



**Item: 5**

**Harbour Authority Sub-committee: 20 January 2026.**

**Port and Marine Facilities Safety Code – Annual Compliance Audit Report.**

**Report by Director of Enterprise and Resources.**

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## **1. Overview**

- 1.1. Marico Marine as the Designated Person for Orkney Islands Council Harbour Authority conducted an independent annual audit of compliance with the Port and Marine Facilities Safety Code (the Code) for Marine Services over the period 29 September to 1 October 2025.
- 1.2. The overall conclusions are:
  - The new version of the Code is more specific in its requirements using language including “must”, “should” and “may” in many of the paragraphs. This has given rise to the ability to suggest additional improvements that have not hitherto been identified.
  - While no aspect of the Code compliance was missing, much of the documentation and procedure supporting the day-to-day operations was found to be incomplete or lacking detail. Marine operations were observed to be undertaken safely and efficiently, but often there was a reliance on policy rather than procedure, or upon custom and practice to get the job done safely. Many of the improvement opportunities relate to suggestions for clearer or more complete documentation.
  - From the outcome of this audit, observations made during the visit, and reports received from the marine team, it is concluded OIC Harbour Authority is compliant with the current version of the code but the Duty Holder should support the implementations of the recommendations made and monitor progress.
- 1.3. The audit report shows we are in compliance with the Code with recommendations on improvements to be carried out. These will be acted upon at the earliest opportunity.

## **2. Recommendations**

2.1. It is recommended that the members of the Sub-committee:

- i. Scrutinise the Port and Marine Facilities Safety Code annual audit of compliance, together with progress update on outstanding actions, attached as Appendices 1 and 2 respectively to this report, in order to obtain assurance.
- ii. Recommend that an action tracker be regularly shared with the Designated Person to monitor progress and allow continued assurance of compliance to be given to the Duty Holder.

## **3. Port and Marine Facilities Safety Code**

3.1. The Port and Marine Facilities Safety Code (the Code), which was updated in April 2025, sets out a national standard for every aspect of port and marine facility safety. Its aim is to enhance safety for everyone who works in, or uses, ports, harbours, marinas and other marine facilities. Recognising the significant differences in the role, powers, duties, responsibilities and risks that different organisations have and manage, the Code is intended to be sufficiently flexible to enable its principles to be applied in a manner proportionate to local requirements.

3.2. The Code was introduced in 2000 in response to lessons learned from the grounding of the Sea Empress in 1996. The involvement of the maritime sector during its development and evolution has been, and is, critical. Although compliance is not mandatory, there is a strong expectation that anyone who manages ports and other marine facilities will incorporate the relevant requirements of the Code into their safety management and other systems.

3.3. The Code includes references to the statutory responsibilities some organisations have for marine safety but does not purport to cover all legal duties or any wider, non-marine, safety responsibilities. Other legislation, such as that relating to security, can also impact marine safety. It is important for organisations to recognise this and strive to deliver cohesive and consistent policies and management across all these responsibilities.

## **4. Designated Person**

4.1. In October 2021, the Council appointed Marine and Risk Consultants Limited (Marico Marine) to provide Designated Person services to Marine Services for an initial term of three years with an option for two 12-month extensions. Part of the

service provided by Marico Marine includes an annual audit of the Harbour Authority against the Code as the nominated Designated Person. This Audit report covers all aspects of operations of the Harbour Authority as covered by the Code.

- 4.2. The latest annual audit of compliance was undertaken during the period 29 September to 1 October 2025. The resulting report is attached as Appendix 1 to this report.
- 4.3. Appendix 2 to this report contains an update in relation to items raised in the latest Port and Marine Facilities Safety Code annual report.

## **5. Audit Report**

- 5.1. The latest report from the Designated Person show we are in compliance with the Code but there is need for improvement in some areas. Since the last audit we have a new appointed Designated Person from Marico Marine, and this has enabled a fresh look at our operations and procedures which raised comments as in Appendix 1.
- 5.2. No non- compliances were identified during the audit but 42% of all the audit questions resulted in the identification of improvement opportunities.
- 5.3. Appendix 2 has the recommendations requiring additional effort and also shows at the time of this report good progress has already been made.

## **6. Legislative Position**

- 6.1. The Council, as Harbour Authority, has certain legal duties with regard to port safety, some of which are referred to in the Port and Marine Facilities Safety Code. The Code does not itself create any new legal duties but a failure to adhere to the good practice set out in it may be indicative of a Harbour Authority being in breach of the legal duties relating to port safety. The Code has introduced a national standard for every aspect of marine safety and establishes a measure by which harbour authorities can be accountable for discharging their legal powers and duties to run a harbour or facility safely and effectively. Ensuring compliance with the Port and Marine Facilities Safety Code will assist the Council in discharging its duties as Harbour Authority.
- 6.2. The Council, through its designated Duty Holder, is responsible for complying with the Port and Marine Facilities Safety Code. This includes:
  - i. Being aware of the organisation's powers and duties related to marine safety.

- ii. Ensuring that a suitable Marine Safety Management System (MSMS), which employs formal safety assessment techniques, is in place.
- iii. Appointing a suitable Designated Person to monitor and report the effectiveness of the MSMS and provide independent advice on matters of marine safety.
- iv. Appointing competent people to manage marine safety.
- v. Ensuring that the management of marine safety continuously improves by publishing a marine safety plan and reporting performance against the objectives and targets set.
- vi. Reporting compliance with the Code to the MCA every three years.
- vii. Reviewing existing powers on a periodic basis to avoid a failure in discharging its duties or risk of exceeding its powers.

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**Implications of Report**

1. **Financial.** There are no direct financial implications arising from the PMSC audit, however, any further costs incurred in respect of work to address the audit recommendations will require to be funded from within existing Service revenue budgets.
2. **Legal** See section 6.
3. **Corporate Governance.** In terms of the Scheme of Administration, receipt of reports on assurance from the Designated Person in relation to compliance with the Port and Marine Facilities Safety Code, including an annual compliance audit report, is a referred function of the Harbour Authority Sub-committee.
4. **Human Resources** No Impact
5. **Equalities.** An Equality Impact Assessment is not required for performance monitoring.
6. **Island Communities Impact.** An Islands Community Impact Assessment is not required for performance monitoring.
7. **Links to Council Plan**  
The proposals in this report support and contribute to improved outcomes for communities as outlined in the following Council Plan strategic priorities:
  - Growing our economy.
  - Strengthening our Communities.
  - Developing our Infrastructure.
  - Transforming our Council.

**8. Links to Local Outcomes Improvement Plan**

The proposals in this report support and contribute to improved outcomes for communities as outlined in the following Local Outcomes Improvement Plan priorities:

- Cost of Living.
- Sustainable Development.
- Local Equality.
- Improving Population Health.

**9. Environmental and Climate Risk.** The audit report reflects mitigation of potential risk.

**10. Risk** - The audit report reflects mitigation of potential risks.

**11. Procurement** - Not applicable

**12. Health and Safety** - The audit report reflects an independent assessment of marine safety.

**13. Property and Assets** - Not applicable

**14. Information Technology** - Not applicable

**15. Cost of Living** - Not applicable

**List of Background Papers**

None

**Appendices**

Appendix 1 Orkney Islands Council Harbour Authority Port and Marine Facilities Safety Code Audit 29 September – 1 October authored by Marico Marine.

Appendix 2 Port Marine Safety Code – Audit Report – Progress Update for Duty Holder – Dated December 2025.



## ORKNEY ISLANDS COUNCIL HARBOUR AUTHORITY

### PMSC AUDIT 2025



**Report Number:** 21UK1779\_Audit\_2025  
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**Prepared for:**

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Release	Technical Review Sign-off	Quality Review Sign-off	Authorised	Notes
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## EXECUTIVE SUMMARY

Orkney Islands Council Authority has appointed an independent Designated Person to provide assurance to the Authority's Duty Holder (The Harbour Authority Sub-committee) that the organisation is compliant with the current version of the Ports and Marine Facilities Safety Code. Since March 2025. The named Designated Person has been William Heaps of Marico Marine, who took up the appointment upon the retirement of Mr David Foster.

The 2025 annual audit of Ports and Marine Facilities Safety Code compliance was undertaken by William Heaps between 22 and 24 September during a visit to the Islands. In addition to the usual assessment of compliance, this audit had additional objectives:

- Provide an opportunity for William Heaps to become familiar with the Council's marine operations;
- Assess the Marine Safety Management System against the revised requirements of the revised Code published in April 2025; and
- Provide assurance to support the Duty Holder's compliance statement to the Maritime and Coastguard Authority, which will be due before 31 March 2026.

The audit was undertaken over three days, including operational visits to assess the effectiveness of the Marine Safety Management System during daily operations. The audit used a revised proforma referencing the latest version of the Code which tested all areas of compliance.

While, overall, Orkney Islands Council Harbour Authority was not found to demonstrate any noncompliance with the Code, a significant number of improvement opportunities were identified: 42% of all questions resulted in suggestions for improvement.

Two key factors for this finding are suggested:

1. The new version of the Code is more specific in its requirement using language including "must", "should" and "may" in many of its paragraphs. The Guide to Good Practice (also republished in April 2025) supports this clarity, and this has given rise to the ability to suggest additional improvements that may not hitherto have been identified; and
2. While no aspect of PMSC compliance was identified as completely missing (no non-compliances) much of the documentation and procedure supporting day to day operations was found to be incomplete or lacking in detail.

In summary, from the outcome of this audit, observations made during the visit, and reports received from the marine team, it is concluded Orkney Islands Council Harbour Authority is currently compliant with the Code, but the Duty Holder should support the implementation of the recommendations made in this report and monitor progress as they are addressed.

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## 1 INTRODUCTION

The purpose of a Ports and Marine Facilities Safety Code (PMSC, The Code) compliance audit is to ensure that harbour authorities, ports, and marine facilities deliver safe marine operations by adhering to the national standards set out in the Code. This involves verifying that a Marine Safety Management System (MSMS) is in place, effective and capable of managing risks to a level as low as reasonably practicable (ALARP). The audit provides independent assurance to the Duty Holder that the MSMS complies with the Code, identifies areas of non-compliance or for improvement, and promotes safety for people, the environment and property.

It also contributes to accountability, transparency and alignment with legal and operational responsibilities, enabling compliance which is to be reported to the Maritime and Coastguard Agency (MCA) every three years.

## 2 PROPORTIONALITY

The Code and accompanying Guide to Good Practice (the Guide) emphasise a proportionate approach. Auditors will consider the organisation's size, operations, and statutory powers, if any, when assessing responses.

- **Evidence-Based:** Responses are to be supported by documentation, such as policies, audit reports, training records, or maintenance schedules.
- **Stakeholder Engagement:** Many questions involve consultation with stakeholders. Auditors are to verify that engagement processes are inclusive and documented.
- **Continuous Improvement:** The audit is to identify areas for improvement, referencing the Guide's best practices to guide corrective actions.
- **MCA Health Checks:** Organisations are to be prepared for Maritime and Coastguard Agency (MCA) Health Checks, which assess compliance and share best practices (MCA Health Checks).

## 3 AUDIT OVERVIEW

The audit is designed to assess compliance with the Code with each question is cross-referenced to the corresponding section of the Guide. The questions are structured to verify adherence to the Code's requirements, thus compliance, ensuring that safety management systems are robust, proportionate and aligned with industry best practices. Organisations are to provide evidence-based responses, such as policies, procedures, or records, to demonstrate compliance.

Individual audit questions feed into the main body of the report by systematically evaluating specific aspects of the MSMS and operational practices.

### 3.1 THE ORGANISATION

Orkney Islands Council Harbour Authority is a municipal Statutory and Competent Harbour Authority with responsibility for the operation of all 29 ports and harbours within Orkney. This includes the strategic oil port of Scapa Flow and the Flotta Oil Terminal and frequent Ship to Ship operations, and the port of Kirkwall which has been recognised the UK's most successful cruise destination. The Harbour Authority operates a pilotage service and a fleet of modern tugs, and a Vessel Traffic Services for Scapa Flow and approaches and the Kirkwall Harbour area<sup>1</sup>.

The Harbour authority has committed<sup>2</sup> to complying with the UK Ports and Marine Facilities Safety Code, which was last revised in April 2025.

As a consequence of this commitment, the Authority has appointed an independent Designated Person (DP) to provide assurance to the Authority's Duty Holder (The Harbour Authority Sub-committee) that the organisation is compliant with the current version of the Code. Since March 2025, the named DP has been William Heaps of Marico Marine, who took up the appointment upon the retirement of Mr David Foster.

The principal tool used by the DP to assess compliance, and enable assurance to be given, is regular thorough audit of an organisation's Marine Safety Management System, (IMSMS) and such an audit is carried out annually under the contract to provide DP services to OIC.

During 2025 the audit was undertaken by William Heaps between 22 and 24 September during a visit to the Islands. In addition to the usual assessment of compliance, this audit had additional objectives:

- Provide an opportunity for William Heaps to become familiar with the Council's marine operations, by means of:
  - Meeting staff;
  - Attending a meeting with HSC members; and,
  - Witnessing practical operations (an STS transfer vessel separation and departure from afloat and a ferry trip to look at an outlying harbour – Shapinsay);
- Take the opportunity to assess the MSMS against the revised requirements of the Code published in April 2025. This was therefore the first audit of the Authority against the Code, and the DP used a completely revised and reformatted audit proforma; and
- At the time of the audit, it was anticipated (and subsequently it has been confirmed) that harbours and marine facilities would be invited to report compliance with the Code to the MCA during the first three months of 2026. This audit can therefore be used as the evidence to support confirmation.

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<sup>1</sup> Information provided as part of Head of Service Job Description

<sup>2</sup> <https://www.orkneyharbours.com/services/safety-security-waste>

## 3.2 AUDIT PROGRAMME AND PARTICIPANTS

### 3.2.1 Schedule

A comprehensive schedule for the DP visit was accommodated by Harbours staff as follows (approximate timings):

#### **Monday 29 September**

09:00 Audit kick off meeting at Scapa offices

- Introductions
- Confirmed staff availability
- Confirmed scope (Complete audit of 2025 PMSC compliance)
- Confirmed timings

10:00 Commence office-based audit and review of MSMS

12:00 – 13:00 Meeting with Duty Holder (Councillors)

14:00 onwards – continue audit

#### **Tuesday 30 September**

Audit continuation, also:

09:00 attended STS vessel departure pre-ops meeting

Afternoon – boarded pilot vessel to see STS departure, witness pilotage and towage operations.

#### **Wednesday 1 October**

Completed audit review

Passage to Shapinsay aboard interisland ferry, and landing to inspect small harbour facilities.

Audit close out meeting at end of day - Scapa

### 3.2.2 Participants

Auditor / DP – William Heaps, Marico Marine.

Multiple OIC Marine staff supported the audit, and answered questions and shared knowledge, including:

- Pilot Launch crew
- Pilot

- Ferry Crew
- VTS officer
- Harbour Master.

The formal audit was undertaken in the harbour offices and chiefly supported by:

- Bradley Drummond – Deputy Harbour Master
- Dougie Manson – Deputy Harbour Master
- Ross Spence – Port Safety

## 4 SUMMARISED AUDIT FINDINGS

This audit checklist is based on the Code, the Guide and MCA guidance and is made up of 100 questions covering compliance with the Code. It is arranged in the same order as the current versions of the Code and Guide. The audit sheet is at **0** and includes a comment on each question, and the auditor's assessment of whether the organisation is compliant with the Code, compliant but an improvement opportunity exists, or non-compliant with respect to the question asked.

Figures 1 to 3 illustrate compliance or otherwise across all 10 sections of the Code. **Section 0** gives full details of recommendations made for ongoing improvement.

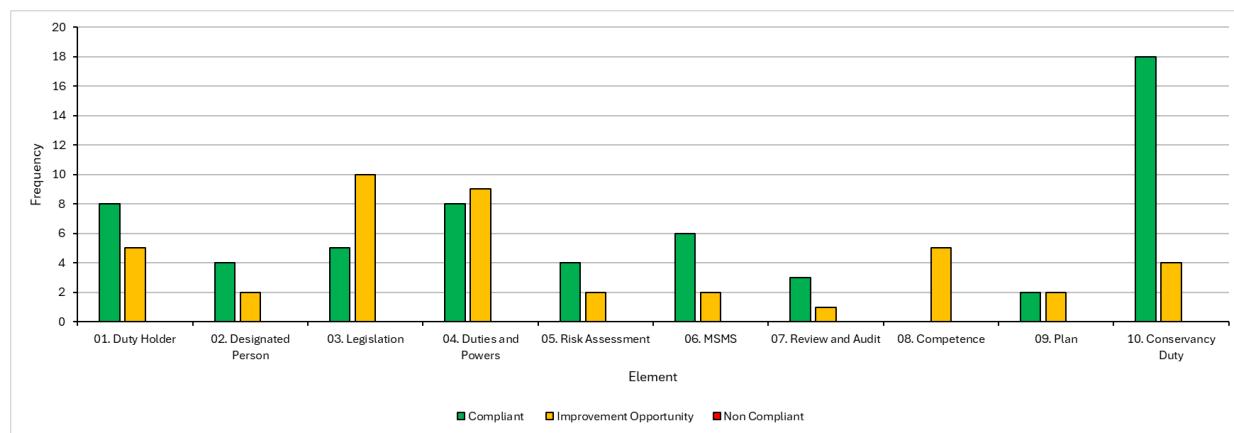
**Figure 1: Audit Summary**

Element	Assessment				Scoped Out	Audit Total
	Compliant	Improvement Opportunity	Non Compliant	Total Scored		
01. Duty Holder	8	5	0	13	0	13
02. Designated Person	4	2	0	6	0	6
03. Legislation	5	10	0	15	0	15
04. Duties and Powers	8	9	0	17	0	17
05. Risk Assessment	4	2	0	6	0	6
06. MSMS	6	2	0	8	0	8
07. Review and Audit	3	1	0	4	0	4
08. Competence	0	5	0	5	0	5
09. Plan	2	2	0	4	0	4
10. Conservancy Duty	18	4	0	22	0	22
Overall	58	42	0	100	0	100
Percentage Compliance*	58%	42%	0%			

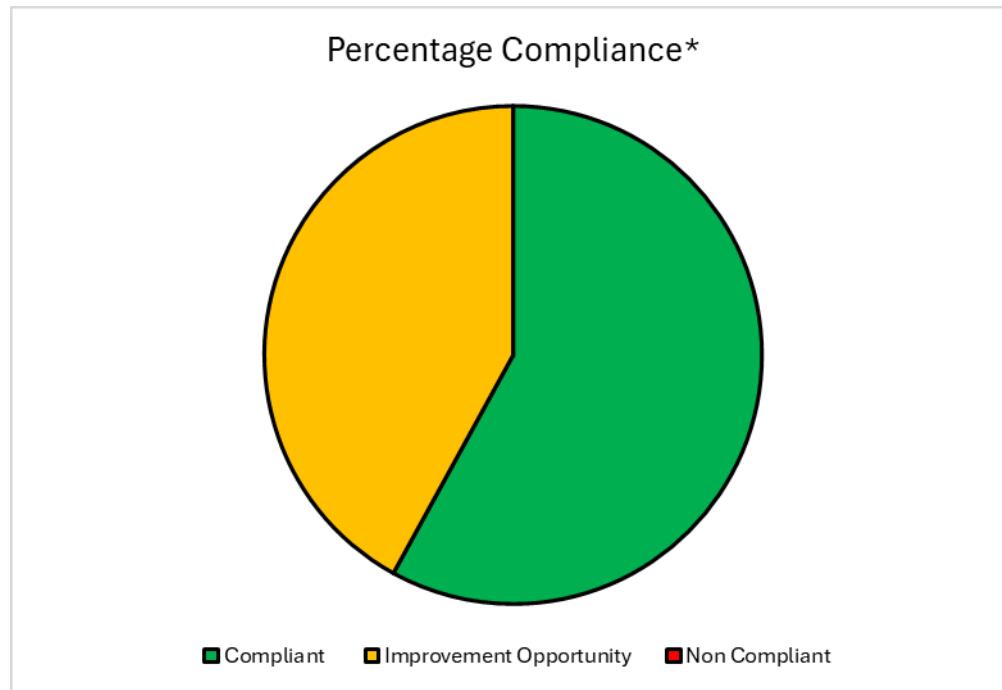
\*Only on those Elements which have been scored

N.B. No questions were scoped out from this audit – all were considered applicable to OIC

**Figure 2: Compliance by Code Section**



**Figure 3: Percentage Compliance (\* Scoped in questions only)**



While no non-compliances were identified (all areas of Code compliance were addressed to some degree) 42% of all audit questions resulted in the identification of improvement opportunities.

In the auditor's experience this is a high proportion for a mature harbour organisation and, in general terms, reflects the need for a detailed review of MSMS documentation, with particular emphasis on ensuring that all policies are supported by appropriate procedures, and that well established good practice is fully captured in the MSMS. Often, this latter requirement will be met by referencing existing documents and formally incorporating them within the MSMS.

In terms of priority, it should be noted that the following sections of the Code had a greater (or equal) proportion of improvement opportunities than compliant assessment:

- Legislation;

- Duties and Powers;
- Competence; and
- Plan.

Specifically, the competence section resulted in 100% of the audit questions being assessed as improvement opportunities, even though policy and procedure are in place.

## 5 CONCLUSIONS

While overall, OICCHA was not found to demonstrate any noncompliance with the Code, a significant number of improvement opportunities were identified: (42% of all questions resulted in suggestions for improvement.

Two key factors for this finding are offered:

1. The new version of the Code is more specific in its requirement using language including "must", "should" and "may" in many of its paragraphs. The Guide to Good Practice (also republished in April 2025) supports this clarity, and this has given rise to the ability to suggest additional improvements that's may not hitherto have been identified; and
2. While no aspect of PMSC compliance was identified as completely missing (no non-compliances) much of the documentation and procedure supporting day to day operations was found to be incomplete or lacking in detail. In short, marine operations were observed to be undertaken safely and efficiently, but often there was a reliance on policy rather than procedure, or upon custom and practice to get the job safely done. Many of the improvement opportunities relate to suggestions for clearer or more complete documentation.

In summary, from the outcome of this audit, observations made during the visit, and reports received from the marine team, it is concluded OIC Harbour Authority is compliant with the current version of the Code but the Duty Holder should support the implementation of the recommendations made and monitor progress as they are addressed.

### 5.1 NEXT STEPS

Section 6 below gives detailed recommendations to address each improvement opportunity. It is acknowledged that the need to revise the MSMS has already been identified, and appropriately experienced staff have been assigned to the task, and the Marine Safety Plan referred to on the next page will assist in methodically working through all of the audit findings as the MSMS is reviewed.

It is suggested that the action tracker be regularly shared with the DP to monitor progress and allow continued assurance of compliance to be given to the Duty Holder.

Therefore, it is anticipated that the DP will be able to recommend that the Duty Holder should report compliance to the MCA before the deadline of 31 March 2026.

## 6 AUDIT RECOMENDATIONS

The recommendations made following this audit are designed to achieve continuous improvement / compliance. They have been prioritised using the auditor's own judgement, but the authority should re-prioritise according to their own needs and resources. Accepted recommendations should be captured in an action plan and/or the Marine Safety Plan where appropriate and assigned an owner and deadline for completion. It may be appropriate for some or all of the recommendations and subsequent actions to be owned by the organisation's Duty Holder and formally included in the Marine Safety Plan.

The following prioritised recommendations are made in respect of each section of the Code

Key to suggested priorities:

Low (L) – current practices are compliant and in place but require clearer documentation in the MSMS. opportunity to improve current practices still further.

Medium (M) – Currently compliant, but risk of future non-compliance if not addressed in due course.

High (H) – current non-compliance with significant risk to Organisation if not addressed as soon as possible, potential legal liabilities.

### 6.1 DUTY HOLDER

Marico Ref	GtGP Ref	Recommendation	Compliant	Suggested Priority
3	1.2	There are no formal training requirement or training records accessible for the Duty. Suggest clear Terms of Reference should be developed for members of the HSC (which should be signed by each member to show that they have been received and understood)	Y	L
5	1.3	Update Organogram in MSMS	Y	L
6	1.3	Section 3 of MSMS should be developed from policy to procedure and ensure Duty Holder review of performance is recorded.	Y	L
7	1.3	As 6 above, document process for reporting incidents to Duty holder.	Y	L
12	1.6	Clarify that HSC chairman is nominated point of contact between DH and DP	Y	L

## 6.2 DESIGNATED PERSON

Marico Ref	GtGP Ref	Recommendation	Compliant	Suggested Priority
14	2.1	Update DP details on page "x" of MSMS	Y	M
19	2.2	Audit actions etc. are tracked, but the document used is not referenced in the MSMS document control system.	Y	L

## 6.3 LEGISLATION

Marico Ref	GtGP Ref	Recommendation	Compliant	Suggested Priority
20	3.2	Check all national is included in list in MMS section 1.6 and also add local acts to appendix.	Y	L
21	3.3	Document needs to maintain BPA membership to keep informed of changes in legislation.	Y	L
22	3.4	Clarify those officers with delegated HM powers, either by references to job title (check current list is complete) or named individuals.	Y	M
26	3.8	Licensing powers are clearly described but appear unused. Consider a review of need / use of such powers.	Y	L
27	3.9	Ensure enforcement policy is clearly published (e.g. on website).	Y	M
28	3.10 and 3.14	Consultation procedures are described, but little evidence any consultation has followed those procedures. Revive meeting timetable and formal minutes for all stakeholder meetings.	Y	M
31	3.12	Consultation for the NRA is clear and well recorded, This is not the case for operational assessments. Section 2.2 of MSMS needs review to reflect reality / intentions.	Y	M
32	3.13	See comment 28. Revive user groups.	Y	M

Marico Ref	GtGP Ref	Recommendation	Compliant	Suggested Priority
33	3.14	Auditor finds website difficult to navigate through the eyes of a mariner. Suggest a review with a user group.	Y	L
34	3.16	Internal consultations (with employees) are said to occur, but this is difficult to demonstrate See comments 28 and 32.	Y	L

## 6.4 DUTIES AND POWERS

Marico Ref	GtGP Ref	Recommendation	Compliant	Suggested Priority
37	4.5	It is recommended that the need for the Pilotage service should be subject to a stand-alone risk assessment	Y	L
40	4.5.25	Develop fatigue management procedures for pilots.	Y	M
42	4.6.1	Publish towage Guidelines (on website).	Y	L
44	4.6.1	Clarify procedure for third party tug / workboat operator approval.	Y	M
46	4.8.1	Review procedures for management of commercial diving (following recent MAIB report).	Y	M
47	4.8.2	See comment 46 above and review permitting system.	Y	M
48	4.8.3	Consider formal policies and procedures for third party providers of mooring and berthing services.	Y	L
49	4.9	Ensure old paper copies of emergency plans are destroyed. Develop an exercise schedule and a procedure for formally following up lessons learned.	Y	M
50	4.9.11	Ensure oil spill plan returns are suitably filed and accessible.	Y	L

## 6.5 RISK ASSESSMENT

Marico Ref	GtGP Ref	Recommendation	Compliant	Suggested Priority
53	5.4	Some operational assessments out of date, but system to manage assessments and alert when review required is actively been sought, and should be implemented ASAP.	Y	M
54	5.5	Document annual review meeting and other evidence showing that RA reviews are used to update the MSMS.	Y	L

## 6.6 MARINE SAFETY MANAGEMENT SYSTEM

Marico Ref	GtGP Ref	Recommendation	Compliant	Suggested Priority
60	6.6	Consider an awareness campaign to increase rate of incident / near miss reports.	Y	L
62	6.8	Continue to develop, and document a process to establish bridging documents with third party marine facilities.	Y	L

## 6.7 REVIEW AND AUDIT

Marico Ref	GtGP Ref	Recommendation	Compliant	Suggested Priority
66	7.2	Although an internal audit process is in place (but current audit very prolonged), outcomes of the audit are not referenced in annual report. Not clear how any findings are followed up (document process).	Y	L

## 6.8 COMPETENCE

Marico Ref	GtGP Ref	Recommendation	Compliant	Suggested Priority
70	8.10	A standalone marine policy is not referenced from the relevant section of MSMS - suggest adding policy reference to existing statement and adding to policy list in appendix 2.	Y	L
71	8.2	Document the procedure to verify competence of third-party contractors by adding a procedure at section 8 of MSMS.	Y	M
72	8.4	A training and competence matrix is strongly recommended, both as a useful tool, and to evidence PMSC compliance.	Y	L
73	8.10	Spreadsheet documenting internal training and safety updates is unclear, and procedures to maintain it (including who) need to be developed.	Y	M
74	8.5-8.9	Various systems document personnel qualifications and experience, but descriptions and accountabilities for maintaining systems need to be fully documented.	Y	L

## 6.9 PLAN

Marico Ref	GtGP Ref	Recommendation	Compliant	Suggested Priority
76	9.1	There is no evidence of stakeholder engagement in the development of the MSP, and it is not published.	Y	M
78	9.1	Progress updates against the MSP are not published (though are shared with HSC at monthly meetings).	Y	M

## 6.10 CONSERVANCY DUTY

Marico Ref	GtGP Ref	Recommendation	Compliant	Suggested Priority
79	10.2	While facilities were observed to be kept in good order, and SOPs (e.g. for Pier Masters) were in place, there is no general overview of facilities maintenance in the main MSMS manual, pointing to the relevant procedures and accountabilities.	Y	L
80	10.3	While there is a strong positive policy (e.g. charting, data exchange and general conservancy) Section 4.2 of the MSMS needs more procedure documented (capture good practice in place). It is recommended that a bilateral agreement be established with the UKHO, if not already in place.	Y	L
81	10.4	Assign responsibilities and develop procedures for ensuring live weather data is always available via the website / VTS.  Consider measuring tidal height data at principal locations (Risk assess?).	Y	L
84	10.8	Full procedures need to be developed for scheduling and undertaking hydrographic surveys. (Surveys are appropriately undertaken, but there is no documented procedure).	Y	M

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## **Annex A     Audit Questionnaire**

Marico Reference	PMSC Section name	PMSC Ref	GtGP Ref	GTGP Subsection Title	Expectation	Scope out?	Question	Comment	Organisation's MSMS ref	Assessment
1	01. Duty Holder	1.1	1.2	Summary	An Organisation MUST have a Duty Holder.  The organisation should have a formal document identifying the Duty Holder(s), including their roles and responsibilities, ensuring clarity for all stakeholders.	NO	Has the organisation appointed a Duty Holder?  Is the Duty Holder clearly identified and named in the organisation's published documentation?	Yes, clearly explained inc. overall council accountability  Yes, 1.3.2. Whole document is published on website. Section 1.3.3 seems superfluous, and could be removed.	1.3.2	Compliant
2	01. Duty Holder	1.3	1.2	Summary	  The Duty Holder should take time to gain an appropriate insight and understanding of their organisation's marine activities.	NO	Has the Duty Holder received appropriate training, and undertaken operational visits?	Yes - but no formal requirement or training records accessible.  Suggest clear Terms of Reference should be developed for members of the HSC (which should be signed by each member to show that they have been received and understood).	1.3.2?	Improvement Opportunity
3	01. Duty Holder	1.4	1.2	Summary	A publicly available statement should affirm the organisation's commitment to the Code, signed by the Duty Holder.  Executive and operational responsibilities must be clearly defined.	NO	Has the Duty Holder issued a formal statement committing to compliance with the Ports and Marine Facilities Safety Code?  Have operational responsibilities for marine safety been clearly assigned, and are those entrusted with these responsibilities appropriately trained, qualified and experienced?	Yes - signed in preamble to public MSMS document. (Need to update all references to reflect renamed Ports and Marine Facilities Safety Code).  Yes - by job role. Also reflected in Organogram (which needs minor updates to reflect current appointments).	Commitment statement, MSMS	Compliant
4	01. Duty Holder	1.8	1.2	Summary	  Regular performance reviews, including reports from the Designated Person, should be documented and acted upon.	NO	Does the Duty Holder regularly review the organisation's performance against the requirements of the Code?	Monthly minuted HA briefing document and meetings. Section 3 is more policy than procedure. Recommend developing a procedure to reflect what is actually happening.	Section 3	Improvement Opportunity
5	01. Duty Holder	1.4	1.3	Demonstrating Compliance	A clear reporting mechanism should ensure that the Duty Holder is promptly informed of incidents and near-misses.	NO	Is there a process for reporting marine safety incidents and near-misses directly to the Duty Holder?	Yes - monthly meetings - but see comment 6 above.		Improvement Opportunity
6	01. Duty Holder	1.4	1.3	Demonstrating compliance	A documented review process should confirm awareness of applicable legislation, such as the Pilotage Act 1987 and Merchant Shipping Act 1995.	NO	Has the Duty Holder ensured that all relevant legislation, including local acts and orders, has been reviewed and is understood by the organisation?	Listed and commitment to review. E.g. current CD review and Pilotage directions recently.	MSMS 1.6	Compliant
7	01. Duty Holder	1.4	1.3	Demonstrating compliance	The Duty Holder is responsible for reporting their organisation's compliance with the Code to the MCA on a three-yearly basis.	NO	When was the last statement of compliance submitted to the MCA?	March 2021 (when last requested) copy seen.		Compliant
8	01. Duty Holder	1.7	1.3	Demonstrating compliance	In compliance with the requirements of the Code, the organisation/Harbour Authority will discharge where applicable its general and specific statutory duties.	NO	Are policies in place including:  Safe navigation Conservancy Protection of the Environment Safety of Employees and others	Yes - full list.	Appendix 3	Compliant
9	01. Duty Holder	1.8	1.4	Publishing commitment	Evidence should show that the Duty Holder has sufficient budgetary and operational authority to implement safety measures.	NO	Does the Duty Holder have direct access to the necessary resources and authority to ensure compliance with the Code?	Yes - see council structure.	1.3.1	Compliant
10	01. Duty Holder	1.4	1.5	Specific Policies	An authority's principal officers holding delegated responsibilities for safety would normally be expected to attend board meetings.	NO	Do any of the Duty Holders have relevant maritime experience, and if so, do they function as the initial point of contact for the Designated Person?	Chairman is point of contact, and appropriately experienced.	1.3.5 but could be more explicit regarding identity of initial point of contact	Improvement Opportunity
11	01. Duty Holder	1.4	1.6	Ensuring adequate resources	Job descriptions and organisational charts should outline accountability for safety roles, including the Harbour Master and other key personnel.	NO	Has the Duty Holder established clear lines of accountability for marine safety within the organisation?	Yes - MSMS is clear.	1.3 and sub sections	Compliant
12	02. Designated Person	2.1	2.1	Introduction	The organisation should have a named Designated Person with defined responsibilities for auditing the MSMS.	NO	Has an appropriate Designated Person been appointed to oversee the MSMS?	Yes - but MSMS needs updating with details of current DP, and page number ref at 1.3.5 needs correcting.	MSMS page x	Improvement Opportunity
13	02. Designated Person	2.2	2.2	Summary	The Designated Person should have no operational responsibilities to ensure impartiality in audits.	NO	Is the Designated Person independent of the day-to-day operations of the MSMS?	Yes - external consultant.	MSMS page x	Compliant
14	02. Designated Person	2.4	2.2	Summary	Evidence should confirm regular, direct communication channels between the Designated Person and the Duty Holder.	NO	Does the Designated Person have direct access to the Duty Holder?	Yes see comment 12 above.	1.3.5	Compliant
15	02. Designated Person	2.3	2.2	Summary	Specific terms of reference for the Designated Person should be issued that are separate and distinct from any other role the post holder may fill and should clearly identify the accountability of the Designated Person direct to the Duty Holder.	NO	Are the specific responsibilities of the Designated Person clearly outlined in the organisation's MSMS?	Yes - in MSMS and through contract to provide services.	1.3.5 and OIC / Marico contract	Compliant
16	02. Designated Person	2.4	2.2	Summary	Audit schedules and reports should demonstrate regular assessments of the MSMS.	NO	Does the Designated Person conduct regular audits or reviews of the MSMS?	Yes - e.g. this audit. Required under contract to provide DP services.	1.3.5 and 3.2	Compliant
17	02. Designated Person	2.4	2.2	Summary	Audit reports should include recommendations, with evidence of follow-up actions by the Duty Holder.	NO	Are findings from the Designated Person's audits reported to the Duty Holder and acted upon?	Yes - tracked through audit report progress update tracker for Duty Holder (to tracker should be added to document control system).	Reference required	Improvement Opportunity
18	03. Legislation	3.1	3.2	Port marine safety legislation	A documented review should cover legislation such as the Health and Safety at Work etc. Act 1974 and Merchant Shipping Act 1995.	NO	Has the organisation reviewed (and listed) all relevant national legislation pertaining to port and marine facility safety?	Yes - but check all national is included in list, and also add local acts to appendix.	1.6 and appendix 2	Improvement Opportunity

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21	03. Legislation	3.13	3.3	Legislation review	<i>A process should exist for monitoring and updating the organisation on legislative changes.</i>	No	<b>Are there procedures in place to keep abreast of changes in legislation (date of last review)?</b>	In practice BPA / PSS membership, but document that this is required and how it is used.	1.6	Improvement Opportunity
22	03. Legislation	3.8	3.4	Directions	<i>It is best practice to provide staff who have delegated powers of a Harbour Master to issue special directions, with training and specific guidance and templates that help to ensure clarity on how and when a special direction can be delivered.</i>	No	<b>Are those officers with delegated powers to issue directions listed, and suitably trained?</b>	Not listed - but by job description - check that this is really as intended - seems to be that only DHM-OPS and VTS have delegated powers - is clarifying that intention?	see also 5.6 - needs	Improvement Opportunity
23	03. Legislation	3.10	3.5	General Directions and Harbour Directions	<i>Harbour Authorities would be well advised to secure these powers to support the effective management of vessels in their harbour.</i>	No	<b>Can the organisation issue General or Harbour Directions?</b>	Powers from 1974 act, but only just made - due to be finally approved by full council in October 2025.	To be included when finally approved	Compliant
24	03. Legislation	3.16	3.6	Harbour Revision Orders	<i>Evidence should show a review of local powers and, if necessary, applications for Harbour Revision Orders.</i>	No	<b>Has the organisation identified any gaps in its powers under local acts or orders and taken steps to address them?</b>	Yes - general Directions - see immediately above.	tbc	Compliant
25	03. Legislation	3.7	3.7	Byelaws	<i>A comprehensive register should list all byelaws and directions, accessible to relevant personnel.</i>	No	<b>Does the organisation maintain a register or list of all applicable byelaws, directions, and other regulatory instruments?</b>	Yes - see comments above (20).	appendix 2	Compliant
26	03. Legislation	3.7	3.8	Licensing	<i>Some Harbour Authorities have responsibility for licensing port craft, personnel (local watermen) and works in, or adjacent to, navigable water.</i>	No	<b>Does the organisation have any licensing powers?</b>	Yes - harbour works under 1974 act. MSMS quite specific but no evidence seen that any licences have been issued.	4.5	Improvement Opportunity
27	03. Legislation	3.13	3.9	Enforcement	<i>Each authority should have a clear policy on prosecution of those who breach byelaws and directions, which is in line with the safety assessment on which they are based.</i>	No	<b>Does the organisation have and publish an enforcement policy?</b>	Yes - comprehensive policy - but not available on website (may be on notice boards). Should be clearly published (or MSMS to say where this is, if already done).	Appendix 2 / 1.6.3	Improvement Opportunity
28	03. Legislation	3.18	3.10 and 3.14	Consultation	<i>Organisations need to consult, as appropriate, with two main groups: marine users, both commercial and leisure, in addition to any associated local communities.</i>	No	<b>Are effective consultation procedures in place, including records of meetings?</b>	MSMS describes, but little evidence of meetings taking place as described. But regular meetings held with individual stakeholders, though lacking evidence. An old meeting timetable, including meeting frequency was found but not currently in use.	1.7	Improvement Opportunity
29	03. Legislation	3.18	3.11	General, Harbour, and Pilotage Directions	<i>Records of consultation sessions or communications with port users regarding proposed directions, and byelaws should be available.</i>	No	<b>Has the organisation consulted with port users before issuing byelaws, general directions or harbour directions to regulate vessel movements?</b>	Yes, for example GD consultation records are available - but not seen during audit.	1.7	Compliant
30	03. Legislation	3.18	3.11	Statutory and Non-Statutory Consultation	<i>Records of informal consultation sessions, such as workshops or feedback surveys, with port users and employees should be available.</i>	No	<b>For any proposed harbour orders or byelaws, has the organisation conducted informal consultations with port users and employees before formalising the proposals?</b>	Yes - council has a well developed consultation process see Orkney.gov.uk	1.7	Compliant
31	03. Legislation	3.9	3.12	Consultation During the Risk Assessment Process	<i>Advertisements (e.g. website notices, emails) and records of stakeholder input in risk assessment reports should be present.</i>	No	<b>During the Risk Assessment process, has the organisation actively sought contributions from port users and employees, and advertised the Risk Assessments to ensure the widest possible response?</b>	Yes NRA full consultations recorded in Hazman / NRA report. For operational assessments procedure is clear, but not easy to demonstrate that it has happened. Toolbox talks record pre work discussions on method statements. Section 2.2 mentions the monitor register, but this was not found. (Consider amending wording / meaning of section as not really understood).	2 - and SOP-02-001	Improvement Opportunity
32	03. Legislation	3.13	3.13	User Committees	<i>Terms of reference, meeting minutes, or member lists should confirm the formation and activity of such committees.</i>	No	<b>Has the organisation established user committees or advisory groups that include representation from port users and employees to contribute to Risk Assessment and marine operations?</b>	See 28 above - but in practice such groups are dormant.		Improvement Opportunity
33	03. Legislation	3.13	3.14	Providing Information to Users	<i>The organisation's communication platforms, such as social media accounts or website content, should demonstrate stakeholder engagement.</i>	No	<b>Does the organisation use modern communication technologies, such as social media or dedicated websites, to provide information, advice, and education to port users and employees?</b>	Yes, good use made of email, social media and website, but auditor finds website slightly difficult to navigate through the eyes of a mariner.		Improvement Opportunity
34	03. Legislation	3.13	3.16	Consultation with Employees, etc.	<i>Records of consultations, such as meeting minutes or feedback forms, with employees and contractors should be available.</i>	No	<b>Has the organisation consulted with employees, contractors, or other related service providers to ensure they understand their safety responsibilities and contribute to Risk Assessments?</b>	Anecdotally, yes, but difficult to demonstrate. See comments 28 and 32.		Improvement Opportunity
35	04. Duties and Powers	4.1	4.1	Introduction	<i>Each organisation will have a different range of statutory and non-statutory duties, powers and responsibilities depending on their status and the type of facility for which they are responsible.</i>	NO	<b>What specific duties and powers does the organisation have, and where are they listed?</b>	Clearly understood by operational staff, documented in MSMS.	1.3.1	Compliant
36	04. Duties and Powers	4.3	4.2	General duties and powers	<i>Policies should cover vessel movements, safety protocols, and environmental protection.</i>	No	<b>Does the organisation have clear policies and procedures for the safe and efficient management of marine operations?</b>	Yes overall MSMS is clear on policy , supported by performance records.	MSMS	Compliant
37	04. Duties and Powers	4.25	4.5	Pilotage	<i>A risk-based assessment should determine pilotage requirements, with evidence of implementation where applicable.</i>	No	<b>Has the organisation assessed the need for pilotage services and implemented them where necessary?</b>	Through NRA process as a significant risk control measure. But no stand alone assessment. It is recommended that this be considered in due course.	6.1	Improvement Opportunity

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38	04. Duties and Powers	4.25	4.5.1	Summary	CHAs should, through their boards, play a formal role in the recruitment, training, authorisation and discipline of pilots. They should also approve the granting of pilot exemption certificates (PEC) and the discipline of PEC holders.	No	If the Authority is a CHA are the following in place: Yes - CHA. There is a pilot / tug master review meeting twice a year. Evidence of formal review of pilotage. Pilotage Directions, Fully documented training, authorisation and revalidation procedures?	Yes - CHA. There is a pilot / tug master review meeting twice a year. Evidence of formal review of pilotage. Pilotage Directions on website.	section 6 of SMS and linked detailed procedures (SOPs)	Compliant
39	04. Duties and Powers	4.25	4.5.14	Pilot Boarding and Landing Arrangements	CHAs are strongly recommended to refer to the code of practice entitled <i>The Embarkation and Disembarkation of pilots when considering pilot boat and boarding operational procedures</i> .	No	Are there robust procedures in place that prescribe arrangements for pilot boarding and landing and pilot boat certification and operations?	Yes - various SOPs etc referenced from MSMS.	6, 6.7	Compliant
40	04. Duties and Powers	4.25	4.5.25	Rostering Pilots		No	Are robust procedures in place to manage fatigue?	No but in hand - recommend giving priority.		Improvement Opportunity
41	04. Duties and Powers	4.25	4.5.28	Pilotage Exemption Certificates	There are powers and duties which CHAs have, to exempt certain ship's officers from their requirements to take an authorised pilot. The use of these powers should follow the general principles listed in this section of the GtGP.	No	Are clear procedures in place for the issue and maintenance of Pilotage Exemption Certificates, including responsibilities for authorisation	Yes - SOP-06-005	6.6	Compliant
42	04. Duties and Powers	4.31	4.6.1	Risk Assessment and towage guidelines	All towing operations in harbours should be risk assessed by Harbour Authorities. In consultation with other stakeholders, The Harbour Authority should develop specific towage guidelines.	No	Have towage guidelines been developed following risk assessments and are they enforced?	Yes - but not published? Consider doing so (if not already the case). SOP-7-001		Improvement Opportunity
43	04. Duties and Powers	4.32	4.6.1	Risk Assessment and towage guidelines	It is recommended that Competent Harbour Authorities ensure the Pilots' Pocket Guide and Checklist - Working safely with harbour tugs - reducing the risks in port towage is made available to pilots.	No	Is the Pilots' Pocket Guide and Checklist made available to pilots?	Yes - copy available in office.		Compliant
44	04. Duties and Powers	4.32	4.6.1	Risk Assessment and towage guidelines	Organisations should develop their own criteria for approving tug and workboat operators who regularly operate within the organisation's jurisdiction.	No	Is there a process in place for tug / workboat operator approval?	All owned tugs. Be clearer in MSMS with regard to how procurement system covers third party workboats - and those not working for OIC.		Improvement Opportunity
45	04. Duties and Powers	4.34	4.7	Regulation of marine craft - small commercial vessels	The authority should ensure that small commercial vessels which are used in the harbour are fit for purpose and that crew are appropriately trained and qualified for the tasks they are likely to perform	No	Is there a process for management / licensing of small commercial vessels and their crew (whether owned or operated by the organisation or not)?	Purchasing system ensures checks.	7.5	Compliant
46	04. Duties and Powers	4	4.8.1	Commercial diving operations	It is recommended that the Harbour Authority establishes a diving permission system to work to control diving operations.	No	Is there a process for regulation and management of commercial diving?	Seen to be in use - but fully review following recent MAIB report.	7.6	Improvement Opportunity
47	04. Duties and Powers	4	4.8.2	Recreational diving	Authorities should clearly understand the difference between recreational and commercial diving.	No	Does the organisation control / regulate recreational diving within their jurisdiction?	Special regard to historic wrecks. Requires a permit. See comment 46 5.10.5 above.		Improvement Opportunity
48	04. Duties and Powers	4	4.8.3	Mooring	Authorities should also ensure that mooring parties meet the industry's competence standards and have access to appropriate training.	No	Does the organisation regulate the provision of mooring and berthing services and does the Marine SMS refer to supporting procedures & policies?	No formal regulation or licensing process - but operators are known.		Improvement Opportunity
49	04. Duties and Powers	4.37	4.9	Emergency preparedness and response	Emergency plans should be documented and tested through regular exercises.	No	Does the organisation have emergency response plans in place, and are they regularly tested?	Yes Harbours rev 3.3 but paper file provided had no plan (only appendices). Paper Council plan dated 2010 and no amendments??!! Suggest binning. However, online copies OK. Exercise schedule not seen, but report of an exercise on 14 May 2025 was available - follow ups not clear.	10	Improvement Opportunity
50	04. Duties and Powers	4.38	4.9.11	Scope of Harbour Authority responsibilities	The MCA Merchant Shipping Oil Pollution Preparedness, Response and Co-ordination Convention) Regulations 1998 (the OPRC Regulations) for Ports and Harbours apply if a port or harbour operates vessels over 400 GT or oil tankers over 150 GT or has a turnover of more than £1 million per annum.	No	Is an oil spill contingency plan approved and in place and are MCA returns submitted?	Seen approved plan. Returns a bit patchy on server, but found in emails. Improve record keeping.	10.1.2	Improvement Opportunity
51	04. Duties and Powers	4.39	4.9.22	Port Security	The introduction of the International Ship and Port Facility Security (ISPS) Code in 2004 placed several new responsibilities upon Harbour Authorities.	No	Is the port subject to the Port Security Regulations 2009, and does it have procedures in place in order to comply?	Yes - detailed procedures and understanding. Plan approval by DFT seen.	11	Compliant
52	05. Risk Assessment	5.1	5.1	Risk Assessment: Introduction	A documented process should outline how risks are identified, assessed, and controlled.	NO	Does the organisation have a formal risk assessment process for marine operations?	Hazman for NRA and SOP - 002 -001 gives full detail. Recently reviewed with more detail and a flow chart.	Section 2 and linked SOPs	Compliant

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53	<b>05. Risk Assessment</b>	5.11	5.4	Reviewing Risk Assessments	<i>A schedule should show regular reviews, with updates triggered by operational changes or incidents.</i>	<b>NO</b>	<b>Are risk assessments reviewed regularly and updated as necessary?</b>	Review periods are dependent on operational variables / severity and samples seem appropriate. But not all operational assessments were in date. Looking to a software solution to manage review dates and flag up over due assessments. ALL Hazman assessments in date with audit trail of reviews / reviewer.	Section 2 and linked SOPs	Improvement Opportunity
54	<b>05. Risk Assessment</b>	5.8	5.5	Formal Safety Assessment	<i>Evidence should demonstrate that risk assessment outcomes guide safety policies and procedures.</i>	<b>NO</b>	<b>Are the results of risk assessments used to inform safety management decisions?</b>	Yes - but difficult to prove - e.g. an annual review meeting occurs but is not documented. Post incident reviews are logged correctly in Hazman (e.g. reviewed 43 - diving incident). Example incident follow up confirmed improvements made (Werbister May 2025).	SOP - 02 - 001	Improvement Opportunity
55	<b>05. Risk Assessment</b>	5.12	5.6	Task Based Risk Assessment	<i>Task-based Risk Assessments should be carried out by those involved in the work.</i>	<b>NO</b>	<b>Are there task specific assessments (SSOWs) in place in addition to the formal NRA?</b>	Yes - seen online.	Section 2 and linked SOPs	Compliant
56	<b>05. Risk Assessment</b>	5.13	5.13	Dynamic Risk Assessment	<i>Organisations must provide a form of DRA, suited to their size, operations and complementary to their formal risk assessment processes.</i>	<b>NO</b>	<b>Is there a procedure for dynamic risk assessment during daily operations, and are tool box talks or similar formally undertaken and recorded?</b>	Yes - management of change process covers both and is comprehensive - referenced procedure in SOP. Example task reviewed.	SOP - 02 - 001	Compliant
57	<b>05. Risk Assessment</b>	5.12	5.9	Monitoring Effectiveness	<i>Records should show engagement with users and stakeholders during risk assessments.</i>	<b>NO</b>	<b>Are stakeholders consulted as part of the risk assessment process and is feedback sought and actioned?</b>	Yes - full evidence in NRA report. For operational assessments as required - e.g. saw correspondence with NorthLink Ferries to set up a review meeting. Also covered by twice weekly Marine services, transportation operations briefing meeting.	SOP - 02 - 001 / section 2.5	Compliant
58	<b>06. MSMS</b>	6.1	6	Marine Safety Management System	<i>A comprehensive MSMS document should outline policies, procedures, staff roles and responsibilities.</i>	<b>NO</b>	<b>Does the organisation have a documented MSMS?</b>	Yes - overview document is good and readable. Needs review for 2025 overview doc. PMSC, but fit for purpose.		Compliant
59	<b>06. MSMS</b>	6.4	6.5	Implementation	<i>Evidence should show active use of the MSMS, with regular updates and staff adherence.</i>	<b>NO</b>	<b>Is the MSMS implemented and maintained effectively?</b>	Yes - responsibility for maintenance assigned to Port safety Manager.	1.9	Compliant
60	<b>06. MSMS</b>	6.6	6.6	Measuring Performance	<i>Procedures should detail how incidents and near-misses are reported and investigated. Performance may also be measured against: periodic audits and audit findings; pilotage numbers; availability of Aids to Navigation. The organisation is expected to evaluate performance and identify any lessons learnt and improvements to be made to operational procedures.</i>	<b>NO</b>	<b>Are incidents and near misses reported appropriately. Are other performance measures in place?</b>	Yes - Hazman records. Seems a VERY low incident rate for size of authority. Strongly suggest awareness campaign.	2.4	Improvement Opportunity
61	<b>06. MSMS</b>	6.6	6.7	Audit and Review	<i>Audit schedules and reports should confirm regular MSMS reviews.</i>	<b>NO</b>	<b>Is the MSMS subject to regular review and audit?</b>	Yes.	1.9	Compliant
62	<b>06. MSMS</b>	6.6	6.8	Bridging Document	<i>Where two separate organisations with different responsibilities and procedures interact on operational matters, a bridging document or some form of agreement or MOU should be considered.</i>	<b>No</b>	<b>Have bridging documents been considered / developed?</b>	Yes - under consideration, discussed with HSC. Some MOUs already in place (St Margaret's Hope). Document process and develop if required.	?	Improvement Opportunity
63	<b>06. MSMS</b>	6.20	6.9	Incident Reporting and Investigation	<i>It is essential that the MSMS addresses the potential for incidents and accidents to occur and provides instruction and guidance on the process for reporting and recording and any investigations and enforcement action that may be required as a result.</i>	<b>NO</b>	<b>Does the organisation have incident reporting (including near miss) and investigation procedures in place?</b>	Yes. And examples reviewed.	2.4	Compliant
64	<b>06. MSMS</b>	6.23	6.9.5 & 4.5.9	Statutory reporting requirements	<i>Harbour Authorities should report any accident of which they are aware.</i>	<b>NO</b>	<b>Are procedures in place to ensure statutory reports to the MAIB (accidents) / MCA (ship deficiencies)?</b>	Yes, see SOPs02-004/5 etc.	2.4	Compliant
65	<b>06. MSMS</b>	6.21	6.9.10	Publishing Information	<i>The MSMS should include processes for sharing the outcome of investigations to prevent re-occurrence.</i>	<b>NO</b>	<b>Are lessons from investigations published and shared within the organisation with a view to preventing a re-occurrence?</b>	SOP 02 004.	2.4	Compliant
66	<b>07. Review and Audit</b>	7.1	7.2	Measuring performance	<i>An internal audit must be carried out annually and a statement about the performance standard of the organisation should also be included in the annual report.</i>	<b>NO</b>	<b>Does the organisation conduct annual internal audits of its compliance with the Code. Is this included in the annual report?</b>	Currently an internal audit in progress (since June!). Not mentioned in annual report - consider doing so.	3.2.2	Improvement Opportunity
67	<b>07. Review and Audit</b>	7.1	7.2	Measuring performance	<i>An external audit or peer review should take place every three years, informing the 3-yearly publication of the marine safety plan.</i>	<b>NO</b>	<b>Has an external audit been undertaken every three years to inform safety plan?</b>	Yes - DP audits.	3.2.2	Compliant
68	<b>07. Review and Audit</b>	7.3	7.2	Measuring performance	<i>A documented schedule should outline review frequencies for all safety documents.</i>	<b>NO</b>	<b>Is there a schedule for reviewing and updating the MSMS and other safety documentation?</b>	Yes - MSMS and SOP.	1.9	Compliant
69	<b>07. Review and Audit</b>	7.8	7.2	Measuring performance	<i>Audit reports should be presented to the Duty Holder, with evidence of follow-up actions.</i>	<b>NO</b>	<b>Are audit findings communicated to the Duty Holder and appropriate actions taken?</b>	Yes - MSP and meeting minutes. Also DP reports when appropriate.	3.1	Compliant
70	<b>08. Competence</b>	8.1	8.10	Development and training good practice	<i>All ports are expected to have a training policy and on-the-job, practical training should take place in line with this policy.</i>	<b>NO</b>	<b>Is a marine training policy in place?</b>	Yes - but a standalone document not referenced from relevant section of MSMS - suggest adding to existing statement, and adding to policy list in appendix 2.	8.2	Improvement Opportunity
71	<b>08. Competence</b>	8.3	8.2	Summary	<i>Organisations should assess the fitness of all persons appointed to positions with responsibility for the safety of navigation.</i>	<b>No</b>	<b>Is there a system for verifying the competence of contractors and third-party service providers?</b>	Yes dynamic purchasing system covers this, but describe this procedure at section 8 of MSMS.		Improvement Opportunity

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72	<b>08. Competence</b>	8.3	8.4	Occupational standards	<i>A matrix should detail training and competence requirements for each role, based on national occupational Standards as appropriate.</i>	No	<b>Does the organisation have a training and competence matrix for all roles involved in marine safety?</b>	No matrix, but each job description details requirements. DP recommends a matrix, as other organisations find it very useful.	8.3	Improvement Opportunity
73	<b>08. Competence</b>	8.4	8.10	Development and training good practice	<i>Training records should confirm ongoing professional development.</i>	No	<b>Are employees provided with regular training and updates on safety procedures, and is this recorded?</b>	There is a spreadsheet, but difficult to understand, and procedures for ? maintaining the sheet are not clear.		Improvement Opportunity
74	<b>08. Competence</b>	8.1	8.5 – 8.9	Harbour Master, etc.	<i>Personnel records should confirm qualifications and experience.</i>	No	<b>Does the organisation ensure that all personnel have the necessary qualifications and experience for their roles?</b>	Various systems - including Marad and the spreadsheet. All a bit unclear.	8	Improvement Opportunity
75	<b>09. Plan</b>	9.1	9.1	Introduction	<i>A published plan should detail how the organisation meets Code requirements.</i>	NO	<b>Has the organisation published a marine safety plan that outlines how it will meet the standards of the Code?</b>	Yes - signed by DH 8 Nov 2024.	3.2.3 and appendix 3	Compliant
76	<b>09. Plan</b>	9.6	9.1	Introduction	<i>Review records should confirm triennial updates.</i>	NO	<b>Is the marine safety plan reviewed and updated at least every three years. Are stakeholders consulted?</b>	2024-26. No evidence of stakeholder involvement / not published.		Improvement Opportunity
77	<b>09. Plan</b>	9.2	9.1	Introduction	<i>The plan should illustrate how the policies and procedures will be developed to satisfy the requirements under the Code.</i>	NO	<b>Does the plan include measurable objectives and performance indicators?</b>	Yes.	MSP	Compliant
78	<b>09. Plan</b>	9.6	9.1	Introduction	<i>An organisation should then publish a report detailing an assessment of its performance against the safety plan. As a minimum requirement, both plans and reports should be published every three years.</i>	NO	<b>Are progress reports against the plan provided to the Duty Holder and other stakeholders?</b>	Yes / no. Monthly HSC meetings - but consider publishing to share with stakeholders.	no procedure	Improvement Opportunity
79	<b>10. Conservancy Duty</b>	10.1	10.2	Summary	<i>A Harbour Authority has a duty to conserve the harbour so that it is fit for use as a port, however other non-statutory organisations may be required to fulfil similar duties.</i>	NO	<b>Does the organisation maintain its facilities in a safe and operational condition?</b>	Yes - 5 year maintenance plans, annual H&S and engineering inspections, pier master defect reports. Some of this covered by SOPs (e.g. Pier Masters) but no general references in overview MSMS. Good impressions on visit to Shapinsay.	SOP 07 013	Improvement Opportunity
80	<b>10. Conservancy Duty</b>	10.4	10.3	Admiralty Charts	<i>Harbour Authorities should provide regular information required for Admiralty Charts and publications.</i>	No	<b>Is an agreement in place with the UKHO, with procedures to ensure data exchange?</b>	Section 4.2 strong on policy most of which is done, but again few procedures Ref UKHMA guide and look at establishing a bilateral agreement with UKHO	4.2	Improvement Opportunity
81	<b>10. Conservancy Duty</b>	10.5	10.4	Prevailing Conditions	<i>Organisations should have procedures to make available timely information on prevailing and forecast meteorological conditions.</i>	No	<b>How are tide and wind data (etc.) made available to users?</b>	Live weather and forecast on website (v. good). But no procedures / responsibilities assigned. No tidal (height) data available.	?	Improvement Opportunity
82	<b>10. Conservancy Duty</b>	10.2	10.5	Anchorages	<i>A Harbour Authority's MSMS should make appropriate provision for safe anchorages</i>	No	<b>How are safe anchorages identified and made known to users?</b>	Charts / VTS.	5.8?	Compliant
83	<b>10. Conservancy Duty</b>	10.2	10.7	Works in Harbours	<i>Conservancy includes, if applicable, the licensing of construction and dredging.</i>	No	<b>Are procedures in place to obtain licences for dredging and other works in the harbour areas?</b>	Yes. Documented and understood.	4.22 / SOP 04-002	Compliant
84	<b>10. Conservancy Duty</b>	10.3	10.8	Hydrography	<i>Harbour Authorities have a duty to find, mark and monitor the best navigable channel or channels in the harbour.</i>	No	<b>Are procedures in place covering the frequency, standard of, and promulgation of hydrographic survey?</b>	No see above. All done appropriately but lack of procedure.	4.2	Improvement Opportunity
85	<b>10. Conservancy Duty</b>	10.3	10.9.2	Controls on Dredging	<i>Harbour Authorities typically have a statutory power in their local legislation to dredge for the maintenance and improvement of channels.</i>	No	<b>Is any relevant consent process for dredging documented and implemented?</b>	Yes.	4.22 / SOP 04-002	Compliant
86	<b>10. Conservancy Duty</b>	10.7	10.10	General Lighthouse Authorities	<i>The LLA has responsibility for providing and maintaining buoys and lights within its limits.</i>	No	<b>Is the organisation an LLA, and if so does it have a relationship with the GLA (evidence of returns)?</b>	Yes - seen NLB records up to date.	4.3.2 SOP 04-003	Compliant
87	<b>10. Conservancy Duty</b>	10.10	10.11 - 10.13	Wrecks	<i>Procedures should outline actions for marking, removing, or destroying wrecks.</i>	No	<b>Does the organisation have procedures for dealing with wrecks and abandoned vessels?</b>	Yes and used currently.	4.4 SOP 04 005	Compliant
88	<b>10. Conservancy Duty</b>	10.2	10.14	Regulating harbour works	<i>Some Harbour Authorities have the powers to license works where they extend below the high watermark and are thus liable to effect navigation.</i>	No	<b>Does the Marine SMS refer to management of harbour works (permissions, licences, Notices to Mariners etc.)?</b>	Yes effective.	4.5 / 4.6	Compliant
89	<b>10. Conservancy Duty</b>	10.5	10.15	Aids to Navigation	<i>Every Harbour Authority has the duty to conduct and maintain the marking or lighting of a harbour or any part of the harbour within the Harbour Authority's area or harbour.</i>	No	<b>Are there procedures in place to support the maintenance and provision of aids to navigation?</b>	Yes .	4.3.3	Compliant
90	<b>10. Conservancy Duty</b>	10.4	10.15.6	Establishing the requirement	<i>A formal assessment of navigational risk, as required by the Code, will determine what management of navigation measures are required.</i>	No	<b>Has a formal Risk Assessment established the need for VTS, LPS or otherwise?</b>	Yes .	Reference?	Compliant
91	<b>10. Conservancy Duty</b>	10.2	10.15.7 et seq.	LPS, VTS etc.	<i>Management of a harbour or facility begins with determining which activity is safe and where it can take place, having regard to the physical constraints and the variety of activities being undertaken.</i>	No	<b>Are formal procedures in place covering VTS / LPS / traffic management?</b>	Separate SOP.	5.4.1	Compliant

Marico Reference	PMSC Section name	PMSC Ref	GtGP Ref	GTGP Subsection Title	Expectation	Scope out?	Question	Comment	Organisation's MSMS ref	Assessment
92	<b>10. Conservancy Duty</b>	10.2	10.16	Port Passage Plan	<i>The development of a port passage plan and the continuous monitoring of the vessel's progress during the execution of the plan are essential for safe navigation</i>	No	Has the organisation developed, and mandated the use of a passage plan?	Seen in use on visit.	5.8	Compliant
93	<b>10. Conservancy Duty</b>	10.2	10.16	Port Passage Plan	<i>Port passage planning will be undertaken by both the vessel and pilot.</i>	No	If the port is a CHA, is there a documented Master / Pilot Exchange procedure?	And SOPs.	6.8	Compliant
94	<b>10. Conservancy Duty</b>	10.2	10.17	Harbour patrols	<i>Harbour launches or similarly identifiable port craft carrying out patrols can play an important role in the management of navigation within port jurisdictions.</i>	No	Does the organisation support the provision of an 'on-water presence' such as harbour patrols and does this include any enforcement functions?	Yes also landside by pier masters.	5.9	Compliant
95	<b>10. Conservancy Duty</b>	10.2	10.18	Recreational navigation	<i>In some harbours, recreational activity is predominant, and it presents management requirements whether or not other forms of shipping activity are also present.</i>	No	Has recreational navigation been risk assessed and procedures developed to manage non-commercial harbour users?	yes including event planning.	5.1	Compliant
96	<b>10. Conservancy Duty</b>	10.2	10.19	Event Planning	<i>Organisers of recreational events should ensure that they consult with Harbour Authorities and port marine organisations regarding events both on and over the water, about the need for Risk Assessments.</i>	No	Is there a procedure in place requiring consultation with event planners, and for them to provide risk assessments?	Yes subject to a byelaw. Works well in practice (Island Games application seen) Consider if this is sufficiently promulgated - but seems to be known by stakeholders.	5.10.2	Compliant
97	<b>10. Conservancy Duty</b>	10.2	10.23	Leisure Moorings	<i>A clear policy on areas to be used for leisure moorings should be established.</i>	No	Are procedures in place to manage leisure moorings	Owned by the harbour authority, maintained by marine engineering dept.	5.10.3	Compliant
98	<b>10. Conservancy Duty</b>	10.2	10.24	Marinas	<i>An effective liaison needs to be maintained between a marina operator and the respective Harbour Authority.</i>	No	Are joint procedures and agreements in place with marinas (see Bridging Documents)?	Yes OIC owns the marina assists but they are operated by a separate charity under a legal agreement (assumed but not available to inspect). Good working relationship, and aim to further develop an MOU / bridging document.	5.10.3	Compliant
99	<b>10. Conservancy Duty</b>	10.2	10.26	Shoreside lifesaving equipment	<i>The provision of shore side lifesaving equipment is normally the responsibility of the relevant riparian landowner, including, where appropriate, the Harbour Authority.</i>	No	Has the organisation considered the provision of appropriate shoreside lifesaving equipment within their jurisdiction?	Yes comprehensive.	5.10.4	Compliant
100	<b>10. Conservancy Duty</b>	10.2	10.27	Subsea pipelines and cables	<i>Appropriate risk control measures should be established to reduce the associated risk of the presence and use of pipelines and cables to acceptable levels.</i>	No	Has the organisation assessed the risks to any pipelines within the harbour area, and developed appropriate mitigations?	Yes NRA, emergency plans, charted - no anchoring.	no specific reference.	Compliant

Marico Ref	GtGP Ref	Recommendation	Comments	Status	Location	Action By	Completion Date
3	1.2	There are no formal training requirement or training records accessible for the Duty Holder. Suggest clear Terms of Reference should be developed for members of the Harbour Authority Sub-committee (which should be signed by each member to show that they have been received and understood)					
5	1.3	Update Organogram in MSMS	Review of current organogram in process	In progress			
6	1.3	Section 3 of MSMS should be developed from policy to procedure and ensure Duty Holder review of performance is recorded.					
7	1.3	As 6 above, document process for reporting incidents to Duty Holder.					
12	1.6	Clarify that Harbour Authority Sub-committee Chair is nominated point of contact between DH and DP					
14	2.1	Update DP details on page "x" of MSMS	MSMS updated	Completed	G:\Common-KEEP RS\Safety Management System\SMS Rev 7.4	Dec-25	Dec-25
19	2.2	Audit actions etc. are tracked, but the document used is not referenced in the MSMS document control system.	Add to MSMS	In progress			
20	3.2	Check all national is included in list in MMS section 1.6 and also add local acts to appendix.					
21	3.3	Document needs to maintain BPA membership to keep informed of changes in legislation.					
22	3.4	Clarify those officers with delegated HM powers, either by references to job title (check current list is complete) or named individuals.	The DHM can deputise for the Harbour Master and act on his behalf in all matters pertaining to OIC's function as Harbour Authority.				
26	3.8	Licensing powers are clearly described but appear unused. Consider a review of need / use of such powers.					
27	3.9	Ensure enforcement policy is clearly published (e.g. on website).	Add to website	In progress			
28	3.10 and 3.14	Consultation procedures are described, but little evidence any consultation has followed those procedures. Revive meeting timetable and formal minutes for all stakeholder meetings.	Regular meeting with stakeholders are conducted with minutes now produced	Completed			
31	3.12	Consultation for the NRA is clear and well recorded, This is not the case for operational assessments. Section 2.2 of MSMS needs review to reflect reality / intentions.	Reviewed to show reality and intentions	Completed		RS	Dec-25
32	3.13	See comment 28. Revive user groups.	Users groups to be revived	In progress		RS	Apr-26
33	3.14	Auditor finds website difficult to navigate through the eyes of a mariner. Suggest a review with a user group.	Website reviewed, no issues found	Completed		RS	Dec-25
34	3.16	Internal consultations (with employees) are said to occur, but this is difficult to demonstrate See comments 28 and 32.	consultation in progress	In progress		RS	Apr-26
37	4.5	It is recommended that the need for the Pilotage service should be subject to a stand-alone risk assessment					
40	4.5.25	Develop fatigue management procedures for pilots.		Completed	G:\Common-KEEP RS\Safety Management System\SMS Rev 7.4	DM	Dec-25
42	4.6.1	Publish towage Guidelines (on website).		Completed	Orkney Islands Council Marine Services Towage Guidelines Website	DM	Dec-25
44	4.6.1	Clarify procedure for third party tug / workboat operator approval.					
46	4.8.1	Review procedures for management of commercial diving (following recent MAIB report).	Risk Review actions being implemented	In progress		RS	Nov-26
47	4.8.2	See comment 46 above and review permitting system.	Permit system being moved to digital	In progress		RS	Jan-26
48	4.8.3	Consider formal policies and procedures for third party providers of mooring and berthing services.					
49	4.9	Ensure old paper copies of emergency plans are destroyed. Develop an exercise schedule and a procedure for formally following up lessons learned.					
50	4.9.11	Ensure oil spill plan returns are suitably filed and accessible.	Reviewed and filed in accessible location	Completed	G:\POLLUTION KEEP DMOPRC\OPRC Returns\OPRC Returns 2024	RS	Dec-25
53	5.4	Some operational assessments out of date, but system to manage assessments and alert when review required is actively been sought, and should be implemented ASAP.	Risk assessments reviewed, software being implemented	Completed		RS	Dec-25
54	5.5	Document annual review meeting and other evidence					
60	6.6	Consider an awareness campaign to increase rate of incident / near miss reports.	Ports safety handbook issued, staff awareness campaign	Completed		RS	Dec-25

62	6.8	Continue to develop, and document a process to establish bridging documents with third party marine facilities.	SMH MOU in place	In progress			
66	7.2	Although an internal audit process is in place (but current audit very prolonged), outcomes of the audit are not referenced in annual report. Not clear how any findings are followed up (document process)	Outcomes referenced in annual report	Completed		RS	Dec-25
70	8.1	Relevant section of MSMS - suggest adding policy reference to existing statement and adding to policy list in appendix 2.	add to MSMS	In progress		RS	
71	8.2	Document the procedure to verify competence of third-party contractors by adding a procedure at section 8 of MSMS.					
72	8.4	A training and competence matrix is strongly recommended, both as a useful tool, and to evidence PMSC compliance.	training matrix in place, implementaion of compliance software	In progress		RS	Jan-26
73	8.1	Spreadsheet documenting internal training and safety updates is unclear, and procedures to maintain it (including who) need to be developed.	training matrix in place, implementaion of compliance software	In progress		RS	Jan-26
74	8.5 8.9	Various systems document personnel qualifications and experience, but descriptions and accountabilities for maintaining systems need to be fully documented.	All personnel checked during recruitment process via human resources	Completed		RS	Dec-25
76	9.1	There is no evidence of stakeholder engagement in the development of the MSP, and it is not published.	Marine safety plan to be added on website	In progress			
78	9.1	Progress updates against the MSP are not published (though are shared with HSC at monthly meetings).					
79	10.2	While facilities were observed to be kept in good order, and SOPs (e.g. for Pier Masters) were in place, there is no general overview of facilities maintenance in the main MSMS manual, pointing to the relevant procedures and accountabilities.	Current procedures to be reviewed with maintenance plan added	In progress			
80	10.3	While there is a strong positive policy (e.g. charting, data exchange and general conservancy) Section 4.2 of the MSMS needs more procedure documented (capture good practice in place). It is recommended that a bilateral agreement be established with the UKHO, if not already in place.	I can find nowhere in the PMSC or guide to good practice which references the need for a bilateral agreement.				
81	10.4	Assign responsibilities and develop procedures for ensuring live weather data is always available via the website / VTS. Consider measuring tidal height data at principal locations (Risk assess?).	Is a procedure required for this?				
84	10.8	Full procedures need to be developed for scheduling and undertaking hydrographic surveys. (Surveys are appropriately undertaken, but there is no documented procedure).					