

Sharing lessons from incidents

DrillSafe:

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Introduction

- What is sharing?
- What are the issues?
- Advantages and disadvantages of sharing/not sharing
- Impediments to sharing
- A framework

Opportunities for sharing

- The range is enormous
 - Pro active opposition
 - Full and frank exposure
- “Sharing” can occur at all ranges of the spectrum

What is sharing

- Probably cannot be defined – means too many different things to too many different parties
- It is not just a choice between protecting and not protecting information
- It is not cooperating with the regulator
- It is not media management
- At one end of the spectrum – telling your story
- At the other – genuine revelations

It should be a decision not a reaction

What are the issues?

- Traditionally balancing possibilities
 - Possibility of improving safety performance
 - Possibility of enhancing corporate reputation

As opposed to

- Possibility of creating legal exposure
- Possibility of aggravating existing legal exposure

These are all real and equally likely/unlikely as the other

Advantages and disadvantages of sharing

Advantages

- Corporate citizenship
- Possibility of improvement
- Living aspirational values
- Supporting safety culture
- Mitigation of legal consequences (in some cases) +/- 25%

Disadvantages

- Legal risk
 - corporate
 - personal
 - commercial
- Reputation risk
- Commercial damage, e.g. Contractor/principal
- Damage to safety culture
 - Promises that you can't keep
 - “this won't go any further”
 - “we just want to know what happened”

Impediments to sharing – traditional view

- Legal consequences
- Competing demands
 - Stakeholder requirements – immediate
 - Legal risk – longer term 3 years +
- Competing interests
 - Contractual
 - Client relationships
 - Competing legal issues

Impediments to sharing – root causes?

- Poor quality incident investigations
- Systems that don't anticipate “not sharing”
- Disconnect between safety and other corporate risks

A framework – personal perspective

- **First priority** – protect information because you can always change your mind later. Protected information results in:
 - Informed decision-making
 - Proper risk assessment
 - Informed consent as far as possible
- **Second priority** – speed and accuracy. Speed and accuracy enables you to balance risks and minimise uncontrollable consequences.
- **Third priority** – align reality with expectation. Systems, training and management communication needs to reflect what is really going to happen.

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