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# Safety Investigation and Justice

**Stakes, Objectives, SMS Issues, Just Culture and the holy grail**

**In summary**

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# [ES]<sup>2</sup> 2013 Programme



THEMES	CONTENT	TARGET AUDIENCE	DATES	LOCATION
<i>WS 1-13 SW Assurance</i>	Software Safety Assurance SWALs, Industry and ANSPs contributions in Safety Assessments and Software Assessments (98 participants + web broadcast)	SW and HF experts, Safety Managers, Safety Specialists (OPS & TECH), NAA, EC, EASA, PRU	07-08 May	IANS Hosted by EUROCONTROL in IANS Luxembourg
<i>WS 2-13 Safety HP</i>	Safety Human Performance Conference (138 participants)	Human Factors and Safety experts, Projects Managers, Safety Managers, NAA/NSAs EC and EASA	26-27 September	Dublin Hosted by IAA
<i>WS 3-13 Safety Investigation</i>	Best Practices in Occurrence Investigations Safety 1 and Safety 2 State of the art Tools e.g RAT Just Culture environment (150 participants)	Safety Investigators, Safety managers, safety Specialists (OPS & TECH), AAIB, EASA, EC, Airlines, Prosecutors, Judiciary	21-22 November	Madrid Hosted by APROCTA with AENA support

March 2013 → CEO Safety Conference in Bled  
*Next CEO Conference 2015*

<http://www.eurocontrol.int/services/es2-experience-sharing-enhanced-sms>



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# Just Culture – on old issue

## Code of Hammurabi (1795-1750)



If a physician heals the broken bone or diseased soft part of a man, the patient shall pay the physician five shekels in money. If he were a freed man he shall pay three shekels. If he were a slave his owner shall pay the physician two shekels.

If a physician makes a large incision with an operating knife and cure it, or if he open a tumour (over the eye) with an operating knife, and saves the eye, he shall receive ten shekels in money. If the patient be a freed man, he receives five shekels. If he be the slave of some one, his owner shall give the physician two shekels.

If a physician makes a large incision with the operating knife, and kill him, or open a tumour with the operating knife, and cut out the eye, his hands shall be cut off. If a physician makes a large incision in the slave of a freed man, and kill him, he shall replace the slave with another slave. If he had opened a tumour with the operating knife, and put out his eye, he shall pay half his value.

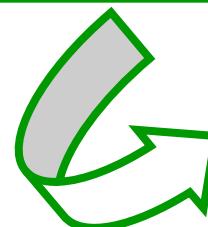
(after prof. Hollnagel)



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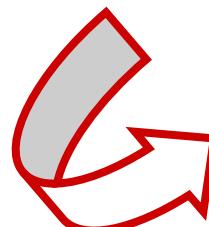
## “Forensic” of the Concept of Just Culture

**Actions, omissions and decisions expected from  
someone with your level of training and experience**



**Not prosecuted**

**Gross Negligence or Willful Misconduct**



**Not tolerated**

**BUT WHO DRAWS THE LINE ?**

**The Judiciary of course !**

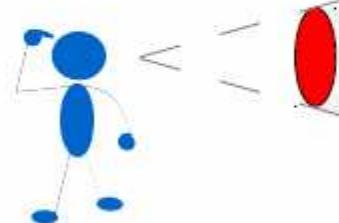


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# Safety I – Focus on what goes wrong



Safety-I looks at what happens from the side of unsafe functioning



When the focus is on that which goes wrong (accidents, incidents, etc.), then it is difficult to see that which goes right.

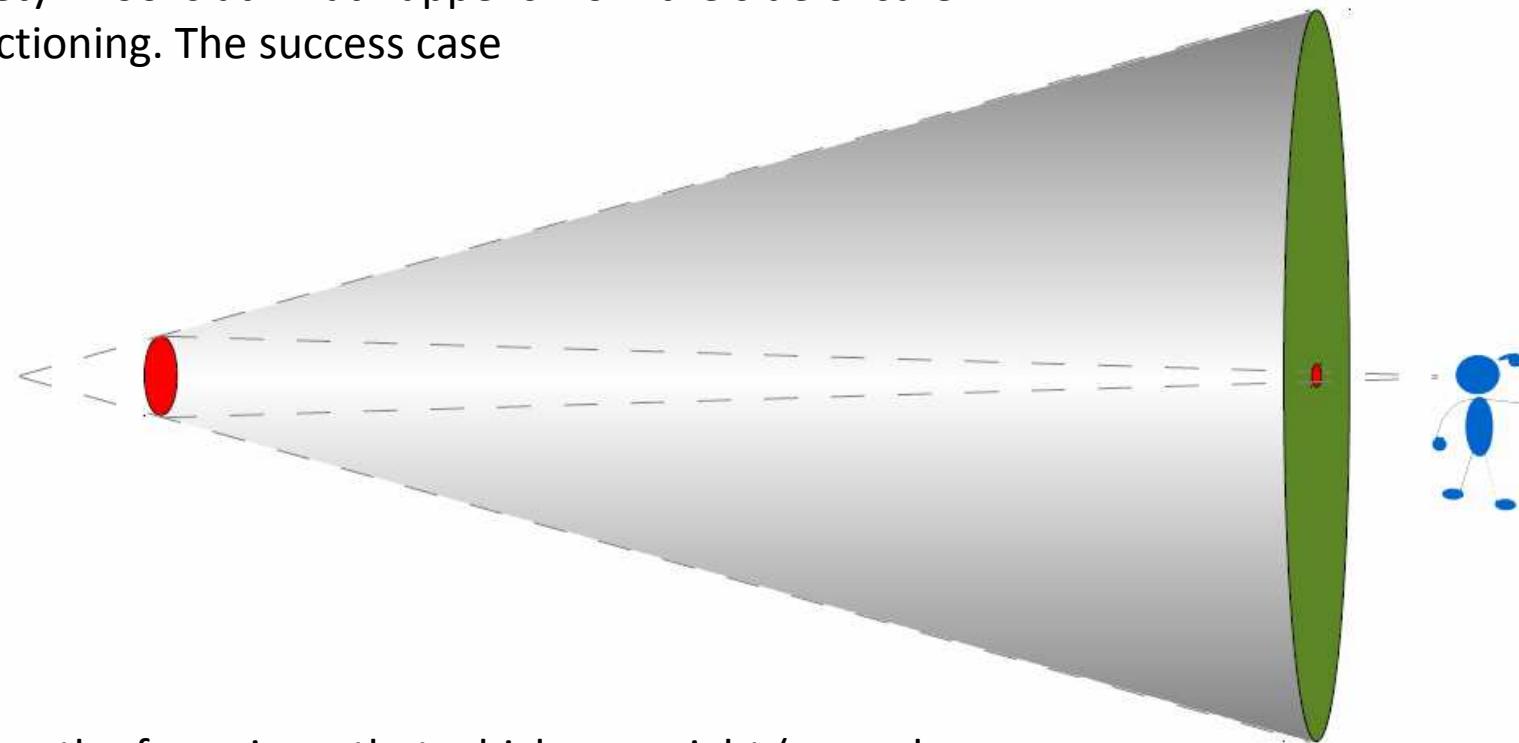


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## Safety II – Focus on what goes right



Safety-II looks at what happens from the side of safe functioning. The success case



When the focus is on that which goes right (everyday performance), 'failures' no longer dominate the picture.



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How to find out what goes right...

# Safety Investigation



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# Ten principles of systems thinking for safety improvement



# Purpose

- Enable safety analysis of adverse events, routine performance, and exceptional performance, including what went right as well as what went wrong
- Maximise historical compatibility
- Enable multiple uses
  - Investigations
  - Normal operations safety surveys (e.g. to choose markers)
  - Risk assessments (e.g. Structured What-IF Technique checklist)
  - etc



# Investigation & Learning Cards



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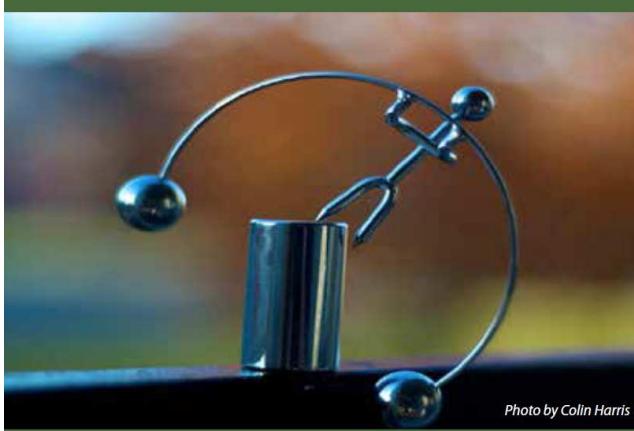
Produced by EUROCONTROL



# System Safety Investigation & Learning Cards

for understanding safety occurrences  
and everyday performance

Edition 1



0b Safety Culture



## Organisation of the Cards

There are several individual cards for each of section of the explanatory factors.

Each card introduces a different issue for analysis, reflection or discussion.

### Fundamental Principles

Personnel

Interaction with the Environment

Equipment

Contextual Factors

Cards for  
each major  
category  
within these  
groups



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### Fundamental Principles

#### Principle 9. Efficiency- Thoroughness Trade-Off (ETTO)

People have to balance the thoroughness and efficiency of performance in a complex and uncertain environment

Consider how people balance efficient and thoroughness, from their point of view, and understand the tactics they use to maintain efficiency (e.g. multitasking, recognition) and thoroughness (e.g. checking).



0e



### Fundamental Principles

#### Principle 6. Demand, Production Pressure & Goal Conflict

Pressures relating to efficiency and capacity have a fundamental effect on performance

Performance needs to be understood in terms of demands, resulting pressures and conflicts between goals of production and protection



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Safety investigation with SafetyNet

## Front

A3 Safety Investigation Cards



Personnel

### Decision

Judging or projecting the accuracy of spatial or temporal information and forming a decision or plan to achieve an intended outcome

Judgements and decision-making requires continuous adjustments to the context and conditions. Decision making must be considered from the point of the view of the person, including goals, knowledge, understanding of the situation and focus of attention at the time, as well as the context of work.



## Back

Safety Investigation Cards

### A.3. Decision

- A3-1. Judge / project
- A3-2. Decide / plan ('correctness'/workability)
- A3-3. Decide / plan (sufficiency)
- A3-4. Decide / plan (timing)
- A3-5. Decide / plan (presence of decision/plan)

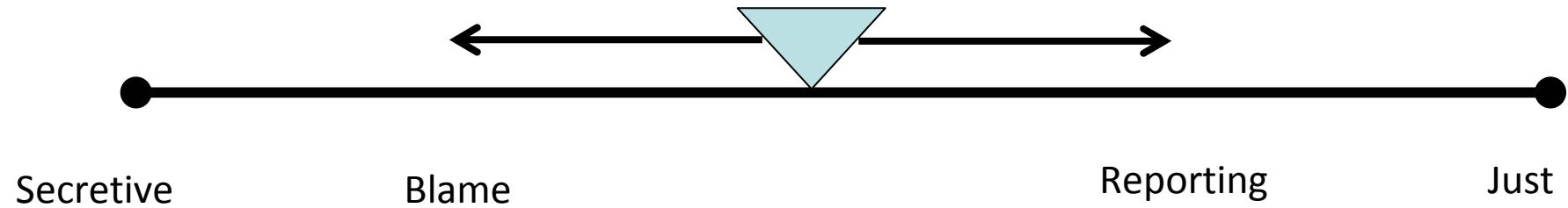
RAT  
explanatory  
factors



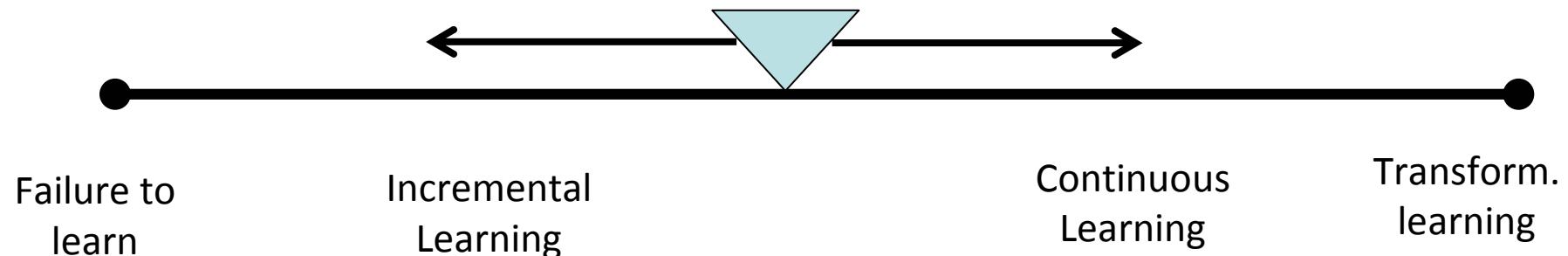
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# Accountability vs. Learning

## “The Accountability Scale”



## “The Learning Scale”



# [ES]<sup>2</sup> 2014 Programme



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<i>WS 1-14 FAB Safety</i>	FAB Safety FAB SMS Roadmaps	Safety Managers, Safety Specialists (OPS & TECH), NAA, EC , EASA,	22-23 May	Cyprus/Amsterdam (TBC)
<i>WS 2-14 Safety HP</i>	Safety Human Performance Conference	Human Factors and Safety experts, Projects Managers, Safety Managers, NAA/NSAs EC and EASA	24-26 Sept	Lisbon
<i>WS 3-14 Just Culture</i>	Just Culture and Prosecutors	ATCOs, Safety Experts, Investigators., Safety and OPS managers, Prosecutors	20-21 November	Amsterdam/Rome

Any Other Volunteers for Hosting the events ?



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