

# Position Statement

## Ethical use of Pilotage Data

OMC strongly supports the ethical use of pilotage performance data.

We recognise the benefits that data analysis and the open and constructive discussion between professionals that arises from it can bring to the industry.

Our software tools and associated services are intended to provide pilots and other pilotage stakeholders insights into current pilotage operations that are based on fact and robust science. They are designed to assist participants to continuously improve safety and efficiency through proactively identifying trends and indicators of elevated risk.

OMC encourages clients to create ethical data use policies and implement procedures that are respectful of the sensitivity and confidentiality of pilotage performance data. We recognise and endorse the guidance provided by the pilotage associations referenced below and we provide copies of these documents to OMC's clients and prospects to encourage early consideration of ethical use issues when implementing our tools and services.

Our understanding of data protection legislation and experience working with clients to operationalise our products in a diverse range of maritime environments leads us to make the following recommendations:

In the following, the term "pilot" should be understood to refer to anyone conducting pilotage, whether they be a pilot or pilot-exempt Master.

1. The affected personnel (pilots) are made aware of the data monitoring programme.
2. The goals of the data monitoring programme are clearly explained. Ideally, these are goals all stakeholders agree are desirable.
3. The scope of the data that will be collected and analysed and the duration it will be retained for are clarified.
4. The users who will have access to the data and analytics are documented.
5. Any metrics against which pilotage is being monitored are clearly understood and accepted by all involved.
6. Any pilots whose performance is being monitored should be given access to our software, or its outputs, to see how their pilotage performance data is being captured, analysed, and reported. At a minimum, clients should clearly explain pilots' rights to see data that applies to them and request corrections or provide comments.
7. Ensure that the performance review process is clearly understood and that pilots are involved in any review to provide insight and context.
8. Data analysis should be verified against independent data sources before conclusions are drawn.

9. Any reviews should be carried out in accordance with the principles of a “Just Culture” (suggested resources below).
10. Explain if the data may be used for disciplinary or enforcement purposes and lay out the policies involved.
11. Regularly review and update policies to ensure compliance with current laws. Promptly implement and clearly communicate any changes to the system.
12. Implement robust data security measures to prevent leaks, misuse, or unauthorised access.

OMC is committed to ensuring that the design of our products promotes and supports the ethical use of pilotage data, and we welcome suggestions from our clients and users on how we can jointly achieve this objective.

OMC understands that pilotage is a challenging task that is carried out by very experienced and highly trained professionals. However, pilots are part of a complex system which needs to be resilient enough to safely accommodate human error and a wide array of other low-probability events. As pilotage is a high consequence operation, subject to commercial pressures to minimise safety margins, it is in the industry’s interests to ensure that pilots are supported by the best data and analytics. OMC aims to assist clients to deliver these data and insights in a manner which it is least likely to cause harm and most likely to encourage learning, sharing and continuous improvement.

## References:

[1] AMPI Position Statement 04-2024 - Ethical Use of Pilotage Performance Data (which can be downloaded from <https://ampi.org.au/publications/>)

[2] NZMPA Position Statement (currently in draft. Link will be provided once available).

### **Selected resources on Just Culture:**

For guidance on implementing Just Culture we need to look to other high-consequence industries. There are many resources available. Please contact OMC if you would like others.

A background paper summarising the reasons and requirements for implementing Just Culture in a health care setting:

[3] **Implementing Just Culture to Improve Patient Safety.** Murray, JS, Clifford J, Larson, S, Lee, J, Sculli, G. *Military Medicine*, 188, 7/8:1596, 2023.

<https://academic.oup.com/milmed/article/188/7-8/1596/6589441>

A practical definition of Just Culture:

[4] <https://www.england.nhs.uk/patient-safety/patient-safety-culture/a-just-culture-guide/>

and a guide for supporting consistent, constructive and fair evaluation of the actions of staff involved in [medical] safety incidents:

[https://www.england.nhs.uk/wp-content/uploads/2021/02/NHS\\_0932\\_JC\\_Poster\\_A3.pdf](https://www.england.nhs.uk/wp-content/uploads/2021/02/NHS_0932_JC_Poster_A3.pdf)