost the apparent lack of reference within the paper to, or consideration of, the role that Inshore Fisheries and Conservation Authority’s (IFCA’s) might play in reviewing the future management of UK inshore fisheries is very disappointing.
- As highlighted within the consultation documentation future access to markets for fisheries products will be agreed as part of the UK’s future economic partnership with

the EU and will be addressed separately to the question of future fishing opportunities and access to waters.

At this stage members would like to point out that access to future markets is critical to the long term future of the regions fishermen, the coastal communities and economies reliant upon them. During 2016 over 90% of the 8,620 tonnes of shellfish landed at ports located within the NEIFCA district was exported to near continent markets in the EU under existing 'free trade' arrangements. Any change in tariffs would have a significant impact on the North East coast and therefore, given the significance to the region, members would like to be fully involved in any future consultations relating to trading arrangements.

- In terms of the broader ambitions outlined within the paper members are supportive of the future establishment of the UK as an independent coastal state and the general ambitions outlined within Defra's 25 Year Environment Plan, namely, securing clean, healthy, productive and biologically diverse seas and oceans. The achievement of sustainability is at the heart of the Authority's work in developing fisheries management programmes within its district.
- Members welcome the acknowledgement of the current disparity in the Common Fisheries Policy (CFP) quota system and the ambition to improve access to fishing opportunities. Within the Authority's district the obvious constraints of the CFP have led to the capping of over 70% of local fishing licences restricting inshore operators to targeting a small number of species thus increasing the pressure on those stocks. The Authority's ambition for a sustainable inshore fishing fleet would be one that permitted managed access to a wider range of stocks, across the year, utilising low impact sustainable fishing methods. It is important that a proportion of any uplift in fishing opportunities is ring-fenced to support such a programme within the inshore sector. As outlined within the paper the process of tendering or auctioning for English quota will have a role to play but needs to be very carefully managed to ensure that the largest and most profitable operators are not the sole beneficiaries of such a system.
- In the North East of England access to UK waters by EU member states is not a significant issue due to the limited nature of historical fishing rights but members are supportive of the government's intent outlined within the paper.
- In the past members raised concerns over the reliance on and suitability of Maximum Sustainable Yield (MSY) to assess the 'health' of exploited stocks but recognise that the principles of MSY are now enshrined in fisheries management practice both nationally and internationally. More broadly members welcome the ambitions to achieve sustainable management in UK fisheries.
- Members welcome the acknowledgement of the recreational angling sector and the ambition to more formally integrate it into fisheries management and governance processes. In the past NEIFCA's predecessor organisation, North Eastern Sea Fisheries Committee (NESFC) made a byelaw to protect tope within its District based on 'catch and release' principles. The primary driver was to protect tope as a recreational species, a management direction which officers felt would bring much greater economic benefits.
- Members welcome the ambitions to protect the wider marine environment. Since 2016 IFCA's have been at the forefront of managing fishing impacts in marine protected areas and delivering appropriate management within the Districts. As part of that work NEIFCA officers have appraised 1,391 fishing/feature interactions, completed 73 tests of 'likely significant effect' and 4 Appropriate Assessments across six MPA sites as part

of that programme. This, in turn, has informed the making of six new management measures designed to strengthen environmental protection.

- The current European Maritime and Fisheries Fund (EMFF) and previous European fisheries funding programmes have proved essential in supporting the wider fishing industry and the work of the Authority. In the past, two such programmes have been utilised to provide substantive funding to purchase and commission new patrol vessels for the NEIFCA District. If the ambitions of the White Paper are to be fully realised it is essential that a UK replacement fund is developed to support the fisheries sector following the UK's exit from the EU. Such a fund will need to cover the core areas of enforcement and control, safety and innovation supporting low impact sustainable practices within the industry.
- Members fully recognise the importance and vulnerability of all the coastal communities located within the Authority's District. With few exceptions the majority of those communities face significant socio-economic challenges for a multitude of reasons. Accessing funds from sources such as the Coastal Communities Fund (CCF) can provide an important boost particularly in terms of promoting growth and job creation. Priority must be given to retaining these programmes and focusing on counteracting the economic impacts of seasonality faced by such communities.
- In summary, members broadly welcome the ambitions set out within the paper but priority must be given to strengthening access to fishing opportunities across the inshore fleet and outside the scope or remit of the paper, securing beneficial trading arrangements when the UK leaves the EU. The establishment of a UK centric fisheries funding programme will also be essential in underpinning the ambitions of the paper.

If you wish to discuss any aspect of this response please do not hesitate to contact me.

Yours sincerely

David Thomas McCandless
Chief Officer
North Eastern Inshore Fisheries & Conservation Authority

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Executive Committee
6 September 2018

NEIFCA Staffing & Operational Policies

Report by the Chief Officer

A. Purpose of Report

To seek members' approval to adopt the following policies:

- (i) Salary Supplement Policy
- (ii) Learning and Development Fees and Expenses Policy
- (iii) Staff Privacy Policy

B Recommendation

That subject to any additional consultation required with Trade Union representatives the following policies be approved and adopted:

- (i) Salary Supplement Policy
- (ii) Learning and Development Fees and Expenses Policy
- (iii) Staff Privacy Policy

1. Background

- 1.1 The Chief Officer, in consultation with the Clerk, regularly reviews and updates staffing and operational policies to ensure the continued delivery of an efficient and cost effective service and to comply with any changes in national legislation and guidelines. Four new policies are presented for approval and adoption.

1.1.1 Salary Supplement Policy

When recruiting for more specialist posts, requiring a specific set of skills, it is often difficult to attract a strong pool of applicants. Most recently, despite running two consecutive recruitment processes for the First Mate vacancy, I was unable to appoint a suitable candidate. Historically the Authority has faced similar problems when trying to recruit engineers and salaries advertised for these vacancies have been lower than the market average which is restricting the potential pool of applicants. In an attempt to address this issue and in consultation with Human Resources and the Clerk I have adopted a discretionary policy for consideration and endorsement, in line with East Riding of Yorkshire Council, which would enable a salary supplement to be added to certain posts. An evidenced case would have to be made to satisfy the criteria outlined within the policy and such a payment would be given in addition to and

separate of payroll. It would be reviewed annually and provided for a maximum period of three years and could be removed at any point in time.

Any costs associated with the Salary Supplement Policy would have to be met from existing operational budgetary provisions.

A copy of the draft policy is attached to this report for further information.

1.1.2 Learning and Development Fees and Expenses Policy

The Authority invests a significant amount of money into the training and development of its staff and the majority of those courses carry a nationally recognised accreditation recognised across a wide spectrum of industries and employers. Some specialist courses can cost over £2K per person. The Authority's ambition is to retain, develop and nurture its staff in a highly motivated and positive work environment.

Whilst this policy facilitates and encourages investment in the personal development of all staff it also provides a mechanism to recoup the costs of certain training provision where the officer leaves the employment of the Authority within two years.

A copy of the draft policy is attached to this report for further information.

1.1.3 Staff Privacy Policy

On 25 May 2018 new General Data Protection Regulations took effect strengthening the rights of data subjects including not only the rights of the Authority's stakeholders but also its staff and officers. To ensure compliance with the regulations a staff privacy policy has been developed which details the type of personal data held and processed by the Authority in relation to its staff, the reasons for doing so and associated rights.

A copy of the draft policy is attached to this report for further information.

2. Aims of the Policies

2.1 Salary Supplement

The policy will provide a temporary mechanism to supplement the salaries of certain specialist posts which are proving difficult to recruit into, typically, Skipper, First Mate, First and Second Engineers and draw in a much wider pool of applicants with a stronger skill set.

2.2 Learning and Development Fees and Expenses Policy

The policy will support the positive financial investment in officer training and enable the recovery of certain training costs where an officer leaves the employment of the Authority within two years after the completion of the training.

2.3 Staff Privacy Policy

The policy sets out the type, reason and rights in relation to the processing of personal data generated by staff and will ensure compliance with the 2018 General Data Protection Regulations.

3. Policy Review

All the policies will be reviewed on a regular basis to reflect any changes in legislation and best practice as appropriate.

Contact Officer

David McCandless, Chief Officer

Ext 3690

Background Papers

Salary Supplement Policy

Learning and Development Fees and Expenses Policy

Safeguarding Code of Conduct

Staff Privacy Policy

SALARY SUPPLEMENT ALLOWANCE POLICY

1. Background

- 1.1 It is recognised that at certain times, some key posts within the Authority may be hard to fill and recruitment into these posts or retention within these posts can be difficult. This may be due to lack of suitably qualified, skilled or experienced individuals, salary expectations or higher salaries paid within other organisations and maritime businesses in the area.
- 1.2 The inability to recruit to key posts and retain key employees may lead to a detrimental effect on operational delivery. In some circumstances this can be addressed by the payment of an allowance to enable salaries to be competitive with market forces. Such an allowance is an interim measure to address immediate difficulties pending a longer term solution to recruitment/retention difficulties.

2. Policy Statement

- 2.1 The Authority recognises the need to provide a high quality service and retains the right to pay a discretionary salary supplement allowance to enhance existing salaries in order to attract and retain key employees. This policy applies to all employees of the Authority.

3. Implementation

- 3.1 The policy will be implemented by Managers in consultation with Human Resources.

SALARY SUPPLEMENT ALLOWANCE PROCEDURE

1. Background

- 1.1 When it is clearly demonstrated that recruitment/retention difficulties exist (see criteria set out at paragraph 2.2), a salary supplement may be available to alleviate the problems. The supplement will be an allowance which is offered at the absolute discretion of the Authority to aid the recruitment to key posts or retention of key employees. It can be withdrawn by the Authority at any time and without the agreement of the employee, after giving due notice.

2. Authorisation and Review Procedure

- 2.1 Managers must seek approval for a salary supplement by preparing a written record to be authorised by the Chief Officer, requesting a new, or continuation of, a salary supplement. Any approval will be for up to three years subject to managerial reviews. Managerial reviews of the salary supplement must be undertaken:

- (a) yearly at the anniversary
- (b) in the event of staff turnover
- (c) if there are changes to market forces

In all cases the salary supplement review form attached at appendix A must be completed accordingly.

- 2.2 The decision record should give full details and justification:

- of the difficulties in recruitment
- of market rates paid in other organisations and maritime businesses.
- of the number of posts affected and post numbers
- of the financial implications
- of the service implications of not being able to fill the post
- that vacant posts have been advertised externally, resulting in no suitable applicants
- that the Manager has worked with workforce development/HR to address recruitment and retention issues and implement longer term solutions

The salary supplement review form/s should be attached to the decision record if applicable.

- 2.3 Salary supplements are attached to the post, not the individual occupying the post, therefore if a salary supplement is approved, all post holders in the same post are entitled to the agreed supplement and similarly if the supplement is withdrawn it is from all post holders in the same post, after giving due notice.
- 2.4 When an employee leaves a post in which a salary supplement was previously paid and they were the only post holder affected, the supplement will automatically be reviewed by the manager before including a salary supplement on any recruitment advertisement. Where there is justification to continue the payments the manager must keep a written record on the salary supplement review form explaining the reasons for their decision.

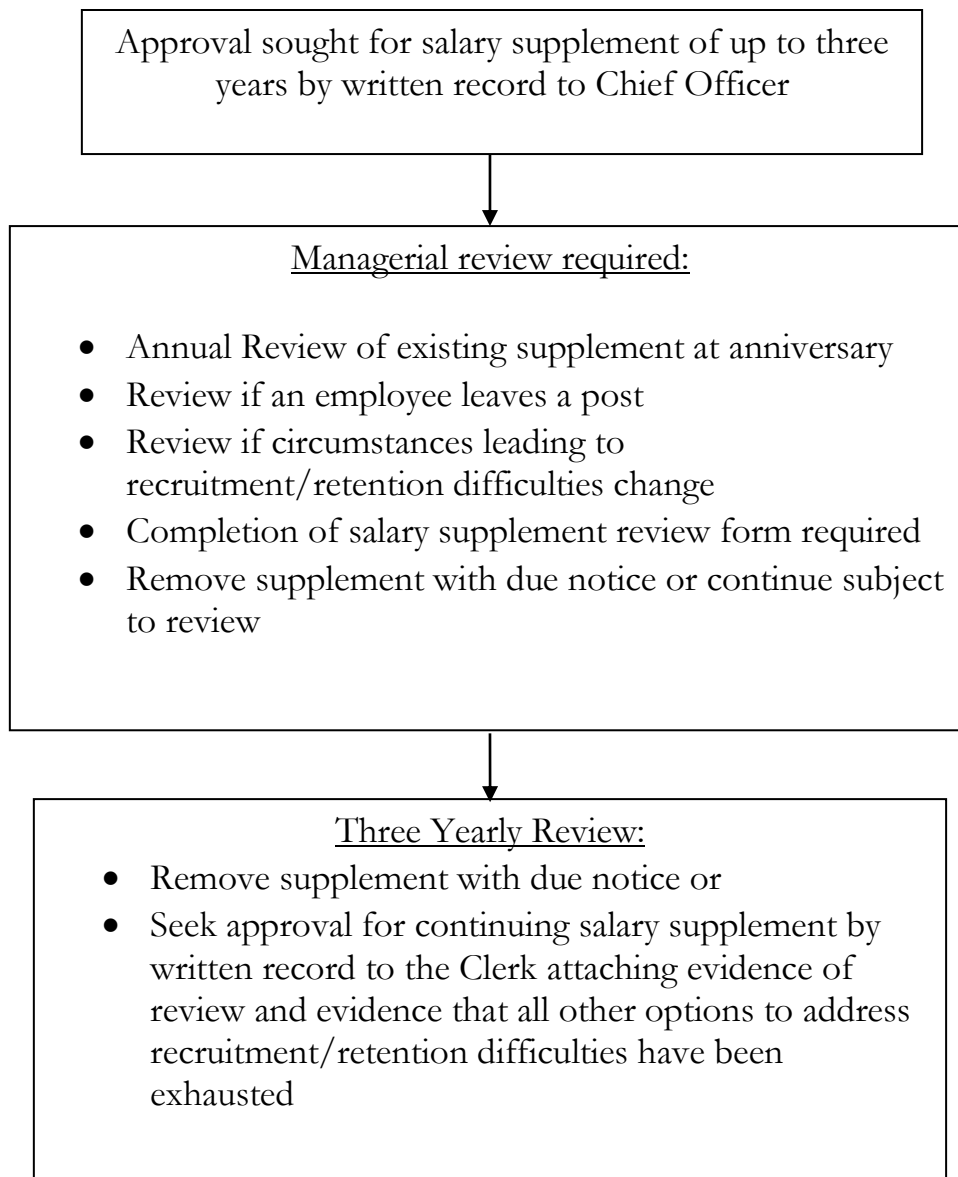
- 2.5 When an employee leaves a post in which the salary supplement is paid to more than one employee the manager must automatically review the payment prior to any recruitment to the vacant post and complete the salary supplement review form. If a decision is made to withdraw the allowance, steps must be taken to withdraw the payment from all post holders linked to that post by giving due notice. Where there is justification to continue the payments the manager must keep a written record on the salary supplement review form explaining the reasons for their decision.
- 2.6 All salary supplements must be reviewed by the appropriate manager annually at their anniversary regardless of whether circumstances have changed. The Manager must keep evidence of justification for the supplement and complete the review form attached at appendix A as a record. Supplements will not normally be extended beyond three years unless it can be proven that all other options to address recruitment/retention difficulties have been explored. An extension beyond 3 years will only be granted after approval by the Clerk, via the record process. The record should detail full justification (as in paragraph 2.2) and the completed annual review forms should be attached as evidence.
- 2.7 Where the circumstances that justified any supplement no longer apply, the supplement will be withdrawn with due notice and the post holder/s will revert to the actual salary attached to the post. Contractual notice will apply as a minimum.

3. Other Information

- 3.1 The amount of a supplement may vary and will have regard to the rates of pay in force within comparable markets.
- 3.2 All costs must be met from operational budgets.
- 3.3 The supplement will not be used to calculate termination payments such as redundancy but is pensionable.
- 3.4 The supplement will be paid as part of pay but will remain as a separate allowance. It will be increased in line with pay awards but it will not be incorporated into normal pay without the express approval of the Clerk.
- 3.5 The salary supplement will be shown as a separate percentage figure, hourly rate or annual allowance on all job advertisements and recorded as a separate allowance within the payroll system.
- 3.6 The salary supplement allowance is primarily intended to address immediate recruitment/retention difficulties and Managers are required to work with Human Resources to implement longer term solutions with a view to removing the salary supplement at the end of the 3 year period wherever possible.

SALARY SUPPLEMENT REVIEW FORM

Job Title:		Department:	
Numbers affected:		Post Number/s	
Salary/Hourly Rate:			
Supplement Amount per annum/hour:		Supplement % (if applicable)	
Effective date:		Annual Review Date:	
Reason for Review (please tick) 1. Annual Review 2. Change in market forces 3. Staff turnover		 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
Justification for continuing the supplement Please give full details of reasons the supplement should cease or continue, referring to the criteria detailed at paragraph 2.2 of the Salary Supplement Allowance Procedure: 			
Do you wish the salary supplement to continue:		Yes <input type="checkbox"/> No <input type="checkbox"/>	
Managers Name:		Job Title:	
Managers Signature:		Date:	

FLOW CHART OF SALARY SUPPLEMENT ALLOWANCE PROCEDURE

LEARNING AND DEVELOPMENT - FEES AND EXPENSES POLICY AND PROCEDURE

Learning & Development Fees and Expenses Policy

1 Background

- 1.1 The Authority has developed a wide range of learning and development opportunities with open access to the workforce. The courses offered have been tailored to meet the Authority's, and individual's needs.
- 1.2 This policy applies to accredited courses which may be facilitated by an external provider, accredited by an external provider ie. STCW, Whitby Fishing School, HOTA, MTD. It also applies to any training, which results in the employee gaining a professional qualification at the end of that period of study. For example study towards a work related NVQ, or professional qualification for example Day Skipper, Yacht Master.
- 1.3 Where it is agreed that an employee undertakes an accredited course, following identification of the requirement through an Employee Development Review, irrespective of the course duration, this policy should be used to define the terms of the agreement, and to ensure commitment to the learning and development by both the employee and the Authority.
- 1.4 In line with the Equality Act 2010 the Authority actively pursues equality and fair treatment in employment, to ensure that no employee receives less favourable treatment when accessing learning and development opportunities. .
- 1.5 This policy and procedure applies to all employees of the Authority.

2. Definitions

- 2.1 The definition of 'fees and expenses' includes the costs of the course/training, student registration fees, text books, examination and registration fees, as well as travel and subsistence payments up to a pre-determined level at a managers discretion which must be specified within the Learning Agreement. Please see also paragraph 2.1 of the procedure.

3. Policy Statement

- 3.1 The Authority is committed to providing and promoting the learning and development of its employees. The use of the Learning and Development Fees and Expenses Policy and Procedure will promote the retention of those employees entering into professionally accredited learning and development funded by the Authority.

4. Links with other Policies

EDR Form

Staff Travel, Accommodation, Subsistence and Expenses Policy & Guidelines

5. Desirable Outcomes

- 5.1 The desired outcome from the implementation of this policy and procedure is a well motivated, qualified and committed workforce where employees are developed in accordance with the needs of the department and post, and that all employees entering into external learning and development which is supported by the Authority agree to the terms outlined in the Learning and Development Fees and Expenses Policy and Procedure and sign the Learning and Development Agreement (Appendix 1).

6. Policy Implementation

- 6.1 The policy and procedure will be implemented by Chief and Deputy Chief Officer, Senior Line Managers in consultation with Human Resources and Support Services.

Learning and Development Fees and Expenses Procedure

1. Introduction

- 1.1 Any external learning and development requirements should be identified through an Employee Development Review and meet the following criteria:
- Be either a professional course related to the employee's role and career path or part of continuous professional development, or the post should have already been identified as a "apprentice" type post where it is a requirement of the post to gain a specific professional qualification.
 - Consideration should be given to the most cost effective solution when determining the training provider for any learning & development opportunity.
- 1.2 Following the identification of a specific learning and development requirement, the employee should provide their Line Manager with the details of the professionally accredited course, including location, costs, duration and times of attendance.
- 1.3 If the learning and development opportunity requirement is identified by a Line Manager / Senior Management, they will provide the employee with details of the accredited course/training program, including cost, duration and times of attendance.

2. Course Details and Associated Costs

- 2.1 The employee should also provide their manager with the details of any potential costs in addition to the tuition fees, which could include:

Registration Fees Exam Fees Student Registration Fees Professional Fees	Payment to be agreed with line manager. This may either be paid by the employee and reimbursed, via payroll or paid by the Authority as and when required.
Text Books	Payment to be agreed with line manager.

Travel	Payment to be agreed with line manager. If agreed, travel expenses will be paid in accordance with the Authority's Staff Travel, Accommodation, Subsistence and Expenses Policy & Guidelines . Mileage costs will be paid at the Business Mileage rate, upon submission of a valid mileage claim.
Subsistence	Payment to be agreed with line manager. If agreed, subsistence costs will be paid in accordance with the Authority's Staff Travel, Accommodation, Subsistence and Expenses Policy & Guidelines, upon production of a valid receipt.

- 2.2 Upon receipt of the full course information/costs the manager will give this due consideration and identify whether there are sufficient resources to fully support the learning and development activity. This should include factors such as workload pressures within the team, staffing levels and time off requirements as well as ensuring there are sufficient financial resources available. Any costs in addition to the actual tuition fees, are paid at the managers discretion.
- 2.3 If the learning and development opportunity is a recommendation made by the Line Manager/Senior Management, any additional costs associated with the training will be agreed and paid at the manager's discretion.
- 2.4 A meeting should then be arranged with the employee. If both the manager and the employee agree to the learning and development request, the discussion should then focus on how the learning and development will be managed and the manager should outline the provisions as laid out in the Learning and Development Fees and Expenses Policy and explain that a Learning and Development Agreement must be completed and signed by the employee and manager.

3. Financial Implications and Repayment

- 3.1 Managers need to consider the cost of any professionally accredited course and the impact this would have upon existing and future budgets. However, agreement as to what fees are to be paid is at the discretion of the manager and all employees must make every reasonable attempt to pass/successfully complete the course/exam/learning and development being undertaken
- 3.2 The manager must make it clear to the employee, when they meet to discuss the learning and development opportunity, that should they leave the Authority within two years of formal notification of their results, there is a requirement to pay back the course fees and expenses to the Authority, as detailed below:

- If the employee leaves the Authority's employment within two years of formal notification of their results, the amount to be repaid will be reduced by ½ after the first year of completion;
 - If the employee fails to complete the course due to being dismissed by the Authority, including for cumulative absence, (except under the provisions of 3.3 below), the employee will be required to repay the whole amount of the financial support.
- 3.3 Should an employee have their contract terminated by the Authority on the grounds of Redundancy or Capability due to Unresolving Ill Health, or they are terminated due to a departmental reorganisation (for Some Other Substantial Reason), then the Authority will no longer pay any costs for the individual to continue to study. However the employee would not be asked to repay any costs paid out up to the point of termination.
- 3.4 Managers should also ensure that an employee is aware that they are also liable to repay the Authority the full cost of the course fees and any expenses paid if without reasonable cause:
- They fail to demonstrate satisfactory progress on the course, for example by unacceptable academic levels, by failing examinations or assessments which leads to their removal from the course; or
 - They fail to sit any necessary exams, taking into account the circumstances of each a particular case (e.g. illness, maternity leave etc) : or
 - They abandon the course.
- 3.5 In line with an employee's contract of employment the Authority will, at its discretion, deduct from any monies or other benefits owing to the employee, the amount of all or part of any monies owed by an employee to the Council under the terms of the Learning and Development Fees and Expenses Policy and Procedure at 3.2 and 3.4 above.

4. Booking the Course

- 4.1 Once the learning and development opportunity is agreed, the employee's line manager should forward details of the agreement to the Operational Support Manager, who will then issue a Learning and Development Agreement to the manager for them and the employee to sign.

Employees should be aware that by signing the Agreement they are agreeing to the provisions within the Learning and Development Fees and Expenses Policy and Procedure. A copy of the Learning and Development Agreement should be included in the employee's personal file.

- 4.2 The employee or NEIFCA Support Services will contact the learning and development provider and arrange their enrolment on the course. Any invoices should be forwarded to Support Services to allow the invoice to be paid. The Authority should only pay for the cost of one academic year at a time, where the course lasts for more than one year. This will allow line managers to review the situation after each academic year, and determine whether it is appropriate that the study should continue, for example:

- if the learning and development provider has changed the course so it is no longer relevant; or
- the learning and development provider ceases to run the course; or
- if the employee is no longer able to continue with the course due to personal circumstances; or
- the employee has demonstrated a lack of commitment to the course.

- 4.3 Any decisions to cease the provision of study should be made in consultation with Human Resources and confirmed to the employee in writing.

5. Study Leave

- 5.1 For those employees who are required to undertake exams as part of the course to attain their qualification a set period of study leave may be granted at the discretion of the line manager.

6. Monitoring and Review

- 6.1 Employees should ensure they keep their manager up to date with their progress throughout the duration of the course. When the employee receives written notification of their results, either at the end of each term/semester or year, they should forward a copy of the notification to their manager for information, who will arrange for a copy of the notification

to be placed on the employee's personal file. Copies of any certificates issued upon completion of the learning and development should also be forwarded to the Operational Support Manager for inclusion on the employee's personal file.

- 6.2 Where an employee has failed an examination or assessment and the employee can provide evidence of mitigating circumstances, the decision as to whether the Authority will fund the resit costs is at the discretion of the Chief/Deputy Chief Officer. However, it should be noted that, only one resit will be funded per examination/assessment. Please refer to paragraph 3.4 in relation to repayment of course/exam fees.

LEARNING AND DEVELOPMENT AGREEMENT

Name:		
Job Title:		
Date Joined NEIFCA:		
Name of Learning and Development Course:		
Professional Qualification:		
Name & Address of Learning and Development Provider		
Date Course Commences:		
Duration of Course		
Expected Date of Results:		
Fees and Expenses to be paid Payment is made at the Authority's discretion. (for guidance please refer to the procedure)	Tuition Fees	
	Registration Fees	
	Exam Fees	
	Student Registration Fees	
	Text Books	
	Equipment	
	Travel	
	NB. A 'Driving License Check' form must be completed in order to claim training mileage.	
	Subsistence	

	Any other approved expenses not including salary paid in respect of time spent at approved course of study. Please detail below:	
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I understand and agree to the following:

- 1 That, having read the Authority's Learning and Development Fees and Expenses Policy and Procedure, I am bound by its terms, both as in force at present and subject to any future amendments of the policy made by the Authority.

- 2 That I must produce official receipts for the payment of all such learning and development fees and expenses.

- 3 That should I leave the Authority's employment within 2 years of formal notification of my results, or fail to complete the course, I may be liable to repay some or all of the costs incurred as outlined in the Learning and Development Fees and Expenses Policy and Procedure. In line with my contract of employment the Authority will, at its discretion, deduct from any monies or other benefits owing to me, the amount of all or part of any monies owed by me to the Authority.

I have read and understand the Learning and Development Fees and Expenses Policy and Procedure and agree to abide by those conditions.

Signed:_____

Date:_____

Print Name:_____

Manager's Signature:_____

Date:_____

Print Name:_____

Chief/Deputy Chief Signature _____

Date:_____

North Eastern Inshore Fisheries & Conservation Authority Staff Privacy Notice

How Your Information Will Be Used

As your employer, the Authority needs to keep and process information about you for employment purposes. The information we hold and process will be used for our management and administrative use only. We will keep and use it to enable us to operate and manage our relationship with you effectively, lawfully and appropriately, during the recruitment process, whilst you are working for us, at the time when your employment ends and after you have left. This includes using information to enable us to comply with the employment contract, to comply with any legal requirements including ensuring your Health and Safety and wellbeing whilst at work and to protect our legal position in the event of legal proceedings. If you do not provide this data, we may be unable in some circumstances to comply with our obligations and we will tell you about the implications of that decision.

Much of the information we hold will have been provided by you, but some may come from other internal sources, such as your line manager, or in some cases, external sources, such as referees.

Contractual Responsibilities

The Authority's contractual responsibilities include those arising from the contract of employment. The data processed to meet contractual responsibilities includes, but is not limited to, data relating to: payroll; bank account; postal address; sick pay; leave; maternity pay; and pension and emergency contacts.

Statutory responsibilities

The Authority's statutory responsibilities are those imposed on the Authority by legislation. The data processed to meet statutory responsibilities includes, but is not limited to, data relating to: tax; national insurance; statutory sick pay; statutory maternity pay; family leave; work permits; and equal opportunities monitoring.

Management responsibilities

The Authority's management responsibilities are those necessary for the organisational functioning of the Authority. The data processed to meet management responsibilities includes, but is not limited to, data relating to: recruitment and employment; training and development; research; absence; disciplinary matters; health and safety; security, including lone worker mobile phone

tracking software, e-mail address and telephone number; swipe cards; and criminal convictions. The Authority undertakes BPSS screening as a condition of employment.

Personal Data

Personal data is data relating to a living individual who can be identified from that information or from that data and other information in the Authority's possession (for example: name, address, telephone number).

The Authority needs to process certain personal data about its staff for a number of administrative purposes:

- Managing Human Resources processes such as recruitment, payment of salaries and pensions, performance management, training and development.
- Providing facilities such as IT services
- Monitoring equal opportunities
- Provision of wellbeing and support services
- Compliance with legal obligations

Sensitive Personal Data

Sensitive personal data relates to racial or ethnic origin, political opinions, religious beliefs, trade union membership, health, sex life, criminal convictions. Personal data concerning disability is sensitive data. In certain limited circumstances, the Authority is permitted to collect and process sensitive personal data without requiring the explicit consent of the employee.

The Authority processes sensitive personal data for a number of administrative purposes:

- Managing Human Resources processes such as administering sick pay and sick leave schemes, managing absence, administering maternity leave and pay related schemes.
- Managing a safe environment and ensuring fitness for work.
- Provision of occupational health and wellbeing service to individuals.
- Managing obligations under Equal opportunities legislation.

The Authority will process data about an employee's health where it is necessary, for example, to record absence from work due to sickness, to pay statutory sick pay, to make appropriate referrals to the Occupational Health Service, and to make any necessary arrangements or adjustments to the workplace in the case of disability. We may also use this information to comply with our health and safety and occupational health obligations relating to employee ill health insurance and crew

personal accident policies. This processing will not normally happen without the employee's knowledge and consent.

How We Use Your Information

General Principles

The Authority will process staff information in accordance with the General Data Protection Regulation (GDPR). To comply with the law, information about individuals must be collected and used fairly, stored safely and securely, be adequate, relevant and not excessive, be kept accurate and up to date, held only as long as necessary and not disclosed to any third party unlawfully.

How do we use your information within the Authority?

Within the Authority, personal data may be shared between colleagues who legitimately need the information to carry out their duties.

Registration with IT Services means that a member of staff's name, department/section, email address and telephone number may be listed East Riding of Yorkshire Council's internal email and telephone directory.

Staff photographs are used on the Authority's ID Badges for the purposes of identification and security. The Authority may occasionally commission photographs of specific events which could include images of staff for inclusion in promotional material.

The Authority may monitor computing use through user names and log-ins to ensure adherence to the Acceptable Use Policy. In addition, the Authority may monitor mobile telephone use and mobile tracking software, as detailed in our Information Technology and Mobile Phone Policies. We also keep records of your hours and expenses, as detailed in our staff handbook. Electronic and manually logged records detailing the entry and access of premises associated with the Authority's business will also be monitored.

The Authority will collate and utilise body camera footage taken from officers to support operational activities and the gathering of evidence for enforcement and compliance purposes.

The Authority is required to obtain information about past criminal convictions as a condition of employment and also undertakes BPSS Screening as part of the recruitment process.

The amount of personal information shared within the Authority will be no more than is reasonably necessary.

There are occasions when Authority staff members will need to share your sensitive personal data with work colleagues within the East Riding of Yorkshire Council. For example, the Occupational Health service may seek information from the Authority or share information with Human Resources about fitness to work or payroll services.

Circumstances may also arise where sensitive personal data is shared with work colleagues within the Authority without first obtaining your explicit consent. This will only occur if the processing is necessary:

- To protect your vital interests and you cannot give your consent or your consent cannot be reasonably obtained
- To protect another person's vital interest and you have unreasonably withheld your consent
- For the discharge of any function which is designed for the provision of confidential counselling, advice, support or any other service and
- Your consent cannot be given,
- We cannot reasonably obtain your explicit consent, or
- Requiring your explicit consent would prejudice the provision of that counselling, advice, support or other service
- To meet our statutory obligations in relation to equality and diversity monitoring
- The disclosure is made for the purpose of prevention or detection of crime, the apprehension or prosecution of offenders and we have received a notice from the police confirming that the disclosure is required for these purposes
- Pursuant to a Court Order requiring disclosure
- Disclosure is necessary to assist the Authority obtain legal advice

Disclosure of personal data to other bodies

The Authority may need to share your personal and sensitive data with third parties if we are legally obliged to do so or where we need to comply with our contractual duties to you, for instance we may need to pass on certain information to East Riding of Yorkshire Council payroll, pension and external insurance providers, such as ill health insurance/motor fleet insurance companies.

The Authority will often confirm dates and nature of an individual's employment to a prospective employer in a reference. The Authority may also share email addresses and telephone contact numbers with partner agencies and external organisations.

If in the future we intend to process your personal data for a purpose other than that which it was collected we will provide you with information on that purpose and any other relevant information.

Legitimate Interests

The Authority will not use legitimate interests as a lawful basis for processing data if the processing is in the performance of the Authority's tasks as a public authority. There are some exceptions when the Authority will use Legitimate Interests as a basis for processing, such as in cases of fraud protection, network and information security and indicating possible criminal acts or threats to public security. A Legitimate Interest Assessment (LIA) will be carried out prior to any data processing.

Sharing of data outside the European Economic Area (EEA)

The Authority will only transfer Personal data outside the EEA in very limited and necessary circumstances; the data will only be transferred outside of the EU in compliance with the conditions for transfer set out in Chapter V of the GDPR.

Automated Decision Making

The Authority will not use any personal or sensitive data as a basis for automated decision making or profiling.

Retention of Data

Under the General Data Protection Regulation (GDPR) and The Data Protection Act 2018 (DPA), you have a number of rights with regard to your personal data. You have the right to request from the Authority access to and rectification or erasures of your personal data, the right to restrict processing, object to processing as well as in certain circumstances the right to data portability. A written request can be made to obtain access to the data held about you by the Authority, subject to certain exemptions. This is called a Subject Access Request. You also have the right to have errors and omissions corrected or out of date or irrelevant information removed. Any such requests should be made to the Authority's Chief Officer or directly to the Authority's Data Protection Officer.

The criteria used for determining how long your personal data will be stored for is detailed in the Authority's retention policy.

Keeping Personal Data up to date

The Authority will take reasonable steps to ensure that any personal data it processes is accurate and up-to-date. It is the responsibility of the individual employee to inform the Authority of any changes to the personal data that they have supplied during the course of their employment.

Right to Object

Officers have the right to object to the processing of their personal data in certain circumstances. To exercise the right you must put your objection in writing and be able to demonstrate that the Authority's processing will cause unwarranted and substantial distress. Objections will be responded to within one calendar month. All written objections must be submitted to the Authority's Chief Officer or Data Protection Officer.

Identity and contact details of the controller and Data Protection Officer.

North Eastern Inshore Fisheries and Conservation Authority is the controller and processor of data for the purposes of the Data Protection Act 2018 and the General Data Protection Regulation (GDPR).

If you have any concerns about how your data is processed you can contact:

Sarah Murray, Data Protection Officer

Email: sarah.x.murray@eastriding.gov.uk

David McCandless, Chief Officer

Email: david.mccandless@eastriding.gov.uk

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Executive Committee
6 September 2018

4 Yearly Report to Parliament – ‘Conduct and Operation of IFCA’s’

Report by the Chief Officer.

A. Purpose of Report

To advise members of a ‘call for evidence’ to support the statutory 4 yearly review into the conduct and operation of IFCA’s.

B. Recommendation

1. That members note the report.

1. Background

- 1.1 On 24 July 2018 Defra launched a ‘call for evidence’ to support the statutory 4 yearly review into the conduct and operation of IFCA’s in England. This represents the second time that IFCA’s have been reviewed since their inception in 2010. A copy of the public consultation request is attached to this report for members information.
- 1.2 Alongside the public ‘call for evidence’ IFCA Chief Officers received a separate request to complete and submit a questionnaire summarising operational outputs against the 5 national IFCA Success Criteria during the last four years. The NEIFCA submission is attached to this report for information.
- 1.3 The IFCA’s deliver statutory functions across a wide spectrum of the marine environment primarily ensuring appropriate fisheries management provisions are in place and regulatory control is actively enforced which is both challenging and generally unpopular. It is extremely important therefore that we use this 4 yearly consultation process to ensure that our collective hard work is highlighted positively to Defra.

Contact Officer

David McCandless
Chief Officer
Ext. 3690



Department
for Environment
Food & Rural Affairs

Tel: 03459 335577
helpline@defra.gsi.gov.uk
www.gov.uk/defra

24 July 2018

Dear Consultee

Report to Parliament about Inshore Fisheries and Conservation Authorities (IFCAs) conduct and operation: a 'Call for Evidence'

The Defra Secretary of State has a statutory obligation under the Marine and Coastal Access Act (MACCA) 2009 to prepare a report into the conduct and operation of IFCAs every four years, which is laid before Parliament. We are now collecting evidence to inform the report for the period 2014 – 2018.

The report will assess the IFCAs against their five high level objectives set out in the *IFCA Vision and Success Criteria* document.

These five high level objectives, Known as the “success criteria” in the Call for Evidence, focus on how IFCAs:

- are seen within their wider community, if they work jointly and collaboratively with partner organisations and contribute to the development of regional and national marine policy;
- make appropriate and effective use of assets and comply with Regulatory requirements; if their enforcement practices meet clear standards of conduct and skill;
- manage well their local fisheries resources and meet their environmental obligations;
- appoint their general committee members on merit; if funding is used appropriately and transparently; and
- train their staff, if staff are appropriately skilled and whether they can make fair management decisions and engage in relevant research.

I therefore invite you to respond to our 'Call for Evidence' and help us understand how individual IFCAs have worked to meet their duties and demonstrated the local leadership that might be expected of a statutory regulator.

We have published a questionnaire to help you provide this information, available at: <https://consult.defra.gov.uk/fisheries/ifcas-conduct-and-operation-report>

We anticipate that the final report will be presented to Parliament in early 2019.

The first report is available from the Defra Citizen Space website at <https://consult.defra.gov.uk/marine/ifca-report>



Responses

To submit your response, please complete the questionnaire available from the Citizen Space website at the link above. Alternatively, you can send us your comments

- by post to IFCA Consultation, Defra Fisheries Bodies Team, 1st Floor Seacole building, 2 Marsham Street, London SW1P 4DF; or
- directly to our dedicated email account: ifca-consultation@defra.gsi.gov.uk

Please let us have your comments by 4 September 2018.

Confidentiality and data protection

This Call for Evidence document and consultation process have been planned to adhere to the Consultation Principles issued by the Cabinet Office.

Representative groups are asked to give a summary of the people and organisations they represent and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation, including personal data, may be published or disclosed in accordance with the access to information regimes these are primarily the Environmental Information Regulations 2004 (EIRs), the Freedom of Information Act 2000 (FOIA) and the Data Protection Act 2018 (DPA). We have obligations, mainly under the EIRs, FOIA and DPA, to disclose information to particular recipients or to the public in certain circumstances.

If you want the information that you provide to be treated as confidential, please be aware that, as a public authority, the Department is bound by the Freedom of Information Act and may therefore be obliged to disclose all or some of the information you provide. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department of Environment Food and Rural Affairs will process your personal data in accordance with the law and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. A full privacy notice is included the parts above.

This consultation is being conducted in line with the Cabinet Office “Consultation Principles” and be found at: <https://www.gov.uk/government/publications/consultation-principles-guidance>.

If you have any comments or complaints about the consultation process, please address them to:

Consultation Coordinator

Area 1C, 1st Floor

Nobel House

17 Smith Square,

London, SW1P 3JR.

Or email: consultation.coordinator@defra.gsi.gov.uk

Thank you for your help in this matter. If you have any queries, please contact us as above.

Yours faithfully

Joanna Messini

IFCA vision and Success Criteria

Vision:

"Inshore Fisheries and Conservation Authorities will lead, champion and manage a sustainable marine environment and inshore fisheries, by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry."

Success Criterion 1:

IFCAs are recognised and heard, balancing the economic needs of the fishery whilst working in partnership and engaging with stakeholders

Definition:

IFCAs will be visible, respected and trusted regulator within coastal communities and will maintain and deliver a strategy to communicate their vision and duties effectively. IFCAs will engage with policy makers, industry, Non-Governmental Organisations (NGOs), recreational and commercial users; and other regulators. They will work jointly and collaboratively with partner organisations across boundaries; will participate and contribute to the development and implementation of regional and national marine policy, including the marine planning regime; will take long-term strategic decisions and manage risks effectively. IFCAs may maintain a national body to co-ordinate the activities of authorities that are party to arrangements.

Outcomes

- The IFCA will maintain and implement an effective communication strategy.
- The IFCA will maintain its website, ensuring public access to current fisheries and conservation information for the District, including management requirements and byelaws. Non-reserved IFCA Committee papers will be published.
- The IFCA will contribute to co-ordinated activity at a national level
- The IFCA and its principal partners will have a clear understanding of roles and responsibilities. Memoranda of Understanding with MMO, Natural England, Environment Agency and Cefas will be maintained. Opportunities for greater efficiencies, effective joint working and collaboration will be explored and implemented when feasible.

Indicators

- **SC1A:** The IFCA will maintain a database of stakeholder contacts that will have been reviewed and updated by 31 March each year
- **SC1B:** The IFCA will have completed a review of its communication strategy and implementation plan by 31 March each year.
- **SC1C:** The IFCA will have reviewed its website by the last working day of each month.
- **SC1D:** The IFCA will have reviewed its website and ensured it meets the objectives of its communication strategy, by 31 March each year.
- **SC1E:** The IFCA will have reviewed all of its Memoranda of Understanding by 31 March each year. There will be a clear plan in place to update MoUs where necessary, to an agreed timescale.
- **SC1F:** By 31 March each year, the IFCA will have participated appropriately, proportionately and at the right level of delegation, in regional and national fisheries and conservation activity identified in the annual plan.

IFCA self-assessment – please make sure you have explained how your IFCA has addressed all of the outcomes in Success Criteria 1, evidencing your answers with reference to the relevant indicators.

Communication

NEIFCA's approach to communication is supported and informed by a consultation strategy which is published on its website.

Website

NEIFCA maintains a comprehensive website which can be accessed at: www.ne-ifca.gov.uk. Latest news and information is provided in bulletins which are posted at the top of the homepage. The website carries published agenda's, minutes of meetings, notices of gear seizures and a wide range of other information on the work of the Authority. Fishermen can apply for fishing permits directly through the website and put questions to the Chief Officer. Over 500 such questions have been answered during the last 4 years. Annually NEIFCA receives an average of 55,000 page views across its website and 79.5% of people visiting the website liked it (142 responses). The website is reviewed and updated as a minimum, monthly or when required.

Stakeholder Database

NEIFCA maintains a database of over 2300 stakeholders including commercial and recreational fishermen operating within its District which is updated on a daily basis. NEIFCA uses the database to circulate newsletters and provide updates of byelaw and regulatory work.

Stakeholder Meetings & 'Surgeries'

During the last 5 years NEIFCA has held a wide range of stakeholders meetings and 'one to one surgeries' throughout its district to discuss the management of inshore fisheries within its District. Since 2014 16 'one to one surgeries' have been held with stakeholders including 2 which were held specifically to engage with the recreational charter angling sector.

Public Events

Annually NEIFCA officers attend a wide variety of public shows and events across the District. Since 2014 NEIFCA has had an active presence at 24 such events engaging with over 23,000 stakeholders.

Newsletters

NEIFCA regularly circulates a comprehensive newsletter updating stakeholders on the wide range of work undertaken by its officers. Since 2014 5 such newsletters have been released.

Regional Engagement

NEIFCA supports the secretariat of an inter-agency coastal group 'Joint Coastal Enforcement Group'. The membership of the group covers an area stretching from the Humber to the Scottish borders. The group meets twice a year and its membership includes NEIFCA, NIFCA, NWIFCA, and representatives from the MMO, Marine Scotland, Police, Border Force, the Tweed Commissioners, HMRC, the Environment Agency and Natural England. The group facilitates communication and the sharing of intelligence between agencies. Since 2014 there have been

eight meetings of this group.

NEIFCA communicates on a daily and weekly basis with neighbouring IFCA's, Northumberland and Eastern IFCA and the Marine Management Organisation. In addition 2 formal 'Northern IFCA Cluster' operational meetings were held in 2014 and 2016 between NEIFCA, NIFCA, NWIFCA and EIFCA.

National Engagement

NEIFCA is very actively engaged and involved across all the national coordinating groups including the national Association of IFCA's, the IFCA Chief Officer Group, the National Inshore Marine Enforcement Group and the IFCA Technical Advisory Group. Through the national coordinating groups NEIFCA has played a significant role in the delivery of the effective management of fishing activity occurring within its Marine Protected Area sites.

Memoranda of Understanding

NEIFCA maintains four Memoranda of Understanding with the MMO, CEFAS, Natural England and the Environment Agency through its national Association. These documents enshrine the principles of joint working with the four key organisations.

Success Criterion 2:

IFCAs implement a fair, effective and proportionate enforcement regime

Definition:

The IFCA enforcement regime is risk-based, makes appropriate use of intelligence, meets legislative standards and complies with the Regulators Code. It should make effective use of the resources available to regulators; complement and align, if possible, with the regimes in adjacent IFC Districts and management by other organisations including the MMO and Environment Agency. Consistency and fairness is important. Regulatory compliance is promoted. Enforcement action is carried out by trained, professional officers working to clear standards of conduct.

Outcomes

- The IFCA will publish its enforcement risk register and strategy, clearly setting out its approach to achieving regulatory compliance and potential sanctions that may be applied for infringements and/or offences.
- The IFCA will have developed consistency in regulations (byelaws) with other organisations
- The IFCA will manage operational activity (e.g. through a Tasking & Co-ordination Group) and capture, record, evaluate and disseminate intelligence that is compatible with partner organisations. It is engaged in joint working with partner organisations.
- Warranted Inshore Fisheries and Conservation Officers (IFCOs) will be trained and accredited to nationally agreed standards. They will maintain professionalism and make appropriate interventions to deliver efficient, effective enforcement activity

Indicators

- **SC2A:** The IFCA will ensure its enforcement risk register and strategy are published and available on its website from 1 April each year
- **SC2B:** The IFCA will demonstrate in its Annual Report how it has worked with other regulators to achieve consistent quality, application and enforcement of management measures
- **SC2C:** The IFCA will compile records of enforcement activity in a standard format; provide them to the National Inshore Marine Enforcement Group (NIMEG) and publish them on its website.
- **SC2D:** The IFCA will adopt the national Code of Conduct for IFCOs, which will be reviewed annually and published on its website by 1 April.
- **SC2E:** The Code of Conduct for IFCOs is reflected in work objectives and annual appraisals for all Warranted Officers.
- **SC2F:** Warranted Officers attain accreditation. All undertake Continuing Professional Development

IFCA self-assessment – please make sure you have explained how your IFCA has addressed all of the outcomes in Success Criteria 2, evidencing your answers with reference to the relevant indicators

NEIFCA's approach to enforcing regulations is guided by its Enforcement and Compliance policy and an overarching Code of Conduct which are published on the Authority's website and set out the standards expected of its enforcement officers. These standards are embedded into all stages of staff training and development from induction and probationary training through to training and refresher courses for established staff.

The management of all operational and organisational activity is guided by an overarching risk management policy which is reviewed and updated annually. This policy is published on the Authority's website and supports the assessment and management of risk across all aspects of the Authority's service delivery including enforcement. Associated strategic and operational risks are reviewed and assessed at a minimum standard of 6 months and reported to the Authority's Executive Committee in a series of registers which are also published on the Authority's website.

NEIFCA compiles and reports its enforcement outputs annually and in a standard format to the national Association of IFCAs.

Since 2014 and up to the end of March 2018 NEIFCA completed 2722 enforcement inspections and 4,476 visual vessel inspections across its district. In total, 112 informal verbal warnings were issued, 16 formal warnings, 11 Financial Administrative Penalties and 13 cases were successfully prosecuted in Court.

Since 1996 NEIFCA has maintained a cross-warranting relationship with the Environment Agency which maintains a consistent and cohesive joint approach to enforcement.

During September 2016 NEIFCA became an active partner with the MMO and neighbouring IFCAs, Northumberland and North Western in establishing an intelligence gathering system enabling the capture, recording, evaluation and dissemination of fisheries intelligence, informed by the national intelligence model. This system was then extended nationally across England during 2017. Since August 2017 NEIFCA has played an active role in the Tasking and Coordination Group process in partnership with regional representatives of the MMO and the partner IFCAs. Since September 2016 NEIFCA officers have captured, collated and reported over 160 individual intelligence reports.

NEIFCA has an established training programme in place for all staff underpinned by an annual appraisal process. New staff are supported through a comprehensive induction and probationary process underpinned and supported by a national training programme. The continuous development of established staff is monitored during regular 'one to one' supervisory meetings through the Authority's annual appraisal process.

Success Criterion 3:

IFCAs use evidence based and appropriate measures to manage the sustainable exploitation of sea fisheries resources and deliver marine environmental protection within their districts

Definition:

The IFCAs were created as statutory inshore regulators by the Marine and Coastal Access Act 2009. They are relevant authorities for implementing international environmental commitments including the Birds, Habitats, Water and Marine Strategy Framework Directives and make an important contribution to securing a network of well managed marine protected areas, including European Marine Sites and Marine Conservation Zones. Fisheries Management Plans identify local management measures which should be based on evidence; be timely; subject to appropriate consultation and in step with national initiatives and priorities. An IFCA should balance the social and economic benefits of exploiting sea fisheries resources with the need to protect the environment. It should make a contribution to sustainable development.

Outcomes

- The IFCA will identify issues likely to affect sustainable management of the marine environment in the IFC District; undertake risk assessment and gap analysis; review appropriateness of existing measures; evaluate management options and develop and implement proportionate marine management solutions
- The IFCA will support implementation of a well-managed network of marine protected areas by: developing a range of criteria-based management options; implementing management measures to ensure that inshore fisheries activities comply with the Marine and Coastal Access Act 2009 and the revised approach to managing commercial fisheries in European Marine Sites; and that local management contributes to delivery of targets for the Marine Strategy Framework Directive, Water Framework Directive and Marine Plans.
- The IFCA will develop Fisheries Management Plans for priority species where appropriate. Shared objectives will be developed with identified partners; actions identified and best practice reflected so that management makes a contribution to sustainable development.

Indicators

- **SC3A:** The IFCA will record site-specific management considerations for Marine Protected Areas and report progress to the Authority
- **SC3B:** The IFCA will publish data analysis and evidence supporting new management measures, on its website
- **SC3C:** Management information (e.g. sampling and/or survey results) will be collected periodically after new management measures have been implemented, to demonstrate the extent of effectiveness of the intervention
- **SC3D:** The IFCA will have developed a range of criteria-based management options that are explained to stakeholders through the IFCA website, and reviewed by 31 March each year
- **SC3E:** New IFCA management measures selected for development and implementation are delivered within agreed timescales
- **SC3F:** The IFCA will include shared agreed objectives and actions from Fisheries Management Plans in its own Annual Plan, which will be published by 31 March each year.
- **SC3G:** Progress made in relevant Fisheries Management Plan areas, including Maximum Sustainable Yield commitments, will be noted in the IFCA's Annual Report.

IFCA self-assessment – please make sure you have explained how your IFCA has addressed all of the outcomes in Success Criteria 3, evidencing your answers with reference to the relevant indicators

Within NEIFCA delivering the sustainable management of sea fisheries resources is at the heart of everything the organisation does. At a higher strategic level this ambition is described in detail within the Authority's Five Year Research and Strategic Plan and underpinned by an Annual Research Programme which sets out planned fisheries and environmental monitoring work for the year ahead.

International Environmental Commitments

NEIFCA's strategy to its international environmental commitments and in particular its approach to MPA management, is underpinned by a nationally established risk based approach involving the assessment of fishing activity against the associated sites and features present within them. This process then informs the supporting management regime.

Within its jurisdiction NEIFCA has four European Marine Sites and two Marine Conservation Zones and across those sites, since 2016, Officers have appraised 1,391 individual interactions between fishing gear and associated site features, completed 73 'tests of likely significant effect' and 4 Appropriate Assessments. This work has in turn informed the making of six new byelaw regulations to strengthen the management of associated fishing activities and the protection of site features. Each of the byelaw regulations are underpinned by detailed regulatory impact assessments which outline the supporting evidence and are both presented to the Authority and published on its website. The assessment and management objectives have also been summarised in site specific monitoring and control plans.

Management of Sea Fisheries Resources

The Authority's 5 Year Research and Strategic Plan sets out the longer term priorities for monitoring key fish and shellfish stocks exploited within its District. These stocks include lobster, crab, whelk, king scallop and cockle with an ambition to extend that work to nephrops and whelk. The Authority's crustacean monitoring programme was first established in 1996 and is well developed. The extent of data gathered on lobster, edible crab and velvet crab species now supports an annual assessment of stock health against MSY and individual management plans are in place for these species. During 2017 Authority officers established a comprehensive monitoring programme for king scallop within the NEIFCA District which will in the next year provide an assessment of the state of that stock against MSY. The assessment of whitefish stocks remains under-developed outside seasonal permitted fixed net fisheries but a new byelaw regulation will soon facilitate a much more comprehensive analysis of catch and effort across a wider range of species.

Emergency Powers – Section 157 Marine & Coastal Access Act 2009

Since 2014, NEIFCA has made effective use of its emergency byelaw making powers to deal with unmanageable levels of nomadic scallop dredging and to provide additional protection to egg bearing lobsters from unlicensed operators. The use of such emergency powers has enabled the Authority to develop more sustainable long-term strategies.

Success Criterion 3 – Case Study 2016 to 2018 – Management of Scallop Dredging

A good example of NEIFCA delivering positively against national success criterion 3 can be found in its approach to managing king scallop dredging within its District.

During February 2015 NEIFCA experienced a significant influx of nomadic scallop dredgers wishing to access its district with expansions in effort in the magnitude of 400 to 500% when compared with historical levels. Authority members supported the confirmation of an emergency byelaw regulation to close the emergent fishery pending a review of management options.

A new byelaw was confirmed during December 2015 which established a restricted permitting scheme enabling the Authority to control the numbers of vessels accessing the fishery and setting a number of other management measures including a vessel size limit of 12 m and 221 KW, a night time closure, a six month seasonal closure, a dredge limit of ten per vessel, a prohibition inside 3 nautical miles, mandatory vessel monitoring and a mandatory monthly catch and effort scheme.

Following careful consideration and balancing the economics of the fishery, the needs and wishes of both the scallop operators and pot fishermen and the associated impacts on the environment and other stocks, the Authority agreed to open the fishery in December 2016 on a trial basis to a maximum of three permit holders. This policy decision was carried forward through the 2017 season and now the 2018 season which is set to commence on 1 November 2018 and during the last two seasons landings associated with this fishery have increased from 56 to 198 tonnes.

Through this approach Authority officers have been able to significantly increase the evidence base in a very measured and balanced way which will inform a longer term sustainable management strategy for the fishery.

Success Criterion 4:

IFCAs have appropriate governance in place and staff are trained and professional

Definition:

IFCAs are statutory authorities and sit within the local government family. Authority members may be either general members or local councillors. They comply with Codes of Conduct and the Standing Orders that apply to meetings of local government committees. General members are appointed on merit, through open competition and for a term. They are subject to an annual performance appraisal.

An IFCA is funded by levy, charged to its member councils. Funding originates in local taxation. An IFCA is accountable for its use of public resources and should ensure that a proper auditing regime provides confidence in its commitment and spend of public money. It should make effective use of its resources, including staff and assets. An IFCA has a statutory obligation to prepare and publish Annual Plans and Annual Reports.

Outcomes

- The IFCA will demonstrate its long-term strategic approach to sustainable marine management by having appropriate plan-making, review, update and amendment procedures in place. The IFCA will record its performance against corporate outcomes and indicators as soon as practically possible following the end of the financial year.
- Staff performance management systems will be in place that link to the IFCA success criteria. There will be an induction procedure for new joiners. Staff training and development needs will be identified. Performance will be managed and, where necessary, improvement procedures will be followed.
- The IFCA Committee will be supported by an organised, efficient and effective secretariat. New members will receive an induction pack and briefing from the Authority. There will be a rolling twelve month schedule of quarterly Authority meetings. Notices of meetings and documentation will be made available in line with Standing Orders.
- IFCA Committee meetings will be held in public unless material is either confidential, or exempt within the meaning of the Local Government Act 1972

Indicators

- **SC4A:** The IFCA will publish a Plan on its website by 31 March, setting out the main objectives and priorities for the next financial year. A copy will be sent to the Secretary of State.
- **SC4B:** After the end of each financial year, the IFCA will publish a Report on its website describing its activities, performance and a summary of audited financial information in that year, by 30 November. A copy will be sent to the Secretary of State.
- **SC4C:** IFCA staff will have annual performance management plans in place. Annual appraisals for all staff will have been completed by 31 May each year.
- **SC4D:** An efficient secretariat of IFCA staff support IFCA Authority meetings which are held quarterly and are quorate. Meeting documentation will meet Standing Orders.
- **SC4E:** The IFCA will have demonstrated, in its Annual Report, how marine, land and water management mechanisms in the Inshore Fisheries & Conservation District have worked responsively and effectively together.

IFCA self-assessment – please make sure you have explained how your IFCA has addressed all of the outcomes in Success Criteria 4, evidencing your answers with reference to the relevant indicators

The conduct and operation of NEIFCA is underpinned by a comprehensive suite of Standing Orders and policies which guide members and officers alike. These policies are regularly reviewed and updated and are provided in 'handbooks' for reference.

NEIFCA is subject to a detailed and rigorous annual internal audit undertaken by auditors from its lead Local Authority, East Riding of Yorkshire Council. This Audit is presented to members and published on the Authority's website. The implementation of recommendations is closely monitored by the Audit team. The last internal audit report covering the 2017/2018 financial year found that NEIFCA had satisfactory controls in place with a moderate organisational exposure risk.

NEIFCA publishes an Annual Plan and Annual Report which is presented to members for consideration and endorsement. Copies of both annual documents are sent to the Secretary of State in line with agreed guidance.

NEIFCA staff undertake an annual work based appraisal which aims to support training and development and includes an assessment of wellbeing. NEIFCA has in place a well established training programme for all staff which is supported through induction and probationary plans and the national training programme. During 2017 NEIFCA staff completed an anonymous staffing survey and participated in a residential organisation team building event which resulted in positive feedback with over 69% of staff agreeing that their work gave them a personal sense of accomplishment and 84% that they were resourced and had the tools to do their jobs well. In terms of overall organisational satisfaction 75% were either happy or expressed no feeling either way about their employment by NEIFCA. All NEIFCA staff are actively encouraged to contribute to 6 weekly team meetings and participate in internal workshops and focus groups covering topics such as regulatory byelaw development and fishing gear marking. Positive staff involvement was also reflected in the staffing survey with over 69% of staff agreeing that they were actively encouraged to contribute ideas to improve service delivery.

Dedicated NEIFCA staff support the effective administration of the Authority and two sub-groups, the Executive Committee and Science Advisory Group. To date all meetings have been quorate and met the requirements outlined within the Authority's Standing Orders.

Success Criterion 5:

IFCAs make the best use of evidence to deliver their objectives

Definition:

IFCAs are statutory regulators for their Inshore Fisheries and Conservation District. Decision-making should be based on evidence. All IFCAs are supported by officers who pool their expertise and share best practice as a Technical Advisory Group (TAG). A programme of research activity and monitoring is planned, developed and updated in consultation with partners. The programme informs management decisions and supports justification for additional research and evidence gathering.

Outcomes

- A strategic research plan that contributes to greater understanding of the marine environment and delivery of cost-effective management of sea fisheries resources
- Standard Operating Procedures describe how data is captured and shared with principal partners
- A list of research databases held by the IFCA and the frequency of their review
- Non-confidential meta-data collected through the IFCA research programme should be recorded in a database available to the marine research community

Indicators

SC5A: The IFCA will demonstrate progress that has made towards identifying its evidence needs by publishing a research plan each year

SC5B: The IFCA will publish a research report annually that demonstrates how evidence has supported decision making

SC5C: The IFCA's contribution to TAG and progress that has made towards a national evidence needs programme will be recorded in the IFCA's Annual Report

IFCA self-assessment – please make sure you have explained how your IFCA has addressed all of the outcomes in Success Criteria 5, evidencing your answers with reference to the relevant indicators

All NEIFCA's decision making is always based on best available evidence. The delivery of the Authority's statutory duties is underpinned by its Five Year Research and Strategic Plan and Annual Research Programme. The Authority's lead Environmental and Scientific Officer plays an active role in the national IFCA Technical Advisory Group (TAG) and ensures that, on an operational level, its work is consistent with national practices and procedures.

NEIFCA's research outputs are published in stand-alone reports and summarised in the Authority's Annual Report.

All non-confidential meta-data gathered by NEIFCA is published in MEDIN (The Marine and Environmental Data and Information Network).

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Executive Committee
6 September 2018

Health & Safety Policy & Safe Working Practices 2018/2019 - Review

Report by the Chief Officer.

A. Purpose of Report

To inform members of the completion of the six monthly review of the Authority's Health & Safety provisions.

B. Recommendation

That Members note the report.

1. Background

- 1.1 The Health and Safety at Work Act 1974 and the management of Health and Safety at Work Regulations 1999 and other associated legislation impose duties on all of us, both of a general and specific nature to ensure as far as is reasonable and practicable, health and safety at work. North Eastern Inshore Fisheries and Conservation Authority wishes, through the preparation and issue of this policy to convey the importance that it places on all measures that promote the health and safety of its employees
- 1.2 This policy and its provisions are reviewed continuously throughout the year both at senior management level and at regular staffing Health and Safety meetings. If appropriate, changes to safe working practice guidelines are made and risk assessments reviewed, including where necessary, the provision of additional safety equipment for officers. Such changes are reported to the Executive Committee on a six monthly basis.
- 1.3 Since the last review in March 2018 there have been no notable incidents to report and as part of this standard six-monthly review all the Safe Working Practices and supporting risk assessments have been fully reviewed and updated.
- 1.4 The updated safe working practice document and revised risk assessments are shared with all operational staff and subject to continuous review by both the senior operational management team and as part of the general staffing health and safety meetings. The entire health & safety regime is underpinned by regular health and safety training and 'refresher' courses undertaken by all operational staff.

Contact Officer

David McCandless
Chief Officer
Ext. 3690



HEALTH AND SAFETY POLICY

2018/2019

CONTENTS

Part 1 STATEMENT OF NEIFCA SAFETY POLICY

Part 2 ORGANISATION FOR SAFETY

- 2.1 Structure of Organisation
- 2.2 Clerk (Deputy Clerk)
- 2.3 Chief Officer
- 2.4 Deputy Chief Officers
- 2.5 All Employees

Part 3 ARRANGEMENTS FOR SAFETY

- 3.1 Distribution of Health and Safety Information
- 3.2 Inspections
- 3.3 Statutory Inspections
- 3.4 Routine Examinations/Maintenance of Equipment
- 3.5 Safe Systems and Methods of Work
- 3.6 Management of Health and Safety at Work Regulations 1999 (Risk Assessments)
- 3.7 Manual Handling Regulations
- 3.8 Control of Substances Hazardous to Health (COSHH)
- 3.9 Violence, Challenging Behaviour and Lone Working
- 3.10 First Aid at Work Regulations
- 3.11 Reporting of Injuries, Diseases and Dangerous Occurrences (RIDDOR)
- 3.12 Personal Protective Equipment at Work Regulations
- 3.13 Display Screen Equipment Regulations
- 3.14 Provision and Use of Work Equipment Regulations
- 3.15 Lifting Operations and Lifting Equipment Regulations
- 3.16 The Working at Height Regulations
- 3.17 Driving at Work
- 3.18 Patrol Vessels Emergency Procedures
- 3.19 Health and Safety Committee

Part 4 HEALTH AND SAFETY TRAINING

The North Eastern Inshore Fisheries and Conservation Authority (NEIFCA) recognises its responsibilities for making appropriate provisions and sufficient funds for the health and safety of its employees. It is therefore the policy of the Authority to conduct its operations in such a manner as to secure health and safety for its employees and to protect members of the public who may be affected.

It is the responsibility of the Authority, through its employees to provide and maintain measures which will ensure that every employee can carry out their duties in a safe environment without risk to health. Equally it is the duty of each employee to co-operate with the management in regard to health and safety matters. The Authority expects each employee to take reasonable care for their own safety and that of others who may be affected by their acts or omissions, to prevent accidents and avoid hazards to health.

This Safety Policy and accompanying organisational arrangements, will contribute to the Authority's overall ability to fulfil their duties and responsibilities, by reducing injuries and ill health at work, both to employees and to any other persons who may be affected by their employees acts or omissions. These measures will protect the environment and reduce unnecessary losses and liabilities.

To achieve this, the Authority will;

- i) Set and maintain high standards for Health and Safety by controlling workplace hazards by assessing risks and establishing risk control measures which are suitable and sufficient;
- ii) Ensure that all employees are informed of these standards, by providing adequate and appropriate facilities for communication and consultation;
- iii) Ensure that employees understand their responsibilities at whatever level they operate and discharge them with care;
- iv) Provide adequate levels of training and instruction to ensure that employees are competent to carry out their duties;

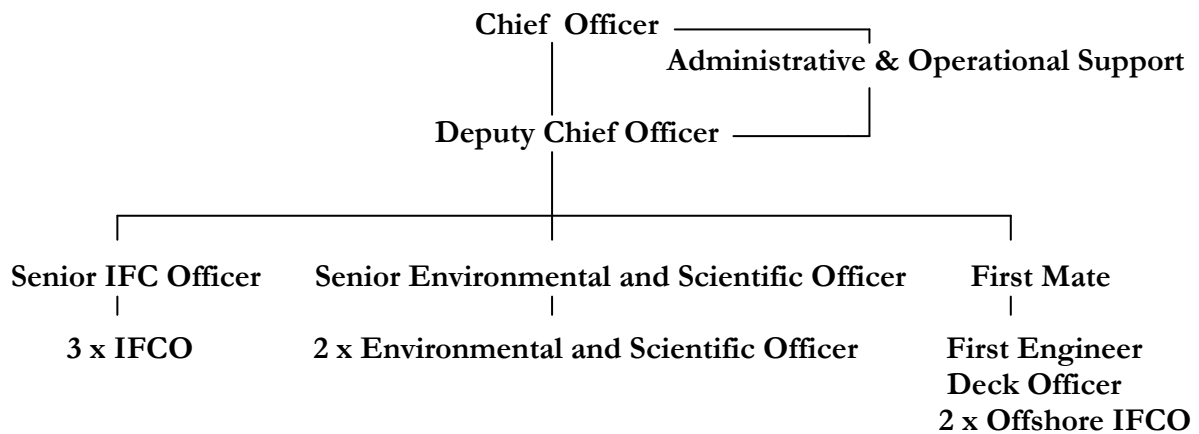
A copy of this Statement of Policy will be issued to all employees. It will be reviewed and modified as necessary and will be supplemented in appropriate cases by further statements relating to the work of individual employees or groups of employees.

Signature_____Date_____

Clerk of the Authority

Part 2: ORGANISATION FOR SAFETY

2.1: STRUCTURE OF ORGANISATION



2.2 Clerk (Deputy Clerk) of the Authority

The Clerk (Deputy Clerk) bears responsibility for the overall arrangements, and for ensuring that the operations of the Authority are executed at all times in such a manner as to ensure, so far as is reasonably practicable, the health and safety at work of all employees and all persons likely to be affected by its operations.

In particular the Clerk (Deputy Clerk) will:-

- (a) Advise the Authority on safety, health and welfare matters including the Safety Policy.
- (b) Agree and authorise the implementation of the Safety Policy.
- (c) Monitor progress of the Health and Safety Policy, initiate any changes necessary, and issue an annual report to the Authority.
- (d) Ensure all employees understand and fulfil their responsibilities for safety, health and welfare.

2.3 Chief Officer:-

- (a) Ensure that Risk Assessments are carried out for all operations undertaken by employees and ensure employees are informed of the findings of the Risk Assessments.
- (b) Ensure that methods and systems of work are safe, and that the necessary procedures, rules and regulations designed to achieve this are formulated, and applied.
- (c) Ensure all employees are aware of and fulfil their safety responsibilities and arrange for the relevant training.
- (d) Provide adequate equipment, tools and protective clothing and equipment to enable work to be carried out safely.
- (e) Ensure that all equipment, tools, facilities etc, are maintained in a safe condition, and remain suitable for the function for which they were intended, arrange for inspections to monitor and record this.

- (f) Act as **Responsible Officer** to receive check and verify accident reports, and ensure remedial action is taken.
- (g) Ensure that all necessary health and safety checks and inspections are completed as scheduled.
- (h) Set a personal example.

2.4 Deputy Chief Officer

- (a) Ensure that all personnel under their control know their responsibilities under the Policy and that they are equipped and trained to carry out their duties.
- (b) Implement within their designated area of work, the Health and Safety Policy & Safe Working practices protocol.
- (c) Ensure that safety receives full consideration in: -
 - Current working programmes.
 - Planning of new operations and or duties.
 - In introducing new plant or equipment.
- (d) Act as **Responsible Officers** to receive accident reports, and implement appropriate remedial action.
- (e) Ensure that all investigations and reporting procedures are carried out.

2.5 All Employees

The Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999, and other associated legislation including, The Merchant Shipping and Fishing Vessel (Health and Safety at Work) regulation 1997, place responsibilities on employer and employee alike. In this connection NEIFCA reminds its employees of their duties under Section 7 of the Health and Safety at Work Act 1974 to take reasonable care for their own safety and that of others, and to co-operate with the Authority so as to enable it to carry out its own responsibilities successfully.

Furthermore the following requirements are expected of every employee: -

- (a) Carry out assigned tasks and duties in a safe manner in accordance with the instructions, methods and procedures contained in the Safety Policy.
- (b) If aware of any unsafe practice, operation, or condition, or if in any doubt about the safety of any situation consult with a senior officer.
- (c) Obtain and use the correct tools, equipment, or materials, for all tasks and duties, and not use any that are in an unsafe condition.
- (d) Use all guards, safety devices, safety equipment, and personal protective clothing or equipment provided.
- (e) Take reasonable care for the health and safety of themselves and of other persons who may be affected by their acts or omissions.
- (f) Co-operate with the employer or any other person so far as is necessary to enable any statutory duty or requirement to be performed or complied with.
- (g) Not to intentionally or recklessly interfere with or misuse anything provided in the interests of safety, health or welfare, or do anything likely to endanger themselves or others.
- (h) Report all accidents and near misses.
- (i) To set an example.

3.1 Distribution of Health and Safety Information

- (a) Copies of the Authority's Health and Safety Policy will be issued to all employees on appointment and copies are available at the Bridlington & Whitby Offices and Patrol Vessel.
- (b) A copy of the Councils Corporate Resources Directorate Health and Safety Policy will be made available to all employees whose place of work is based in ERYC accommodation. Within the Bridlington Office a specific area has been dedicated to displaying Health and Safety Information. It is the responsibility of the Chief Officer to ensure these are updated.
- (c) It is the responsibility of the Chief Officer to ensure that employees receive all necessary Health and Safety information regarding the maintenance of a safe and healthy working environment and work processes. This should include the whereabouts of risk assessments, assessments required under the COSHH regulations, manual handling assessments and any other information that may be necessary for them to undertake their work activities safely.

3.2 Inspections

- (a) It is the responsibility of the Chief Officer to ensure that inspections of all procedures and equipment, which contribute to the Health and Safety and Welfare of employees, are inspected and reviewed at regular intervals. This interval shall be no more than 3 months.
- (b) It is the responsibility of the Deputy CO to ensure that inspections of all procedures and equipment, which contribute to the Health and Safety and Welfare of employees, engaged in both offshore and land-based activities, including duties involving North Eastern Guardian III are inspected and reviewed at regular intervals.

3.3 Statutory Inspections

- (a) Electrical Inspections shall be carried out on an annual basis, with regard to all portable electrical equipment contained within ERYC accommodation, in accordance with the ERYC Policy and The Electricity at Work Act 1989.
- (b) Inspections of office accommodation provided by ERYC shall be conducted according to the ERYC Health and Safety Policy.

3.4 Routine Examinations/Maintenance of Equipment

- a) The Chief Officer is responsible for ensuring that delegated managers fulfil their obligations to routinely examine and maintain work equipment within their designated area of responsibility.
- b) The Deputy CO is responsible for overall maintenance of the Patrol Vessel and RIB, including any other vessels owned and operated by the Authority and all associated equipment. The Mate and Engineers shall assist the Deputy CO as required to ensure that maintenance schedules as specified by manufacturers and supplied with equipment /machinery, are followed at all times. In addition to the manufacturer's

recommendations Daily, Weekly, and Monthly checks and inspections shall be undertaken which shall include all systems, machinery and equipment on both the Patrol Vessel and RIB and all associated equipment. These inspections shall include all items, which are detailed on the pre-printed checklists supplied for the recording of this information. In respect to any land-based vessels it is the responsibility of all staff using any vessel to ensure that all routine mandatory inspections and checks are adhered to.

- b) It is the responsibility of all staff who have been issued work equipment/PPE to ensure they are maintained in a safe working condition and that basic maintenance schedules are followed correctly.

3.5 Safe Systems and Methods of Work

- (a) The Chief Officer and Line Managers are in the best position to ensure that procedures are in place for all working practices and systems. It is the responsibility of all Managers to ensure that Health and Safety rules are observed. The reviewing, and where appropriate, amending of work practices and risk assessments will be undertaken where a need for improvement is identified ensuring that the health and safety of all employees and any others who may be affected by the work activity are maintained.
- (b) Such procedures must be brought to the attention of employees and it is best practice to ensure that employees sign to say that they have been informed and agree to them. The Chief Officer shall keep these records.

A detailed list of all safe working practices and procedures for work activities are contained within the 'NEIFCA Safe Working Practices Booklet'.

3.6 Management of Health and Safety at Work Regulations 1999

- (a) In satisfying its responsibilities to provide and maintain a safe and healthy working environment the NEIFCA will seek to identify potential hazards. The CO and line managers will carry out Risk Assessments of known hazards and activities and discuss them with relevant employees before work commences. Copies of Risk Assessments will be supplied to each employee upon appointment.
- (b) Legislation requires the NEIFCA to carry out assessments on all tasks, operations and work practices and environmental factors where there is a risk to the Health and Safety of employees and members of the public. In this exercise particular attention should be paid to young persons, women of childbearing age, new and expectant mothers and work related stress.
- (c) The NEIFCA will also analyse reports of incidents and take remedial action to ensure that similar occurrences are avoided in the future. Risk Assessments will be reviewed after any accident or incident and revised as necessary.

A detailed list of all Risk Assessments are maintained.

3.7 Manual Handling Regulations

The Chief Officer will ensure that managers carry out risk assessments on all employees who undertake manual handling and that appropriate action is taken to address any identified hazards. All staff will be trained in manual handling procedures.

Where the general assessment of risk indicates the possibility of risk to employees from the manual handling of loads the NEIFCA will follow the present regulations to ensure:

- 1) Avoid hazardous manual handling operations so far as is reasonably practicable by re-designing the task or mechanising the process.
- 2) Assessing any hazardous manual handling operations that cannot be avoided
- 3) Reduce the risk – making improvements to the task, load and working environment
- 4) Ensure that the introduction of control measures to reduce the risk does not present any new risks.

3.8 Control of Substances Hazardous to Health (COSHH)

Prior to any substance being purchased and supplied for use the NEIFCA will ensure that an adequate assessment is made of the risks to health connected with the use of that substance. Such steps are necessary to safeguard the health of employees and others that may be affected. Copies of COSHH assessments will be kept readily available at work locations.

Where there is no assessment in place on a substance, such measures should be taken to ensure the isolation of that substance before any intended use. All substances will be assessed using the material safety data sheet supplied with the specific substance.

The Deputy CO will be the nominated COSHH officer for the use of all substances pertaining to the operation of NEG III and any other vessel owned and operated by the Authority. As such he will be responsible for ensuring that all substances used on board such vessels are subject to a COSHH assessment before use and that all control measures put in place are adhered to at all times.

3.9 Violence, Challenging Behavior and Working Alone in Safety.

The Chief Officer will ensure that managers carry out risk assessments for all employees who may be subject to violent and challenging behaviour, and those who are required to work alone, and that appropriate action is taken to address any identified hazards.

Further information and operating procedures are contained within the 'NEIFCA Safe Working Practices Booklet'.

3.10 First Aid at Work Regulations

- (a) It is NEIFCA policy in accordance with the Health and Safety (First Aid) Regulations and current maritime regulations to provide suitable persons as adequate and appropriate for rendering first aid.
- (b) All staff must undertake a basic One Day First Aid Course. In addition to this all seagoing staff will be trained in Emergency First Aid at Work (HSE and or STCW Approved).
- (c) All shore based staff shall have access to First Aid kits and the patrol vessels will carry a First Aid kit in line with current maritime legislation requirements.
- (d) The ERYC Corporate Resources Directorate Health and Safety Policy provides adequate provision for NEIFCA personnel located in ERYC accommodation.

3.11 Reporting of Injuries, Diseases and Dangerous Occurrences (RIDDOR)

In order for the NEIFCA to discharge its statutory duties of keeping the Health and Safety Executive informed of accidents and dangerous occurrences, the Chief Officer will ensure that adequate records are maintained in accordance with the NEIFCA Policy on accident and incident reporting.

Further information on the NEIFCA Accident Reporting Procedure is contained within the 'NEIFCA Safe Working Practices Booklet'.

3.12 Personal Protective Equipment at Work Regulations

The main requirement of the PPE at Work Regulations is that personal protective equipment is to be supplied by the employer and used by the employee wherever there are risks to health and safety that cannot be adequately controlled in other ways.

The Chief Officer will ensure that risk assessments are carried out on all activities and that appropriate PPE is issued. The Chief Officer will also ensure that such equipment is properly assessed to its suitability, is maintained and stored properly and sufficient training is given to employees on its correct use.

Employees must ensure that PPE issued to them is maintained and kept in good working order. The manufacturers maintenance schedule should be followed as instructed and training/instruction will be given for this. For more intricate repairs, items will be returned to specialists.

3.13 Display Screen Equipment Regulations

The Chief Officer will ensure that risk assessments are carried out with all employees who use display screen equipment, and that appropriate action is taken to address any identified hazards.

Further information on DSE assessments is contained within the 'NEIFCA Safe Working Practices Booklet'.

3.14 Provision and Use of Work Equipment Regulations

The manufacturer and supplier bear the responsibility to ensure, so far as is reasonably practicable, that the article is so designed and constructed as to be safe and without risk to health when properly used. They must provide instructions to the purchaser as to the way in which the article may be used safely.

The Chief Officer will ensure that all machinery, plant, tools and equipment are used according to the manufacturers recommendations and in line with any other statutory requirements/guidelines. It is the responsibility of line managers to address any shortcomings in that area.

3.15 Lifting Operations and Lifting Equipment Regulations

The Chief Officer will ensure that all equipment falling within the scope of these regulations is purchased, used and maintained in accordance with the schedules detailed within these regulations.

3.16 The Working at Height Regulations

The Chief Officer will ensure that all work activities falling within the scope of these regulations is properly assessed and appropriate measures taken to ensure the risk and threat to any employee is adequately controlled.

3.17 Driving at Work

NEIFCA has a responsibility under the Health and Safety at Work Act 1974 to ensure so far as is reasonably practicable, the health and safety of employees while at work. There is also a requirement that others are not put at risk by your work-related driving activities. The Management of Health and Safety at Work Regulations 1999 state that the NEIFCA has a responsibility to carry out an assessment of the risks from driving to the health and safety of employees, while they are at work and to other people who may be affected by their activities. To this end, the Chief Officer will ensure that adequate assessments are made on all aspects of work related driving activities.

A detailed list of all safe working practices and procedures for use of Authority and Officers vehicles are contained within the 'NEIFCA Safe Working practices Booklet'.

3.18 Patrol Vessels Emergency Procedures

- a) All employees are to undertake training in sea survival, fire fighting and first aid.
- b) All the locations of fire extinguishers and other safety equipment on board the vessels are to be noted and each officer and visitor will be inducted as to the safety systems and equipment on board NEG III and any other vessel owned and operated by the Authority. Staff must have access to instructions for use of equipment such as pyrotechnics.

3.19 Health and Safety Committee

- (a) In recognition of its own Safety Policy, the NEIFCA shall institute a system designed to facilitate employer/employee consultation to take place regarding all aspects of Health and Safety at work. To this end the NEIFCA has formulated a structure for dealing with matters relating to Health and Safety.
- (b) Staff team meetings will be held quarterly, with the Clerk or his representative in attendance.
- (c) There will be a Health and Safety meeting held after each staff meeting. Any member of the team may forward items for the agenda. All employees will be regarded as being members of the Health and safety Committee. In addition, Health and Safety provisions will be reviewed at regular senior management team meetings held throughout the year.
- (d) The Chief Officer will ensure that an accurate written record of proceedings is kept.

- (a) All employees shall be instructed as to possible hazards in their areas of work, and shall receive necessary training to enable them to carry out their duties safely and efficiently.
- (b) It is essential that all officers responsible for health and safety issues discharge their duties to the best of their ability. With this in mind, a training programme has been set up and it is essential that line managers through the Employee Performance Review process identify and ensure that all relevant officers receive adequate training.
- (c) All general health and safety training shall be booked through the Authority's Administrative Support Officer who shall arrange such training with the central training unit (ERYC) or through external providers and keep a central record of all training.
- (d) It shall be the responsibility of line managers to ensure that health and safety induction training is undertaken on the new starters first day.
- (e) Employees shall be provided with adequate and appropriate health and safety training and instruction on being exposed to new or increased risks because of:-
 - Being transferred or given a change in responsibilities
 - The introduction of new equipment or change to equipment already in use
 - The introduction of new technology
 - The introduction of new practices, or a new system of work, or changes to an existing system

Contact Officer:

Chief Officer

Tel: 01482 393 690



NEIFCA

SAFE WORKING
PRACTICES

2018/2019

CONTENTS

CONTENTS	2
SSB 1 – Safe Systems/Procedures of Work.....	4
SSB1.1 Quayside Working	4
SSB1.2 Handling Catch/Fishing Gear.....	4
SSB1.3 Boarding/Disembarking Vessels in Harbour	4
SSB1.4 Boarding/Disembarking Vessels at Sea.....	5
Equipment and Clothing	5
Use of RIB	5
Weather Conditions	6
SSB1.5 Launching Vessels with Vehicles.....	6
General.....	6
Launching and Recovery of Vessels from the Shore	6
Towing.....	7
Maintenance	7
Safety Equipment.....	7
SSB1.6 Launching & Recovering the RIB (NEG III).....	7
SSB1.7 Patrol Vessels General Deck Work	8
SSB1.7.1 Patrol Vessels Deck Machinery	9
SSB1.8 Patrol Vessel Engine Room	12
SSB1.9 Working on board vessels	13
SSB1.10 Driving at Work	13
Use of Authority Vehicles	13
Use of All Terrain Vehicles	14
Use of Officers Vehicles.....	15
Excessive Mileage and Fatigue	15
Weather Conditions	15
SSB1.11 Surveying Shellfish Beds.....	15
SSB1.12 Operation of Vessels at Sea	16
NEG III Manning Requirements/Qualifications	16
Stand Alone Vessel Manning Requirements/Qualifications	16
Maintaining a Navigational Watch.....	17
Safety Equipment.....	17
Maintenance	18
Weather Conditions	18
SSB1.13 Discard Surveys	18
SSB1.14 Inspecting Premises	18
SSB1.15 Inspection of Person/s	19
SSB1.16 Inspection of Vehicles	19
SSB1.17 Use of Mobile Phones.....	20
General Use.....	20
Message Service	20
SSB1.18 Medications at Sea.....	20
SSB 2 – Risk Assessments.....	21
SSB3 – COSHH Assessments	21
SSB4- Violence, Challenging Behaviour and Working Alone in Safety.....	22
Verbal Abuse and Threats.....	22
Physical Assault	22
Lone Working Procedure.....	22
Identifying Lone Workers	23
Identified Lone Working Activities.....	23

Shore Based Lone Working Procedure	23
Logging On/Off	23
SSB5 – Reporting of Injuries, Diseases and Dangerous Occurrences (RIDDOR).....	24
Accident and Incident Reporting	24
Accident Reporting Procedure (HSE).....	24
Accident Reporting Procedure (MAIB).....	25
Accident Reporting Procedure (HSE) Flow Chart	26
Accident Reporting Procedure (MAIB) Flow Chart	27
SSB 6- Display Screen Equipment Regulations.....	27
Procedure for Assessments	28

SSB 1 – Safe Systems/Procedures of Work

SSB1.1 Quayside Working

- 1) Officers must always have in their possession a work issued operational mobile phone. That phone must be fully charged and all associated operational software, such as tracking and lone working facilities, must be activated.
- 2) When working outside of normal work times 2200 – 0400 Officers working alone must implement the Lone Working Procedure.
- 3) Officers must wear appropriate non-slip, safety footwear.
- 4) Where the possibility of falling into the water exists officers must wear a buoyancy device.
- 5) Any objects such as trawl nets, fish boxes, containers and other heavy objects should be lifted in accordance with manual handling techniques.
- 6) Beware at all times of forklifts, trolleys, derricks or any other type of mechanised fish handling/weighing equipment. Inspections should be carried out in safe areas away from such equipment/machinery.
- 7) When walking/moving along the quay be aware of any spillages/fish slime and the slipping threat they pose. Be aware of any loose ropes/wires.
- 8) Protective vests are provided to all officers as a standard item of personal protective equipment. The active use of the vest remains at the discretion of the officer and should be based on a risk assessment made at the time (excluding supplementary procedures covering operations undertaken between Hartlepool and South Shields).

SSB1.2 Handling Catch/Fishing Gear

- 1) When measuring shellfish or whitefish ensure standard handling practices are followed at all times.
- 2) When handling fishing gear always wear non-slip, safety footwear.
- 3) Any objects such as trawl nets, fish boxes, containers and other heavy objects should be lifted in accordance with manual handling techniques
- 4) Some areas inspected can be subject to contamination by rats (Weils Disease), all employees are advised to cover any cuts and abrasions and wear protective gloves in such situations. Hands must be washed or sanitised at the earliest opportunity following such inspections.

SSB1.3 Boarding/Disembarking Vessels in Harbour

- 1) The employees own discretion must dictate whether or not it is safe to board a fishing vessel from the quay, having regard to the fact that, in doubtful circumstances, the skipper or crew can be invited to assist. Slack mooring ropes, which may allow the boat to move away from the quay, should be particularly noted.
- 2) Where practicable, an employee should tell a fellow employee when they are about to board a vessel moored alongside a quayside.
- 3) When boarding or crossing from vessel to vessel, extreme care must be taken. Officers must wear non-slip footwear and a lifejacket/ buoyancy aid.

- 4) Quayside ladders are frequently in a dilapidated state, so therefore can be unsafe. Visual and physical checks should be carried out before descending any harbour ladder.
- 5) When using ladders, it can be very dangerous to carry any gear one-handed. Gear and equipment should be hung safely around the shoulders or lowered by rope.
- 6) Do not board vessels when derricks are being raised or lowered, or when a weight is being swung.
- 7) Sharp, pointed equipment and knives can be dangerous items when clambering over vessels or up and down ladders. All such items should be placed in a strong bag or safe pockets.
- 8) Particular care must be exercised when fishing gear is being handled on the vessel, or fish boxes are being loaded/unloaded.

SSB1.4 Boarding/Disembarking Vessels at Sea

Equipment and Clothing

- 1) Whenever an employee is operating in a RIB, they must wear an automatic lifejacket.
- 2) Suitable waterproof clothing.
- 3) Non-slip footwear.
- 4) Body belts are provided to all employees, operating in a RIB, as part of standard issue PPE.
- 5) Helmets must be worn at all times when embarking and disembarking from a RIB.
- 6) A portable radio should always be taken by the boarding officer.
- 7) The coxswain should ensure that kill cords are connected and operational at all times.

Use of RIB

- 1) The RIB coxswain should be fully aware that the safety of himself and the crew are paramount.
- 2) The coxswain is in charge of the vessel and must ensure that at all times when travelling at speed or manoeuvring the crew are not in danger of falling and must be seated safely.
- 3) The coxswain must make it clear to everyone their intended manoeuvres.
- 4) The coxswain and crew must maintain an effective lookout at all times.
- 5) Regard must be given to the location of boarding in shallow inshore areas which may result in grounding of the RIB.
- 6) Regard must be given to the type of vessel being boarded, its gear and likely manoeuvres during the approach. Particular care should be paid to pair team operations.
- 7) Whether or not gear is being worked from the side you wish to board should be assessed before boarding.
- 8) On larger fishing vessels, the large freeboard and awkward access may dictate that good communications with the skipper are paramount, so that he may instruct his crew to help the boarding officer to embark and disembark.

- 9) Access and pilot ladders must be used with caution. They may not be adequately maintained or secured.
- 10) If deemed prudent by the boarding officer, the boarding phase is to be delayed until the fishing vessel has completed its hauling or shooting operation and is stopped in the water.
- 11) As far as possible, the boarding position must be away from propellers, discharges, moving machinery and running gear secured outboard and other obstructions.
- 12) When using any stand-alone RIB the lone working policy must be implemented
- 13) When using a stand-alone RIB reliable weather forecasts should be obtained prior to the patrol commencing.

Weather Conditions

After discussion between the patrol boat skipper, the coxswain, crew or designated person in charge, it will be mutually decided, if the prevailing weather, visibility, and sea conditions are acceptable, to undertake boardings. The possibility of further weather deterioration must be borne in mind. Generally, if there is any doubt about the transfer, it should be aborted. The safety of all staff is paramount at all times.

SSB1.5 Launching Vessels with Vehicles

General

- 1) All drivers of any Authority vehicles must hold full DVLA licences and be 25 years of age
- 2) All drivers of Authority vehicles for the purposes of launching any vessel must be fully conversant with 4 x 4 vehicles, competent in towing a trailer and hold the necessary licence endorsements, if required, or be authorised by the CO or Deputy CO.
- 3) All staff must be trained in and follow correct manual handling techniques.
- 4) All staff must wear protective footwear whilst launching and recovering any vessel.

Launching and Recovery of Vessels from the Shore

Launching and recovery of vessels from the shore must only be undertaken upon the authorisation and instruction of the senior officer present on the day.

Authority vessels must not be launched or recovered at any site except under specific authorisation of the Senior Management Team.

- 1) Launching must only take place following a full risk assessment of the site. This should also include a full assessment of prevailing and projected weather conditions and the state of the tide. Such assessments will form part of a standardised 'check sheet' and the senior officer must be able to demonstrate that they have taken place.
- 2) The final decision to launch will be taken by the senior officer. If any crew member has concerns or queries these must be brought to the attention of the

senior officer prior to launching. **If there is any doubt the launch must be aborted.**

- 3) Prior to launching and recovery of any vessel, staff must be fully briefed and if necessary de-briefed. The senior officer must be able to demonstrate that such briefings have taken place.
- 4) Operation of any vehicle during launching and recovery must only be undertaken by trained personnel.
- 5) Where any launch is conducted the officer responsible for releasing the RIB from the trailer will be in charge of the launch procedure, he must ensure verbal communication is maintained with all staff during the launch procedure.
- 6) The vessel must remain secured to the trailer until it is launched.

Towing

Whenever the towing of the trailer is undertaken the following checks must be completed:

- 1) Brakes Operational
- 2) Tyres correctly inflated and turning freely
- 3) Light board operational and secure
- 4) Number plate mounted and correct
- 5) Boat adequately secured to trailer and ancillary equipment safely stored
- 6) Bilge water removed
- 7) Propellers guarded where necessary
- 8) No additional equipment loose or stored in boat that would cause instability or overloading
- 9) Brake activation cord attached to vehicle and 'deadman's' chain secured

Maintenance

It is the responsibility of senior management to ensure the vehicle and trailer are serviced in line with manufacturers recommendations. It is the employee's responsibility to ensure all maintenance and equipment checks are carried out prior to any launching procedure.

Safety Equipment

All mandatory pre-launch and post-launch checks must be completed for each trip detailed on respective lists. These lists contain detailed checklists on towing and maintaining the RIB and associated equipment, as well as detailed lists of all safety equipment and items to be carried on board the vessel for all operations. All safety equipment must, as a minimum, be checked and inspected on a monthly basis. It is the responsibility of the senior officer to ensure that such checks have taken place prior to launching.

SSB1.6 Launching & Recovering the RIB (NEG III)

Launching RIB from NEG III

- 1) Key personnel involved in launching and recovery operations are skipper, RIB coxswain and winch operator, both RIB coxswain and winch operator to be

nominated by the skipper of NEG III and both to be fully trained and competent in the correct procedures.

- 2) RIB is only to be launched when skipper and RIB coxswain are satisfied as to the suitability of prevailing sea conditions.
- 3) All personnel must follow instructions given by the winch operator.
- 4) Before beginning launching operations, RIB coxswain and his/her crew must be fully dressed in all safety clothing and equipment and to have taken up their positions aboard the RIB, RIB engine must be checked and ready to start
- 5) When coxswain and crew are ready to launch, coxswain makes clear signal to winch operator to release safety clip.
- 6) When winch operator has received instructions to release RIB, he must use a bar to release pin, keeping well clear of quick release mechanism.
- 7) All clips, cables and shackles etc must be regularly inspected for wear and damage.

Recovering RIB from NEG III

- 1) When recovering, RIB to stand off astern of NEG III and await heaving line attachment.
- 2) Designated crew member to connect winch cable.
- 3) Winch cable to be made taught by winch operator and all personnel to be cleared of winching area (ramp)
- 4) RIB engine to be stopped at winch operators signal.
- 5) RIB occupants must stay aboard RIB until the RIB is fully secured on the NEGIII stern ramp.

SSB1.7 Patrol Vessels General Deck Work

- 1) When approaching the vessel from a pontoon care and consideration must be given in any conditions.
- 2) Quayside ladders are often in a neglected state, visual and physical checks should be carried out before descending or ascending any ladder.
- 3) There is to be no-smoking on the patrol vessel or RIB at any time.
- 4) Employees are not to venture onto the fore deck whilst the vessel is underway during inclement weather conditions, except in an emergency situation and under the authority of the skipper
- 5) Whenever underway or making way a lifejacket must be worn whilst working on deck.
- 6) Items of equipment and ropes should be made secure at all times when operational.
- 7) All visitors to the vessel/s must undergo a Health and Safety briefing.
- 8) The radar and any other forms of radiation must be switched to standby when any person is aloft or entering a harbour or marina area.
- 9) When general maintenance work is to be undertaken on the wheelhouse roof, the vessel must be within the confines of any harbour or port, or where possible, anchored. Where working aloft is necessary at sea, a safety harness must be used to arrest any possibility of a fall from the roof.
- 10) During mooring/berthing operations staff must always ensure that they have on their person a fully functioning portable radio to enable full communication with the wheelhouse and follow the instructions of the skipper and do not make any ropes fast until instructed to do so by the skipper.

- 11) When disembarking the vessel, staff must ensure they do not jump/leap from the vessel at any time. Always use the access ladders provided.
- 12) All deck machinery including winches and haulers must only be operated by trained experienced staff in accordance with agreed operating procedures. A deck officer will be designated to oversee the safe operation of all equipment.
- 13) All staff and personnel including visitors must follow and comply with all guidance and instruction provided by the designated deck officer.

SSB1.7.1 Patrol Vessels Deck Machinery

ALL WINCHES MUST BE DE-CLUTCHED AT THE END OF EACH OPERATION.

ALL OPERATORS MUST BE AWARE THAT ANY SIMULTANEOUS OPERATION OF OTHER HYDRAULIC EQUIPMENT MAY REDUCE OR INCREASE THE SPEED OF THE MACHINERY THEY ARE OPERATING.

GENERAL SAFETY CONSIDERATIONS RELEVANT TO ALL HYDRAULIC WINCHES AND DECK MACHINERY

All winches and deck machinery are to be operated by trained, confident personnel only, is that you?

Are you fully conversant with this particular winch?

If you are not sure of the operation do not touch any winch controls

Never leave a winch running unattended

Never use the winch from a position where you are stretching to reach the controls.

Have someone else on the controls if necessary

Avoid loose clothing when in area of operation, be careful if using gloves to handle warp or chain

When winches are to be left under load for anytime both clutch and brake should be applied

A visual check should be made of all wires, chains, shackles and running gear before any operation, replace any frayed, stranded or worn equipment

If in doubt seek advice or do not proceed, do not take risks, this is dangerous machinery if not operated correctly in safe conditions

During winch operations particular attention must be given to the load on your winch and to the positions of other personnel onboard the vessel, follow the instructions of the skipper at all times

Use of pot/ Net hauler on board the NEGIII RIB.

Only trained and competent employees are permitted to operate the pot/net hauler onboard the NEG III RIB using the following operating instructions and they must ensure that all safety and cut-off devices are identified, working and activated:

- 1) Hauler only to be used when weather conditions allow safe operations.
- 2) Pump clutch only to be engaged when RIB engine is on tick over.
- 3) Care to be used when engaging pump clutch-no loose clothing around hands/wrists etc.

- 4) Pump clutch to be disengaged as soon as hauling operations are ended.
- 5) When working pots, nets etc crew members are to be aware of hazards that come with retrieving or shooting of the said gear. ***SSB1.2 Handling catch/fishing gear.***
- 6) RIB coxswain and crew must pay particular attention to the stability of their vessel during winch operations in strong tides and whilst hauling heavy objects, if in any doubt as to the safety of the operation then this must be aborted.

Use of HIAB on board NEG III.

Only trained and competent employees are permitted to operate the HIAB onboard NEG III using the following operating instructions and they must ensure that all safety and cut-off devices are identified, working and activated:

- 1) The HIAB onboard the NEG III will be tested in line with the certification of lifting equipment regulations and any ancillary equipment has also been fully tested and certified.
- 2) Under no circumstances should the crane be subjected to loads that exceed the limitations shown on the capacity chart supplied with the crane.
- 3) In various places around the crane there are labels to remind of the restrictions, operating instructions, information and technical data. The location of each is shown for familiarisation purposes. Pay attention to the information on the plates.
- 4) Wear proper personal protective equipment. Wearing of a safety helmet is mandatory
- 5) Carry out a visual check of crane before starting work.
- 6) Stop the crane immediately if any unusual noise is heard, or it functions incorrectly.
- 7) When operations are being carried out using a crew member to secure the load for lifting, it should be this person who gives the signals to be carried out by the operator. As soon as the task of securing the load has been completed, the assistant should move away from the operating area before the load is lifted.
- 8) At the end of crane operations make sure that the crane is stowed in its folded position.
- 9) Operators must always be mindful of the stability and safety of the vessel during any lifting operations.
- 10) Never walk or work under a suspended load.

Operation of trawl winches on board NEG III.

Only trained and competent employees are permitted to operate the trawl winches onboard NEG III using the following operating instructions and they must ensure that all safety and cut-off devices are identified, working and activated:

- 1) **Dog clutch.** This is not to be engaged whilst the main shaft or drum are rotating; the clutch is inched round using the controls and can be easily slid into engagement once the dogs are correctly aligned. For disengagement it is necessary to first apply the brake, and then separate the dog-faces using the reverse controls. The dogs will then easily slide out of the engagement. You

will find it virtually impossible to disengage the clutch whilst the dog faces are under load.

- 2) **Manual brake.** This is used to hold any load whilst the winch is stopped. It is also used to pay off wire when shooting the gear, having first disengaged the dog clutch.
- 3) **Limit of travel.** There is no provision for limiting the extent of travel of the winch. Therefore the operator must stop the winch before the load contacts the winch frame. Serious damage may occur if this happens. Also when the load is fully paid out, at least six turns must remain on the winch drum.
- 4) **Guiding-on-gear.** Spool the wire evenly across the drums, trying to build up even layers. When the shackles arrive at the drums endeavour to place them where they will easily come off again. Do not use shackles too large for your gear as this may damage the rollers on the guiding-on-gear.

Anchor winch on board the NEGIII

Only trained and competent employees are permitted to operate the anchor winch onboard NEG III using the following operating instructions and they must ensure that all safety and cut-off devices are identified, working and activated:

- 1) **Safety Notes.** The anchor should not be deployed until clear instruction has been received from the skipper to do so. Operation of this winch must only be undertaken by two personnel. The second person is to be utilised only for observations and communications.
- 2) **Dog clutches.** These are not to be engaged whilst the main shaft or gypsy are rotating, the clutches are inched round using the control valve and can be easily slid into engagement once the dogs are correctly aligned. For disengagement it is necessary to first apply the brake, and then separate the dog faces using the control valve. The dogs will then easily slide out of engagement. You will find it virtually impossible to disengage the clutch whilst the faces are under load.
- 3) **Brakes.** These are used to hold any load whilst the winch is stopped. They are also used to pay off chain when using the anchor, having first disengaged the dog clutches.

Sounder winch on board the NEGIII

Only trained and competent employees are permitted to operate the sounder winch onboard NEG III using the following operating instructions and they must ensure that all safety and cut-off devices are identified, working and activated:

- 1) **Safety Notes.** The operation of this winch must only be undertaken by two personnel the second person is to be utilised only for observations and communications. The operator must ensure that the deck area is clear of all personnel and any potential hazards prior to commencing any operations.

This winch is not clutched and is therefore permanently engaged any movement of the control will result in movement of the winch. There is no mechanical brake on this winch, it is braked hydraulically. The guide on gear is fully automatic on this winch and will move each time the main control is operated.

- 2) The winch control is variable speed in both forward and reverse.
- 3) The wire is slacked away by reversing the winch, do not reverse at excessive speed as this will result in the wire becoming fouled on the drum
- 4) Tension must be kept on the wire at all times to eliminate the gear going fouled.
- 5) This winch has by far greater pulling capacity than the wire has breaking strain so attention must be given to load at all times
- 6) This winch has a hydraulic brake. When the winch is in stop position it will be braked automatically.
- 7) Extreme care must be taken not to damage the cable during operation.

Use of pot/ Net hauler on board the NEGIII

Only trained and competent employees are permitted to operate the pot/net hauler onboard NEG III using the following operating instructions and they must ensure that all safety and cut-off devices are identified, working and activated:

- 1) Do not rely on the hauler to hold a suspended load for any length of time; these must be tied off securely to a strong point.
- 2) Great care should be taken if fouled equipment is hauled to the surface.
- 3) Reversing the hauler may cause the rope to release suddenly from the vee wheels, this operation should be only be done at slow speed.
- 4) Ensure any rope on deck is well away from the operator and cannot snag a foot on sudden release.
- 5) When working pots, nets etc crew members are to be aware of hazards that come with retrieving or shooting of the said gear and where practicable observe safe manual handling techniques and practices.
- 6) Avoid the use of gloves where practicable whilst using the hauler.
- 7) Do not use loose clothing when operating the hauler.

SSB1.8 Patrol Vessel Engine Room

- 1) The engine room vents should be opened before entry into the engine room is permitted.
- 2) Machinery is not to be operated unless manufacturers safeguards are in place. Machinery (engines) should be allowed to cool before any work is undertaken and safety gloves worn, except in emergency circumstances.
- 3) Equipment (electrical or mechanical) should be isolated and power turned off before any work is undertaken.
- 4) Employees must ensure they have no loose clothing, when in the vicinity of machinery.
- 5) Ear defenders are to be worn in the engine room when the engines are running.
- 6) Non-slip safety footwear is worn at all times.

- 7) A regular maintenance regime is in place and is followed to ensure valves/machinery/engines are working correctly and all alarms are tested.
- 8) Only trained and competent staff members as determined by the skipper should undertake any maintenance work within the engine room.
- 9) The engine room should be kept clean and tidy and free from any oil/fuel spillages which should be immediately cleaned up.

SSB1.9 Working on board vessels

- 1) Beware of sudden unexpected vessel movements when derricks are raised or lowered, or when a weight is being swung.
- 2) Sharp, pointed net gauges and knives can be dangerous items when clambering over vessels. All such items should be placed in a strong bag or safe pockets.
- 3) Particular care must be exercised when fishing gear is being handled on the vessel, or fish boxes are being loaded/unloaded.
- 4) Once aboard, always stand well clear of all gear and machinery on deck, whether or not it is working - it may start up unexpectedly.
- 5) Never straddle a rope or wire - it may unexpectedly come under tension. Never stand in a bight of any rope, wire and chain. Always avoid slack wires laid on deck between two bollards, sheaves or blocks. (If the wire should come under sudden tension, a person's legs can be whipped from beneath them with possible severe injuries).
- 6) Beware of the dangers of walking on slippery hatch covers or on hatch boards which may not be properly secured over a deck opening. Always check that hatch covers are clipped back or otherwise secured, before descending into a fish or net hold.
- 7) When inspecting any hold, always have a member of the crew to assist you.
- 8) Trawl nets, fish boxes, containers, and other heavy objects should, where possible, be lifted in such a manner which conforms to manual handling techniques and where possible assistance should be sought.
- 9) Be aware of fire hazards and always ensure that a quick exit route from the vessel is available.

SSB1.10 Driving at Work

Employees have a duty to ensure that the activities they undertake whilst driving are safe and do not pose a danger to other road users. Where at all possible and/or practicable Officers should seek to 'car share'.

Use of Authority Vehicles

- 1) The Chief and Deputy Chief Officers are responsible for ensuring that all Authority vehicles are serviced and maintained in line with the manufacturers recommendations.
- 2) Any employee using the vehicle shall be responsible for ensuring that before use a relevant Weekly Inspection Sheet has been completed.
- 3) All use of the vehicle is to be authorised by a senior manager.
- 4) Any employee using any Authority vehicle, is required to complete all necessary documentation in full. Any faults suspected or detected by an employee must

be reported to the senior manager immediately. An entry must be made in the vehicle log book, **and where any fault may affect safety, then the vehicle must not be used.**

- 5) Any employee involved in a traffic offence or accident, either in their personal vehicle or Authority vehicles, or suffering any illness which may affect the ability to drive, or having been prescribed any medication, which may affect the ability to drive, must advise the CO, Deputy CO or line manager as soon as is practical.
- 6) Before using the four wheel drive capability of the Vehicle, or taking the vehicle into an off road situation, employees must be conversant with the correct and safe handling of the vehicle in that situation.
- 7) All drivers must be 25 years of age or over unless given express consent to operate that vehicle by the Chief or Deputy Chief Officer.
- 8) Employee's will abide by the provisions of the Highway Code at all times.

Use of All Terrain Vehicles

Only officers that have received the appropriate training in the operation and use of ATVs are authorised to use them to support NEIFCA operations and must observe the following safe working practices:

- 1) When using ATVs suitable head protection must be worn at all times (with the exception of vehicles fitted with a fully enclosed cab). A motorcycle helmet which meets BS6658 should be worn. The helmet should be comfortable and not restrict breathing. All straps should be intact and undamaged. The helmet should be checked for any visible signs of damage. On detection, damage should be reported to the relevant line manager.
- 2) Ear defenders must be worn at all times when the ATV is operational.
- 3) Eye Protection consisting of a visor or safety glasses to EN 166 should be worn to protect against dust particles and flying insects (with the exception of vehicles fitted with a fully enclosed cab).
- 4) Protective boots must be worn with grip and ankle support which complies with EN345-1 during loading/unloading of the ATV (with the exception of vehicles fitted with a fully enclosed cab).
- 5) Ensure gloves are available to protect against wind chill in cold weather
- 6) Ensure suitable outer garments are worn appropriate to the weather conditions on the day, suitable waterproof clothing should be carried at all times.
- 7) Ensure drinking water is available to prevent dehydration.
- 8) A first aid kit should be carried at all times. The user should be trained in first aid in line with NEIFCA safe working practices document.
- 9) A VHF Radio, PLB, mobile phone, foot pump, puncture repair kit and extra fuel must be present on the ATV when working intertidally.
- 10) A folding shovel and boards are provided in case of bogging.
- 11) A check list must be completed prior to each occasion the ATV is used. For multi operator vehicles a means of stopping use by other riders when a check has revealed a fault is useful, eg DO NOT USE tag for over key slot
- 12) When leaving the ATV on the foreshore officers must ensure that it is parked beyond the high water mark and should not be left in idle for prolonged periods.

- 13) Any ATV operations invoke the Authority's lone working procedures. **Officers must use ATV's in pairs only, there must be no single officer use.** The lead Officer responsible for the operation of the ATV must supply the following information to the designated Lone Working contact:

- Start time
- Journey Plan, to include detailed location and passage information
- Estimated Time of return
- Purpose

Information must be of sufficient detail to enable emergency services to initiate a search.

Use of Officers Vehicles

- 1) Employees will abide by the provisions of the Highway Code at all times.
- 2) Vehicles must have a current MOT certificate, current Road Tax, Business Use Insurance and be roadworthy at all times.
- 3) Any employee will be responsible for checking and ensuring the safe operation of their vehicle before use.

Excessive Mileage and Fatigue

- 1) When undertaking long journeys, employees should, when practicable follow the guidance contained within the Highway Code.
- 2) Where normal work patterns are disrupted i.e for shore officers attending NEGIII. If the expected working day exceeds 12 hours and 250 miles travelled, then officers should make alternative accommodation arrangements, by either travelling up the previous day and staying in accommodation overnight or seeking accommodation following the working shift.

Weather Conditions

Consideration should be given when making any journey as to the weather conditions. If any concern exists then this should be relayed to the relevant senior manager. i.e attending NEG III in winter then seek advice from Patrol Boat Skipper on the day in question.

SSB1.11 Surveying Shellfish Beds

- 1) Prior to surveying on any shellfish bed, the Lone Working Procedure must be implemented irrespective of the number of people engaged in sampling.
- 2) There will be a designated officer in charge of the sampling and a minimum of 2 people are required for any survey. When engaged in sampling employees should ensure that they work in pairs as a minimum requirement. The designated officer should ensure that all necessary safe working practices and equipment are in place.
- 3) Access to and from beds must be taken using established tracks/exit routes. Avoid areas of unstable substrate when moving across the beds.

- 4) The designated officer should assess the likely weather conditions to ensure no severe weather is expected that could increase the risks highlighted in the risk assessment i.e Fog/Precipitation.
- 5) The tide times should be verified and work/surveying should only **occur 4 hours before LOW WATER.**
- 6) Each person engaged in surveying should have a work issue mobile phone and coverage from the network verified. The phone must be fully charged and all associated operational software, such as tracking and lone working facilities, must be fully activated.
- 7) The following safety equipment must be taken:
 - ❑ First Aid Kit
 - ❑ Fully functioning mobile phone
 - ❑ 1 Handheld GPS
 - ❑ Life jacket
 - ❑ Waterproof/warm clothing for each person.
 - ❑ Hand held compass
 - ❑ Hand-held VHF

SSB1.12 Operation of Vessels at Sea

NEG III Manning Requirements/Qualifications

In Harbour Movements:

- 1) When the vessel requires moving within the boundaries of any harbour, for example to take fuel, or re-mooring, there must be a : **MINIMUM CREW OF 3.**

Vessel movement outside any harbour boundaries

- 1) This will include routine sea patrols, sea trials, passage voyages etc. There must be a : **MINIMUM CREW OF 3 – which must include the skipper, 1 full time crew member and a competent other.**
- 2) When there is a requirement to carry out boardings of other vessels there must be a: **MINIMUM CREW OF 4**

The Patrol Boat Skipper or relief skipper must be suitably experienced and qualified to coding requirements.

Stand Alone Vessel Manning Requirements/Qualifications

Stand Alone Vessels

Only vessels certificated under the Workboat Code can be used as Stand Alone Vessels.

For any activity undertaken by the vessel there will be a: **MINIMUM CREW OF 2, 1 during boarding operations.**

All coxswains of stand-alone vessels must be qualified to RYA advanced powerboat certification unless under the supervision of a member of staff holding an advanced power boat certificate.

When RIBs are engaged in 'mother/daughter' operations with NEG III a minimum crew of 1 is permitted.

Maintaining a Navigational Watch

The skipper of each vessel (NEG III/RIB) will ensure that watch keeping arrangements are adequate for maintaining a safe navigational watch.

Watch Arrangements/Look Out

The composition of the watch shall at all times be adequate and appropriate to the prevailing circumstances and conditions and shall take into account the need for maintaining a proper lookout.

Fitness for Duty

The watch system shall be such that the efficiency of watch keeping officers is not impaired by fatigue.

Navigational Duties and Responsibilities

- 1) The helmsman shall keep his watch on the bridge which he shall in no circumstances leave until properly relieved.
- 2) The helmsman will continue to be responsible for the safe navigation of the ship, despite the presence of the skipper, until the skipper informs him that he has assumed responsibility and this is mutually understood.
- 3) The helmsman will notify the skipper when in any doubt as to what action to take in the interests of safe navigation or vessel safety.

Safety Equipment

- 1) All employees must be trained in the use of safety equipment. Once trained they must use all items of safety equipment and protective clothing relevant to their duties.
- 2) They must identify all safety gear stowage points aboard the patrol boats, to enable a quick and concerted action in the event of an unexpected emergency.
- 3) It is the employees own responsibility to ensure that he/she is adequately equipped for particular duties. They must also ensure that official equipment in their care is regularly serviced and maintained, e.g. automatic lifejackets.
- 4) If any equipment is found to be defective in any way, it must immediately be reported to the Patrol Boat Skipper/ Deputy CO or CO for renewal or repair.

Maintenance

It is the responsibility of senior management to ensure all maintenance regimes are followed in their respective work area. Additionally it is the responsibility of all staff to ensure all items of equipment/machinery are in working order prior to any activity being undertaken. Any defects must be reported immediately and if necessary operation of vessels should be aborted until such problems are rectified.

Weather Conditions

The skipper shall assess the weather conditions before any planned voyage/trip, to ensure the safety of the vessel and crew.

SSB1.13 Discard Surveys

- 1) Prior to undertaking any surveying, the Lone Working Procedure must be implemented irrespective of the number of people engaged in sampling.
- 2) Officers must wear non-slip footwear and a lifejacket.
- 3) Each person engaged in surveying should have a work issue mobile phone. The phone must be fully charged and all associated operational software, such as tracking and lone working facilities, must be fully activated.
- 4) Officer(s) should satisfy him/her/themselves that the vessel being used to survey from is in good sea worthy condition, has a reliable and well known skipper and has the necessary safety equipment on-board and a relevant MCA Code of Safety Inspection.
- 5) Officers should satisfy themselves that the vessel chosen is going to sea in weather/conditions that are suitable. **If there is any doubts on any safety related issues and or conditions the survey should be aborted immediately.**
- 6) The following equipment must be taken:
 - ❑ Personal EPIRB
 - ❑ Warm/waterproof clothing

SSB1.14 Inspecting Premises

- 1) When inspecting any new premises officers must identify themselves and fully explain to the manager/owner the purpose of the inspection and powers under which the inspection is being undertaken
- 2) Officers must always have in their possession a fully operational work issue mobile phone. The phone must be fully charged and all associated operational software, such as tracking and lone working facilities, must be fully activated.
- 3) When working outside of normal work times 2200- 0400 Officers must implement the Lone Working Procedure.
- 4) Officers must wear non-slip, safety footwear and protective clothing appropriate for the premises being inspected.

- 5) When inspecting cooked/uncooked products officers must take suitable precautions as advised by the owner in order to prevent cross-contamination of food products.
- 6) When measuring shellfish or whitefish ensure the correct handling procedure is followed,
- 7) Any objects such as trawl nets, fish boxes, containers and other heavy objects should be lifted in accordance with manual handling techniques.
- 8) Be aware at all times of any machinery operating such as forklifts, always conduct inspection of fish in safe location.
- 9) Employees must familiarise themselves with the premises emergency procedures in case of fire etc.
- 10) Never enter a cold room or freezer unattended and always ensure the door cannot be closed behind you.

SSB1.15 Inspection of Person/s

All officers will at sometime during the course of their duties inspect person/s unknown to them. In such circumstances Officers must follow the procedure below:

- 1) Officers must always have in their possession a fully operational work issue mobile phone. The phone must be fully charged and all associated operational software, such as tracking and lone working facilities, must be fully activated.
- 2) When working outside of normal work times 2200 – 0400 Officers must implement the Lone Working Procedure (LWP).
- 3) When operating in any location, officers must risk assess the potential for any violence and implement the LWP (SSB4), where any doubt exists the LWP must be invoked and standard issue protective vest worn.
- 4) When operating against person/s who are known to the Authority as being a threat to officers safety the LWP must be invoked.
- 5) Where a new person is inspected by officers and any concerns are raised, the officer must liaise with senior management who will liaise with the Police/EA to obtain any relevant information on the threat this person may pose.
- 6) WHERE ANY THREAT OF VIOLENCE EXISTS OFFICERS MUST LEAVE THE AREA IMMEDIATELY, SAFETY OF STAFF IS PARAMOUNT.

SSB1.16 Inspection of Vehicles

- 1) Officers must always have in their possession a fully operational mobile phone. The phone must be fully charged and all associated operational software, such as tracking and lone working facilities, must be fully activated.
- 2) When working outside of normal work times 2200 – 0400 Officers must implement the Lone Working Procedure (LWP).
- 3) If officers are unsure about the nature of the person being inspected they must implement the LWP for the course of the inspection.
- 4) When inspecting any vehicle ensure the engine is switched off and request that the key is removed.
- 5) Before commencing any inspection request that the handbrake to the vehicle is engaged.
- 6) Always request the driver to accompany you during the inspection.

- 7) When inspecting refrigeration units always ensure the door is locked open and that the driver accompanies you at all times. Ensure you have warm clothing.
- 8) When accessing a vivier lorry/van ensure the threat of fall is removed by using suitable access provisions.
- 9) Be aware at all times of the environment surrounding you, conduct the inspection in a quiet location away from the threat of other traffic/vehicles.
- 10) If following a vehicle, officers must ensure they abide by the Highway Code at all times.
- 11) Do not use your vehicle to block any vehicle in.
- 12) Do not follow vehicles into remote locations where the threat of isolation exists.

SSB1.17 Use of Mobile Phones

General Use

- 1) When working, all officers must ensure that their work issue mobile telephones are switched ON, fully charged, operational and all associated operational software, such as tracking and lone working facilities, fully activated. During work time phones should only be switched off during the following circumstances (Paragraphs (2) to (4)).
- 2) When using a mobile telephone, Officers must ensure that they conform to the Road Vehicles [Construction and Use] [Amendment] [No 4] 2003, which prohibits the use of hand held devices whilst driving. A copy of this regulation and its guidelines is available to all staff
- 3) At all other times Officers shall assess whether the use of a Mobile Telephone could cause distraction which may affect the officer's safety or that of any other person or property. If the officer feels that any such risk is possible then the Mobile Telephone should not be used or switched off.
- 4) When attending Staff/Authority Meeting's, Magistrates Court, Crown Court or Training Sessions etc. Mobile Telephones should be switched OFF. If a possibility of accidental connection exists then the battery of the Mobile Telephone should be removed.

Message Service

- 1) Officers must ensure that during working hours if their Mobile Telephone is switched OFF a voice mail or message service is functional on their phone.
- 2) During the course of a normal working week (Monday-Sunday) whilst not on duty and the officers Mobile Telephone is switched OFF, provision must be made for a voice mail message service to be functional on their Mobile Telephone.

SSB1.18 Medications at Sea

- 1) In certain circumstances, such as chronic illnesses, a duplicate medication should be carried at all times. (E.g. Relief medication such as inhalers that relieve the symptoms of an asthma attack are needed on an ad-hoc basis with little warning) In relation to such medications:-
- 2) (a) One set should be carried in a waterproof container stowed in a secure compartment on satellite and shore launched vessels *and/or*-

- (b) In the case of NEGIII duties, a mutually agreed safe place known to the individual requiring the medicine and the master of the vessel.
- (c.) Depending on the medication, a duplicate must be carried on the person requiring the medication at all times. Particularly, if the individual is onboard the land based rib or NEG III satellite vessels undertaking patrols/boardings.
- 3) The Master of NEGIII and/or lead officer in the case of shore launched vessels/NEGIII satellite vessels must be made aware of any medication carried, whether duplicate or not. No sea going duties are to be undertaken unless essential medication is present and in the case of mechanical administering devices (such as an inhaler) are in full working order. Details given should include frequency of self administration and any special requirements pertaining to the medication.
 - 4) It is the responsibility of the individual to ensure that he or she has the appropriate medication when undertaking sea going duties and that the master or lead officer is informed.

SSB 2 – Risk Assessments

The following generic risk assessments have been conducted for work activities undertaken by NEIFCA staff. These assessments are held electronically and are detailed in Annex 1 for information. Furthermore the electronic risk assessment is designed to be flexible and as new work activities are undertaken staff, in conjunction with senior managers, are responsible for ensuring any new task is risk assessed before work activity commences.

RA1	Surveying Shellfish Beds	RA11	Patrol Vessels Launching/Recovering RIB
RA2	Inspection of vessels/catch	RA12	Operation of RIB at sea
RA3	Inspection of Premises	RA13	Operation of NEG III at Sea
RA4	Inspection of Person/s	RA14	Driving at Work
RA5	Inspection of Vehicles	RA15	Intertidal Survey Work
RA6	Lone Working	RA16	
RA7	Discard Surveys	RA17	
RA8	Launching of RIB with Vehicle and Trailer	RA18	
RA9	Patrol Vessels General deck Work	RA19	
RA10	Patrol Vessel Engine Room	RA20	

SSB3 – COSHH Assessments

Any substances used in day to day operations are detailed within the NEIFCA COSHH Assessments Files which are held centrally at the Town Hall, on the Patrol Vessel NEG III and at storage facilities. Officers must ensure that before using any substances, they must refer to the COSHH Assessment Files and take any necessary precautions as identified within each substances assessment. All new substances must be assessed before use, and the assessment retained in the relevant file.

SSB4- Violence, Challenging Behaviour and Working Alone in Safety

Verbal Abuse and Threats

- 1) All Staff will receive appropriate training on how to deal with difficult situations.
- 2) Any cases of verbal abuse and or threat to any employee must be reported to their Senior Officer and a detailed record will be kept and monitored using a specific report sheet held electronically in the Health and Safety File.
- 3) Where a pattern of threats or abuse is revealed, the Chief/ Deputy Chief will seek the advice of and assistance from appropriate agencies, and take any necessary action.

Physical Assault

The Authority will adopt the following procedure as appropriate where:-

- A physical attack can be reasonably foreseen in the future from a potential aggressor:
- A physical attack has taken place:
 - ❑ Call the Police [Ambulance if required]
 - ❑ Report the incident to a Senior Officer verbally.
 - ❑ Liaise with the police, be prepared to make a Statement, and obtain a crime number.
 - ❑ The Senior Officer will decide on any other immediate action thought necessary in the interests of safety.
 - ❑ Complete written report regarding the incident.
 - ❑ Liaise with Hospital or GP, if appropriate obtaining written evidence of injuries if possible.
 - ❑ Counselling will be offered to Staff where necessary.

Lone Working Procedure

This procedure has been developed in order to improve communications and provide support to employees who are engaged in lone working. Although there may be occasions when employees other than lone workers would benefit from using this system, for example, employees working outside normal office hours (2200 – 0400).

Lone working is an integral part of NEIFCA officers/employees operations and, as an employer, NEIFCA recognises that lone workers face particular problems due to the nature of their work and will not require officers/employees to work alone where this results in unacceptable risks. Management must therefore assess the risks its lone workers face and wherever possible should strive to remove or reduce risks to an acceptable level.

To ensure success of this procedure and thus maximise the safety of all NEIFCA officers/employees there needs to be full co-operation of all staff in the implementation of the procedure.

Identifying Lone Workers

NEIFCA management has undertaken a risk assessment of all work activities and identified areas/tasks undertaken in the course of officers duties which pose possible hazards, the consequences of those hazards, the risk factors and the control measures to be implemented in order to reduce the risk to Authority employees.

As part of that risk assessment areas have been identified which pose a possible risk in terms of lone working/workers. It is important to be aware that the risks associated with lone working are not associated only with individuals. Small groups working in remote locations can experience some of the risks associated with lone working- for example, If during a survey on a shellfish bed one of them suffers injury and the group needs to divide to get assistance.

Below is a table, which identifies through the NEIFCA Risk Assessment, areas which are classified as lone working.

Identified Lone Working Activities

LW1 - Surveys on Shellfish Beds
LW2 - Working in Identified locations
LW3- Working outside of normal office hours 2200-0400
LW4 - Discard surveys
LW5- Use of Stand Alone Vessels
LW6 – Any situation/location suitably assessed by officer

Shore Based Lone Working Procedure

- 1) Officers/employees must ensure that they carry a reliable means of communication at all times (work issue mobile telephone). All phones must be fully charged, operational and all associated operational software, such as tracking and lone working facilities, fully activated.
- 2) Officers/employees must ensure that before undertaking any lone working procedure (as identified) they have read the relevant NEIFCA Risk Assessment/Safety Services Booklet. Officers/employees must also ensure they have all the relevant equipment identified for the task they are to undertake.
- 3) Lone workers must log on at the beginning of the identified work activity and log off when the activity ends. The procedure laid out below must be used for logging on and off.

Logging On/Off

- 1) During all hours, officers should must log on verbally with their respective senior manager or the Deputy Chief Officer using one of the following numbers:

- Deputy Chief Officer 07879815464
 - Senior IFCO 07790 556710
 - Senior Environmental & Scientific Officer 07795 047157
 - First Mate 07825 935555
- 2) Once contact has been made then they should be informed of the following information:
- Location
 - Expected activity
 - Expected finish times
 - Intended frequency of contact
- 3) The officer must agree the frequency of contact with the contact officer covering the duration of the lone working period.
- 4) Once logged on, lone workers must make contact at the agreed times. FAILURE TO DO SO MAY RESULT IN THE SEARCH PROCEDURE BEING ACTIVATED.

SSB5 – Reporting of Injuries, Diseases and Dangerous Occurrences (RIDDOR)

Accident and Incident Reporting

All accidents, or incidents involving dangerous occurrences and/or near misses shall be reported. The Operational Support Manager shall ensure that systems and procedures are in place to monitor and record all incidents.

The procedures to be followed for reporting and recording such events are contained within the 2 flow charts:

- 1) Accident Reporting Procedure (HSE)
- 2) Accident Reporting Procedure (MAIB)

These procedures are set down by law for reporting and recording all accidents and incidents either terrestrially (HSE) or at sea (MAIB).

Accident Reporting Procedure (HSE)

NEIFCA accepts that the Health and Safety at Work etc. Act 1974, the Management of Health and Safety at Work Regulations 1999 and the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 and other statutes place a duty on it to ensure that accidents and incidents are recorded and investigated.

All accidents and incidents should be investigated and recorded to ensure future work activities are modified accordingly to ensure a safe working environment. The 'Accident Reporting Procedure (HSE) Flow Chart' contains the relevant procedures to be followed in reporting and recording all accidents and incidents within the terrestrial work environment.

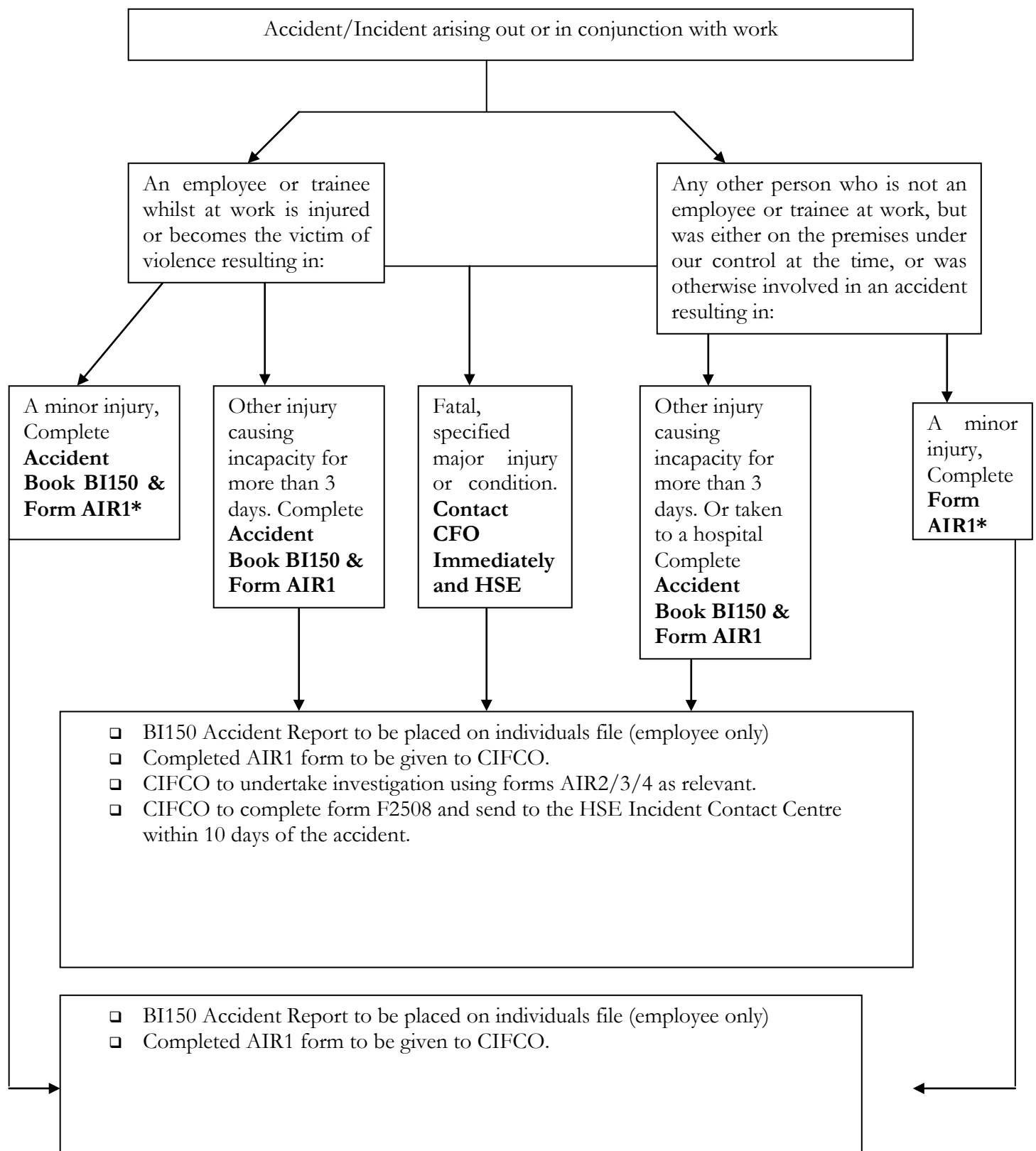
Accident Reporting Procedure (MAIB)

NEIFCA accepts that the Merchant Shipping Act 1995, and the Merchant Shipping (Accident and Reporting Regulations) 2005, place a duty on it to ensure that accidents and incidents are recorded, reported and investigated.

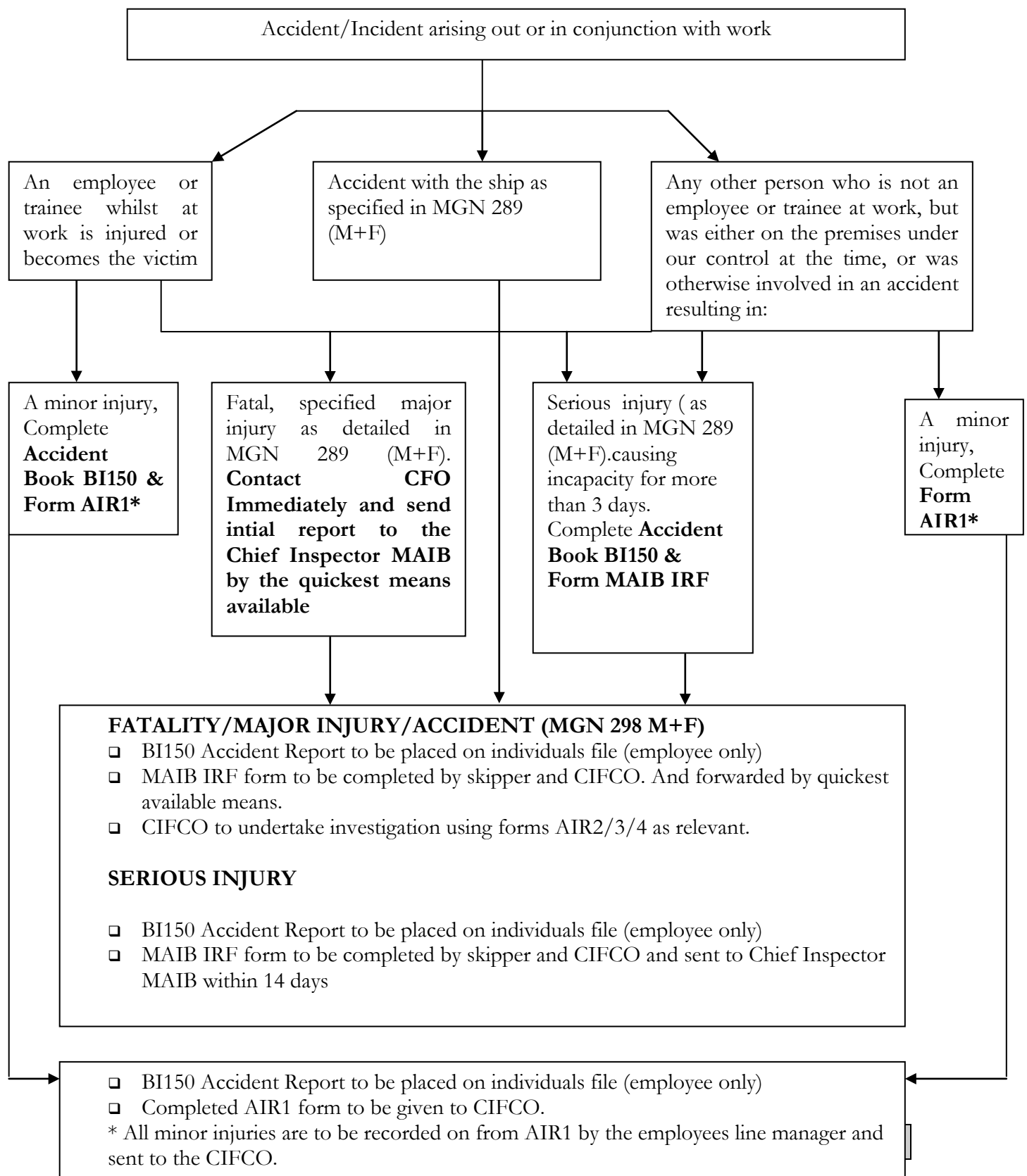
All accidents and incidents should be investigated and recorded to ensure future work activities are modified accordingly to ensure a safe working environment. The 'Accident Reporting Procedure (MAIB) Flow Chart' contains the relevant procedures to be followed in reporting and recording all accidents and incidents within the marine work environment.

ALL RELEVANT REPORTING FORMS ARE HELD ELECTRONICALLY AND WILL BE SUPPLIED TO LINE MANAGERS.

Accident Reporting Procedure (HSE) Flow Chart



Accident Reporting Procedure (MAIB) Flow Chart



Procedure for Assessments

STEP 1

All staff who use a computer are to complete a **'User Assessment Form'**. This is to ascertain if the member of staff is classed as a 'habitual user', and thus falling into the scope of the regulations. 'Non users' need not proceed any further.

STEP 2

If the member of staff is clearly classed as a 'user' then he or she must complete the **'Workplace and Display Screen Assessment Form'**. Once this has been completed it should be returned to the CO.

STEP 3

As CO it is your responsibility to analyse the responses, and as far as is reasonably practicable, address any areas of concern. All assessment forms and details of actions should be retained and kept in the electronic 'Health and Safety' File.

STEP 4

The assessment process must be repeated when any of the following circumstances occur:

- A major change in hardware and/or software
- A major change in furniture, office environment, and/or relocation of the workstation
- A substantial increase in the users time spent at their workstation

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Executive Meeting
6 September 2018

BUDGET MONITORING 2018/19

Report by the Treasurer

A. Purpose of Report

To advise Members of the budget position at the end of month 04 (July) in 2018/19

B. Recommendation

That the budget monitoring position is noted

1. Introduction

- 1.1 A detailed budget monitoring exercise is undertaken monthly by the Treasurer in consultation with the Chief Officer. This analyses individual budget lines in terms of the current expenditure and allows for projections to the end of the financial year.
- 1.2 This report provides the overall position and any areas whereby an explanation is required of any notable variance on the Authority's spending to the end of July 2018.
- 1.3 At its meeting on 7 December 2017, the Authority set a levy totalling £1,200,310 for the current financial year, including £100,000 plus accrued interest transferred to the renewals fund and £10,000 transferred to the vehicle replacement reserve.

2. Spending to 31 July 2018

- 2.1 Appendix A summarises the expenditure and income for the Authority for the four months to July of the financial year and compares it with the budget. The appendix shows both subjective and objective net expenditure for the period.
- 2.2 At the end of July 2018, the Authority has net expenditure of £278,739 against an expected £293,036, underspending by £14,297. The projected outturn shows a balanced budget. The main area of underspend to date is:
 - Employee expenses of £20,648, reflecting vacancies in the early months, however this will be largely offset by recruiting to vacant posts and an additional two temporary posts on a fixed term of 12 months
- 2.3 A minor shortfall in income is anticipated which will be offset by underspends in employee expenses. Overall, it is anticipated that there will be a balanced budget. This allows for a transfer of £100,000 plus accrued interest into the renewals fund and £10,000 into the vehicle replacement reserve.

Contact Officer

Stephen Chandler (Tel 01482 394270)

Interim Principal Accountant, East Riding of Yorkshire Council

Neal Beckett**Treasurer**

Background Papers: NEIFCA Monitoring File

NEIFCA Budget Monitoring Report as at July 2018

	<i>Approved Budget</i>	<i>Profiled Budget to Month 4</i>	<i>Actual to Month 4</i>	<i>Variance to Profile</i>	<i>Projected Outturn</i>	<i>Variance to Projected</i>
	£	£	£	£	£	£
EXPENDITURE						
Employee Expenses						
Pay,NI and Superannuation	625,550	208,517	187,868	-20,648	620,100	-5,450
Other Employee Costs	177,230	35,760	37,601	1,841	176,130	-1,100
Premises	20,710	5,706	5,585	-121	20,710	0
Transport						
Patrol Vessel Running Costs	175,840	33,586	33,973	388	175,840	0
Vehicle Running Costs	33,790	11,519	10,238	-1,281	33,790	0
Travel and Subsistence	38,750	5,053	6,038	985	38,750	0
Supplies and Services	92,400	26,205	25,761	-444	95,470	3,070
Support Services	91,500	0	0	0	91,500	0
	1,255,770	326,346	307,064	-19,281	1,252,290	-3,480
INCOME						
Grants and Contributions	-144,580	-28,742	-27,864	877	-144,580	0
Other Income	-23,780	-4,568	-461	4,107	-20,300	3,480
	-168,360	-33,309	-28,325	4,984	-164,880	3,480
NET EXPENDITURE	1,087,410	293,036	278,739	-14,297	1,087,410	0

	<i>Approved Budget</i>	<i>Profiled Budget to Month 4</i>	<i>Actual to Month 4</i>	<i>Variance</i>	<i>Projected Outturn</i>	<i>Variance to Projected</i>
	£	£	£		£	
NET EXPENDITURE						
Central / Headquarters	385,080	88,477	98,571	10,094	414,370	29,290
Land Based Operations	142,010	46,361	37,715	-8,646	123,870	-18,140
Offshore Operations	448,740	126,199	112,298	-13,901	432,990	-15,750
Environment	111,580	35,159	33,314	-1,845	116,180	4,600
Grant Aided Projects	0	-3,159	-3,159	0	0	0
	1,087,410	293,036	278,739	-14,297	1,087,410	0

	<i>Approved Budget</i>	<i>Profiled Budget to Month 4</i>	<i>Actual to Month 4</i>	<i>Variance</i>	<i>Projected Outturn</i>	<i>Variance to Projected</i>
	£	£	£		£	
REPRESENTED BY						
Annual levy on Local Authorities	-1,200,310	-1,200,310	-1,200,310	0	-1,200,310	0
Contribution to Vehicle Replacement	10,000	0	0	0	10,000	0
Contribution to Renewals Fund	102,900	0	0	0	102,900	0
	-1,087,410	-1,200,310	-1,200,310	0	-1,087,410	0

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Executive Committee
6 September 2018

Chief Officer's Operational Update

Report of the Chief Officer

A. Purpose of Report

To provide an operational update for members information

B. Recommendation

That Members note the report.

1. Overview

1.1 NEIFCA

The reporting period has been dominated by generally settled weather with some of the warmest temperatures recorded in over forty years. Landings of lobster remained low throughout much of June, July and August with reported high levels of discarding of egg bearing females. Typical inspected catches ranged from 10 to 50 Kg per day. Catches of edible crab improved notably during August with average landings of up to 130 Kg per day and offshore, 800 Kg per trip. A number of nomadic scallop dredgers continued to land at ports located within the Authority's District during the summer months with typical inspected landings of 1.5 to 5 tonnes for a 4 to 5 day trip. Trawling offered very limited returns for the smaller inshore 'day' boats but recreational angling vessels benefitted from the presence of large numbers of codling and mackerel on favoured grounds.

Applications for the three available scallop dredging permits closed on 16 July 2018. A total of 7 applications were received and provisional notification was sent to all applicants on 23 July 2018. This year no formal appeals were received from the unsuccessful applicants. Subject to receipt of the permit fee the three permits will be issued in accordance with the published process. Throughout the summer, since the closure of the permitted fishery, North Eastern Guardian III has been utilised to support potting survey work across the permitted scallop dredging area. Quantities of both edible crab and lobster have been sampled and recorded as part of that work. Officers have also observed increasing potting effort throughout the designated scallop dredging area.

During June, July and August a number of breaches of legislation protecting egg bearing lobsters have been reported by Authority officers for further consideration. Officers have

now established a testing protocol for detecting the illegal scrubbing or stripping of eggs in partnership with the University of Hull. Two cases have now been successfully prosecuted in Court attracting fines and costs totalling £2,462 representing the first in the UK. Compliance, however, remains a significant problem and a primary focus of the Authority's officers.

On the 31 August 2018 the Authority's first apprentice successfully completed her one year attachment. Georgina Innes Myers achieved a NVQ Workboat Apprenticeship in partnership with the Whitby and District Fishing Industry Training School. Georgina was the first female workboat apprentice in the UK to achieve this qualification having successfully completed her work based training on board North Eastern Guardian III. Georgina has now secured a place at Leeds University and we wish her every success in the future.

Progress against the four byelaws made by the Authority in April 2016 has been frustratingly slow with significant delays experienced through the MMO quality assessment process. I have been working with the Authority's legal team to try and push the process forward to final submission to Defra. As at the end of August 2018 the MMO had advised that they had now completed their assessments and were awaiting advice from Defra as to whether the AIS byelaw would need to be subject to a further period of formal consultation. Since the AIS byelaw was made in 2016 the IVMS vessel monitoring project has obviously progressed with concerns surrounding potential legislative duplication.

In terms of other byelaw work the final draft of the Crustacea Conservation Byelaw 2018, made by the Authority on 14 June 2018, was submitted to the MMO on 8 August by the Authority's legal team for provisional review prior to the commencement of formal consultation.

1.2 National

National work continues to focus on preparations for the future exit of the European Union with the long anticipated release of the Fisheries White Paper on 4 July 2018. Communications on the White Paper have been shared electronically with members. The settlement of future trading arrangements with the EU, however, remains a critical factor for the regions fishing industry.

In terms of other national work streams the four yearly statutory review into the conduct and operation of IFCAs commenced on 24 July 2018 and as with the White Paper, communications have been shared electronically with members.

At the last meeting of the full Authority members were given a detailed brief on the national IVMS vessel monitoring project and the progression of an 'in house' work on a district wide AIS monitoring system. Members agreed to support the potential implementation of the national project alongside the continuation of the Authority's plans to implement an AIS monitoring system within its District. Since the meeting in June there have been some notable developments relating to plans for the implementation of the national system. Following concerns raised by the IFCAs in relation to financial and organisational risk exposure, independent legal advice was sought by the national Association of IFCAs. Receipt and review of that advice failed to allay concerns and IFCAs requested that the MMO and Defra consider underwriting the

risk exposure to enable progression. Such a formal undertaking by the MMO and Defra hasn't been possible and an alternative national, delivery model is now being considered.

1.3 **Priority Work streams for the next three months:**

- Confirmation of four outstanding byelaw regulations made in April 2016
- Commencement of formal consultation on a new crustacea conservation byelaw to include a maximum pot frame size, standardisation of vessel size within 3 NM and protection for egg bearing, 'V' notched and soft lobsters.
- Continuation of ongoing marine protected area work streams, monitoring, enforcement of regulations and furthering the study work on bait collection.
- Continuation of specification and procurement work on the replacement fisheries vessel.

Contact Officer:
David McCandless
NEIFCA Chief Officer
Tel: 01482 393 690

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Executive Committee
6 September 2018

Replacement Patrol Vessel - Update

Report by the Chief Officer

A. Purpose of Report

To update members on progress with the project to replace the Authority's main patrol vessel

B. Recommendations

1. That members note the report.

1. Background

- 1.1 At a meeting of the full Committee held on 10 September 2015 members received a detailed report from the Clerk and Chief Officer setting out the intended process for the replacement of the Authority's main patrol vessel *North Eastern Guardian III*. Following consideration of the report members agreed the following actions (Minute item 6 refers):

- (i) That approval be given for the commencement of the procurement process for the replacement of the patrol vessel.
- (ii) That the Clerk and Chief Officer prepare a specification, supported by a business case, for a new patrol vessel together with the necessary tender documentation.
- (iii) That regular progress reports be submitted to the Executive Committee at the various stages of the process.
- (iv) That the outcome of the tender process be submitted to the Executive Committee and Authority for final approval.
- (v) That the letting of the tender is subject to the funding for the new patrol vessel being in place.

- 1.1 *North Eastern Guardian III* was built in Finland and delivered to the Authority in 2007. At the time the vessel was state of the art having full functionality to deliver the then North Eastern Sea Fisheries Committee's duties and responsibilities in terms of fisheries enforcement and environmental conservation. It has continued to work effectively and efficiently following the replacement of Sea Fisheries Committees with Inshore Fisheries and Conservation Authorities under the Marine and Coastal Access Act on 1 April 2011.

- 1.2 *North Eastern Guardian III* has been well maintained and serviced by the Authority in order to ensure it will have an optimum resale value based on its age and condition. This has been the case with all three patrol vessels and has proved to be a prudent and effective means of ensuring new replacement vessels have been affordable.

- 1.3 The vessel is now over eleven years old and any procurement timescale for a replacement vessel including the build period is expected to take from 18 months to 2 years to complete.
- 1.4 The new duties and responsibilities and the workload which is being transferred from Central Government and partner agencies to IFCA's has significantly changed the dynamics of the operational activities of IFCA's alongside any future considerations surrounding an extension of seaward limits post exit of the EU.
- 1.5 Expansion in strategic delivery of scientific, environmental monitoring and conservation work and evidence gathering as opposed to traditional enforcement activity continues at pace. These operational drivers necessitate a different type of patrol vessel to the one currently operated by the Authority in order to meet its duties and responsibilities in the future. In order to fulfil these requirements the Authority needs to carry significant amounts of equipment on board the vessel. This requires much greater capacity, on board space and sea keeping capabilities than the current vessel can accommodate.
- 1.6 At the meeting of the Executive Committee held on 22 October 2014 the Chief Officer informed members of the commencement of the work on the potential for a replacement of the patrol vessel, *North Eastern Guardian III* (Minute 40 refers). This involved fact finding visits to various boat building yards to ascertain the latest vessel designs available and the technical advances since 2007 to support the development of an outline specification and business case to underpin the project.

2. Progress to Date

- 2.1 The Chief, Deputy Chief Officer and Deputy Clerk visited UKI Boats in Finland in April 2015. This company built the existing patrol vessel, *North Eastern Guardian III* and specialise in workboats and icebreakers. The visit was extremely useful with discussions taking place on advances in technology and boat design
- 2.2 The yard indicated that they would be comfortable with a similar contract arrangement agreed with them for *North Eastern Guardian III* which had some extremely effective clauses in terms of protecting the Authority's position in relation to snagging issues together with staged payments throughout the build
- 2.3 The Chief and Deputy Chief Officers visited the Northern Ireland Sea Fisheries Authority during May 2015 to inspect their latest fisheries vessel, delivered in 2010. The 26 m single hulled vessel '*Bannian Uladh*' had been procured and built in Estonia and whilst having a similar design to *North Eastern Guardian III* and carrying some unique design features, officers considered the build quality to be of a lower standard and showing some deterioration in what could be regarded as a relatively short timescale.
- 2.5 The Chief and Deputy Chief Officer inspected the newest vessel in the IFCA fleet, the '*St Aiden*' a 16 m SB Lynx 1600, GRP Catamaran, built by Goodchild Marine in the UK for Northumberland IFCA, at the Southampton Workboat show during June 2015.
- 2.6 The Chief, Deputy Chief Officer and Deputy Clerk visited three further boatyards in Denmark in August 2015.
- 2.7 The Chief, Deputy Chief and Senior Scientific and Environmental Officers visited Aarhus in Denmark during October 2015 to inspect the University's fisheries research vessel, '*Aurora*' a 28 m multi-functional vessel built in Denmark and commissioned in 2014. The vessel carried a number of innovative design features including a flexible bolt grid deck system, sheltered deck area, dynamic positioning system, teaching facilities and observational platform.

- 2.8 Further ‘fact finding’ visits were undertaken during 2016 and early 2017 to Finland and Norway to explore options for daughter craft and acoustical surveying equipment and a number of exhibitions and marine trade shows were also attended by Authority Officers culminating in the production of a comprehensive business case which has been widely circulated across government departments, partner agencies and interested parties.
- 2.9 During 2017 and 2018 officers have continued to monitor trends, developments and innovations within the maritime ship building industry through continued attendance at shows and exhibitions when feasible. More recently, however, most of the direct officer time invested in the project, has involved working with the University of Hull to produce a bespoke business case to support their considerations to match fund the project. To date whilst the University of Hull remains positive towards the project no indications have yet been received with regard to the provision of match funding.

3. Procurement Process

- 3.1 The estimated cost of a new patrol vessel exceeds the European Union threshold of £172,514 therefore currently requiring that the procurement process is undertaken via a European Union tender advert. This is known as an OJEU notice which is advertised in the Official Journal of the European Union. Whether the anticipated exit from the EU at the end of March 2019 affects this requirement remains to be seen but officers are planning to utilise the EU process.
- 3.2 Subject to confirmation of funding, expressions of interest will be sought via the OJEU notice and following receipt of expressions of interest pre-tender qualification information and supporting documentation will be sought from those interested parties. A deadline will be set for receipt of completed tender documentation.
- 3.3 Completed tenders will then be evaluated against key criteria with specific points being allocated for each of the evaluation criteria. A minimum score will be set for tender qualification.
- 3.4 Those bidders meeting the minimum qualification score will then be invited to submit completed tender documentation. Completed tenders will then be invited and evaluated.
- 3.5 Following recent changes in EU procurement regulations options also exist for the inclusion of a competitive process with negotiation although such an option would extend the timescale of the procurement process.

4. Funding

- 4.1 Based on the extensive research completed to date, officers had previously estimated that a maximum budget of £4.2 million would be required to support the project. Given the lack of progress in securing any match funding officers are now re-examining needs and requirements and assessing options to establish as accurate a projected budget as possible to support progressing the build and commission of a new vessel. Very early indications suggest that it is possible that the maximum budget could be reduced by up to £1 million depending on the final design, the type and specification of on board equipment and access to some level of external funding support.
- 4.2 The Authority has a prudently set aside funding towards a replacement patrol vessel in a renewals fund. As of 1 April 2018 £989k is currently available in the fund.
- 4.3 The existing patrol vessel has been well maintained and serviced and will have resale value currently estimated to be in the region of £800k to £1.2 million leaving a potential match-funding shortfall ranging from £1 to £2.4 million.
- 4.4 The existing patrol vessel received 25% funding from the European Union. Whilst a new EU funding programme, the European Maritime and Fisheries Fund (EMFF), opened at the beginning of

2016 only £500K had been sent aside for vessels renewals within the English enforcement and control operational programme. Even at an encouraging intervention rate of 60%, national funding from this pot will not meet the levels of match funding required to take the project forward. The future UK exit from the EU also means that the Treasury will only under-write projects which have been agreed prior to the point of exit. Officers are continuing to work with local MPs, IFCA colleagues, the MMO, Defra and other government Agencies to try and access additional national funds to support the progression of the vessel renewal project. A number of meetings have also been held with officers and Councillors from the member Local Authorities to explore any additional sources of funding and a further meeting is planned with EMFF funding heads at the MMO and the Chairman, Clerk and Chief Officer to explore options.

- 4.5 As mentioned previously, a significant amount of work and time has been invested, in partnership with the University of Hull, to explore the potential co-funding of a new vessel project. To date nothing concrete has resulted from this work and the current vessel is depreciating.

5. Options

- 5.1 Since the vessel renewal project commenced in 2014 officers have completed a detailed needs and options assessment based on a comprehensive Strengths, Weaknesses, Opportunities and Threats (SWOT) analysis. The current vessel was built for high speed fisheries patrol work. It is of light aluminium structure, shallow draught, with a narrow beam. Its maximum carrying capacity is just 1000 Kg with limited fuel, fresh and waste water capacity meaning it can only stay at sea for singular days at a time. To effectively and efficiently deliver the Authority's current and developing duties and responsibilities a larger, displacement steel hulled vessels is required with a much greater carrying and operational capacity. Given the design and construction material the current vessel cannot be modified and therefore must be replaced whilst it still retains a good level of equity. Other options considered and discounted within the appraisal process included replacing 'like for like', purchasing a second hand vessel and refitting it, refitting the current vessel and purchasing or chartering a secondary vessel.
- 5.2 Given the outcome of the needs and options assessment the only viable option remains the sale of the current vessel and the build and commission of a replacement vessel. To that end officers have engaged a naval architect to produce some basic general arrangement drawings which can then be used to establish a more accurate project budget. Parallel to this technical work the Clerk, Chairman and Chief Officer will continue to explore all available options to meet the projected shortfall in funding provision. It is anticipated that a more detailed report will be presented to the Authority in December 2018 for consideration.

Contact Officer: **David McCandless**
Chief Officer
Telephone Number: 01482 393690