



EUROPEAN AVIATION SAFETY AGENCY  
AGENCE EUROPÉENNE DE LA SÉCURITÉ AÉRIENNE  
EUROPÄISCHE AGENTUR FÜR FLUGSICHERHEIT

**ES<sup>2</sup>-WS2-12- Just Culture Time to  
deliver**

# **Just Culture in the EASA context - EASA standardisation inspections**

Clarisse RIBEIRO, Legal Adviser, EASA

Milen DENTCHEV, Head of ATM/ANS Standardisation Unit, EASA

Your safety is our mission.  
**easa.europa.eu**



# Overview of the session

- Just Culture in the EASA context
- Standardisation visits' approach to Just Culture



## EASA

- Agency of the EU established in 2002
- Based in Cologne, Germany
- 27 EU Member States + 4
- Regulation (EC) No 216/2008

***"Establish and maintain a high uniform  
level of civil aviation safety  
in Europe"***



# Scope of the EASA system





# Regulatory philosophy

Economic regulation

Performance regulation

Safety regulation

Interoperability regulation

*Airworthiness*

*Operations & FCL*

*3rd Country Operations*

*Aerodromes*

*ATM/ANS*

**TOTAL SYSTEM APPROACH**



## ➤ Rulemaking

- » assists Commission in the preparation of EU law
- » issues CSs, AMCs and GMs for the application by MS of EU law

## ➤ Standardisation

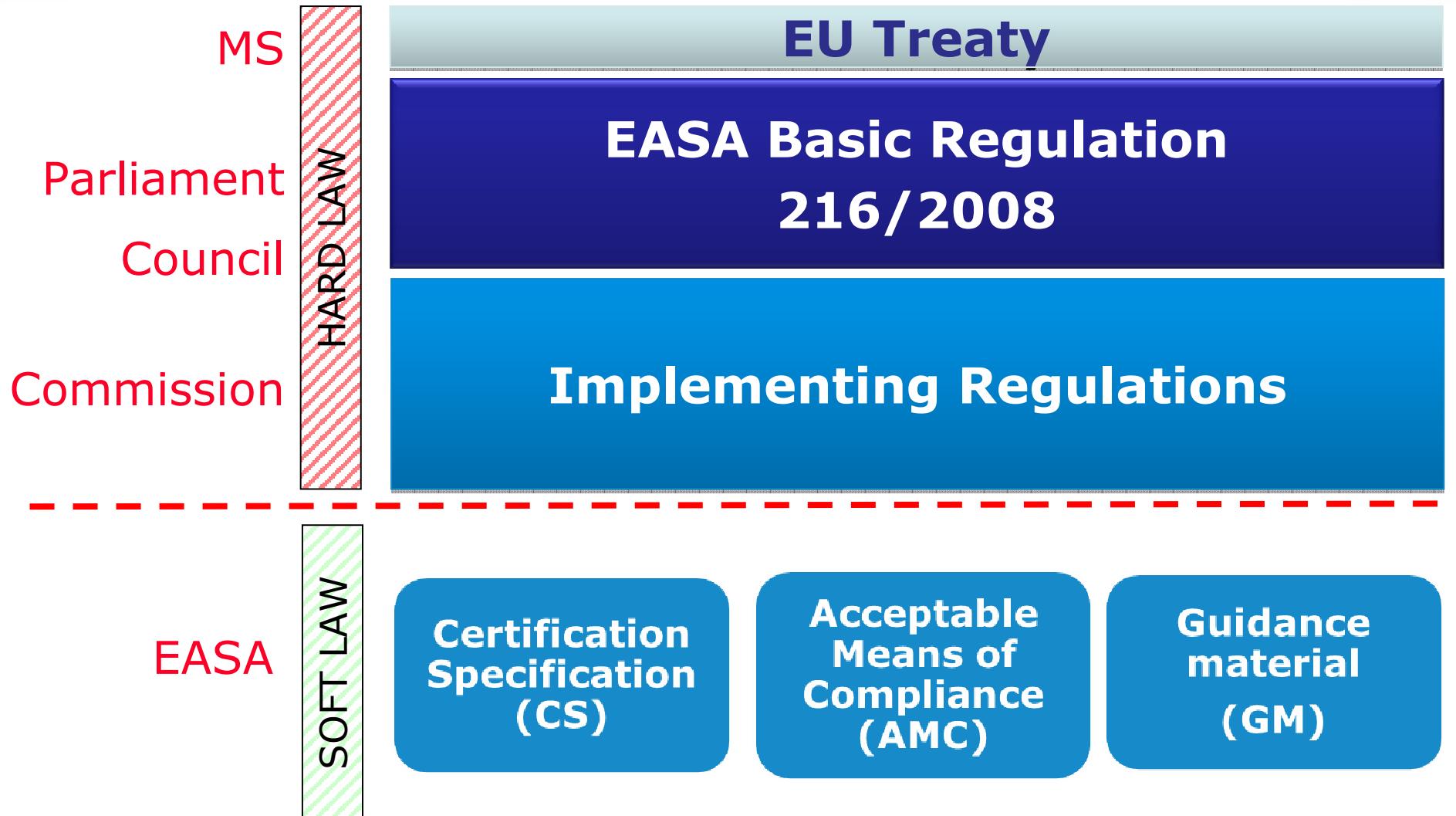
- » supports the Commission by monitoring implementation of EU law by MS via standardisation inspections

## ➤ Certification

- » Issue of certificates and approvals, and oversight competence



# Regulatory Structure





# Where does Just Culture come in?

**National laws  
& codes**

**Regulation  
(EEC) No  
3922/94  
as amended  
Regulation  
No 859/2004**

**Directive  
2003/42/EC**

**Regulation  
(EU) No  
996/2010  
regarding  
the protection  
of workers  
from the  
risks related  
to physical  
agents**

**Regulation  
(EU)  
691/2011  
on the protection  
of workers  
from the  
risks related  
to physical  
agents**

**Regulation  
(EC) No  
216/2008  
on the protection  
of workers  
from the  
risks related  
to physical  
agents**



Regulation  
216/2008

“EASA  
Basic  
Regulation”

## Article 15 - Information network

- Commission/EASA/NAAs
- Dissemination to interested parties

## Article 16 Protection of the source of information

- Information provided on voluntary basis = protection of source
- No proceedings based on information of unpremeditated if report is made
  - ✓ Without prejudice to criminal law
  - ✓ If no gross negligence
- Protection of incident reporting by employees
- Caveat: no prejudice to national rules related to access to information by judicial authorities



# EASA's role?



## » Rulemaking

- » assists Commission in the preparation of EU law
- » issues CSs, AMCs and GMs for the application by MS of EU law

## » Standardisation

- » supports the Commission by monitoring implementation of EU law by MS via standardisation inspections

## » Certification

- » Issue of certificates and approvals, and oversight competence

20-21 Sep 2012

JC Workshop, Istanbul

6

- Prepares draft legislation & issues guidance to implement EU law
- Monitors implementation of EU law MS
- Handles safety information



# Key messages

- Establish a common understanding of Just Culture elements
  - Objective: achieve an effective JC environment
  - Elements of JC already in place
- Through
  - Legislation
  - Sharing of experience and information
  - Practice and learning
- EASA plays a role as a part of building a JC environment
  - Help build a future JC environment
  - Monitor and enforce the existing and future JC environment



## **ATM/ANS Standardisation Inspections:**

- Started in Jan 2012, follow Regulation (EC) 736/2008
- EASA qualified Team Leaders + Team Members from MS
  - Pre-visit Questionnaires, Checklists, Evidences
- 13 inspections in 2012, 14 in 2013 (including follow-up)
- Findings followed by Corrective actions
- EASA may raise Supplementary Reports
- Enforcement by the Commission
- Geographical scope: 44 EASA States
- Includes verification of Performance scheme Safety KPIs



# SKPI verification methods

## Three basic auditing methods:

**Light** : verification through desktop audits based on available documentation (e.g. evidences provided to EASA, information published by NSAs and ANSPs on their web sites) + clarification on the phone (interviews)

**Trustful** : verification through desktop audits + reports on closure of Corrective actions (further verified during follow-up inspections)

**Thorough** : verification during regular Standardisation inspections using Checklists for NSAs and ANSPs substantiated by Findings and Undertaking Non-compliances (UNCs)



# Verification of JC Questionnaires

- AMC/GM developed by EASA
- On-line Just Culture Questionnaires
  - Collected on annual basis
  - Updated prior to each Standardisation inspection
- Light + Trustful desktop verification every year
  - For all 44 EASA States
  - Team of EASA, NM and PRU experts
- Thorough verification only during EASA inspection
  - Not all the States
  - Supported by face-to-face interviews with all stakeholders
  - Based on evidences



# Verification of JC Questionnaires

## **Using Standardisation Checklists:**

- Structure of checklists for NSA:
  - » LEG/REG
  - » ORG
  - » Initial Oversight
  - » Ongoing Oversight
  - » PEL
  - » RSC
  - » MOR
- Structure of checklists for Undertakings:
  - » ANSP (ATS/CNS/AIS/MET/TOs)



## What has been done so far:

- Checklists matched with JC questions
  - Not all of them can match with EU regulations
  - Some of them can be matched with ICAO requirements
- The rest of the JC questions added to the Checklists
  - mostly to part LEG/REG and MOR
- Constraints:
  - No finding can be raised with regard to JC questions (legal limitations)
- But answers and evidences can be verified at all levels



# Just Culture web interface

JC Test - Windows Internet Explorer provided by European Aviation Safety Agency

http://com/index.php

JC Test

JC Test

A test of the JC survey

0% 100%

Policy and its implementation

Section 1 Policy elements related questions

\* *P.1 Is there an explicit Just Culture policy which is formally endorsed by management and staff representatives and made public?*  
Choose one of the following answers

Yes

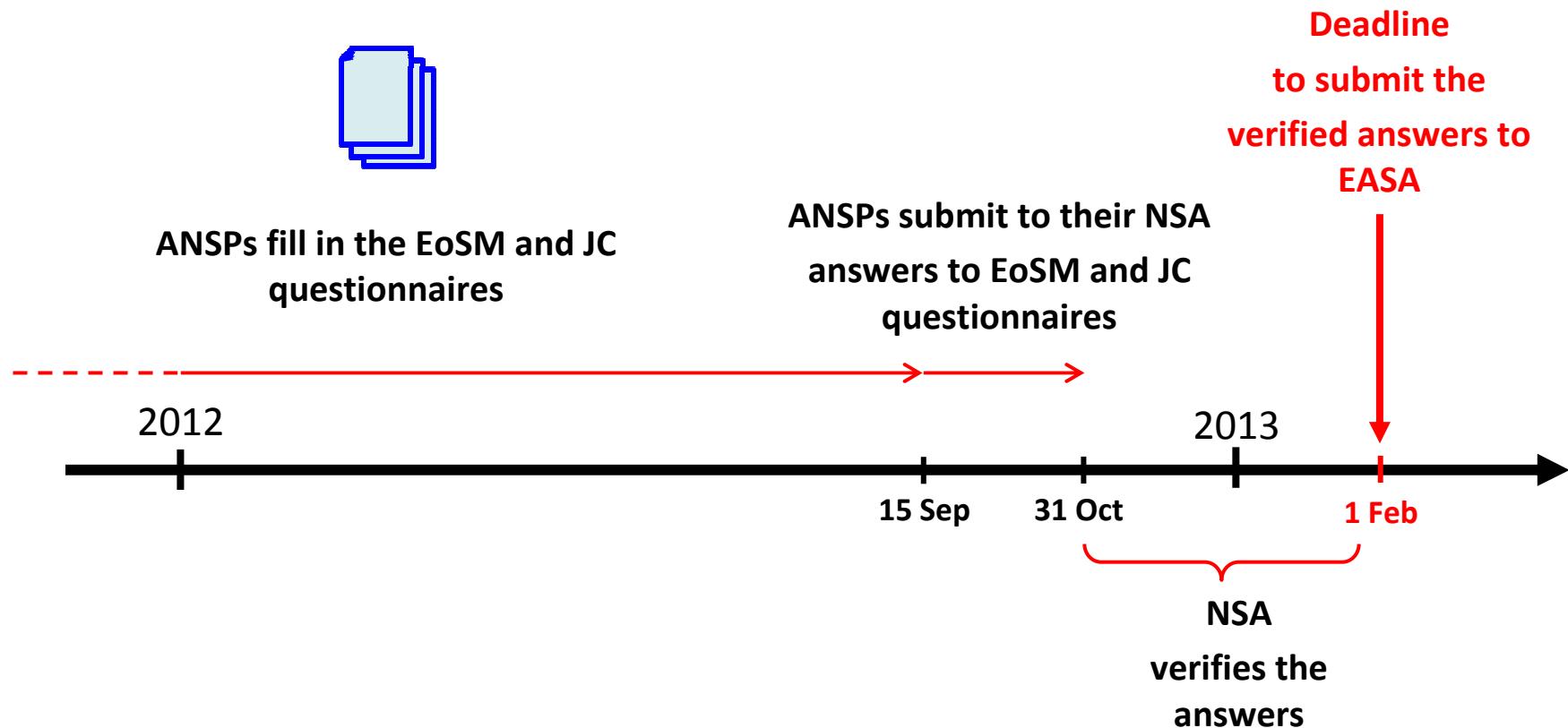
No

 Each question can have an individual help message with links, images, etc.

\* *P.1j Justification and remarks for selected answer (min 1 word, max 100 lines)*

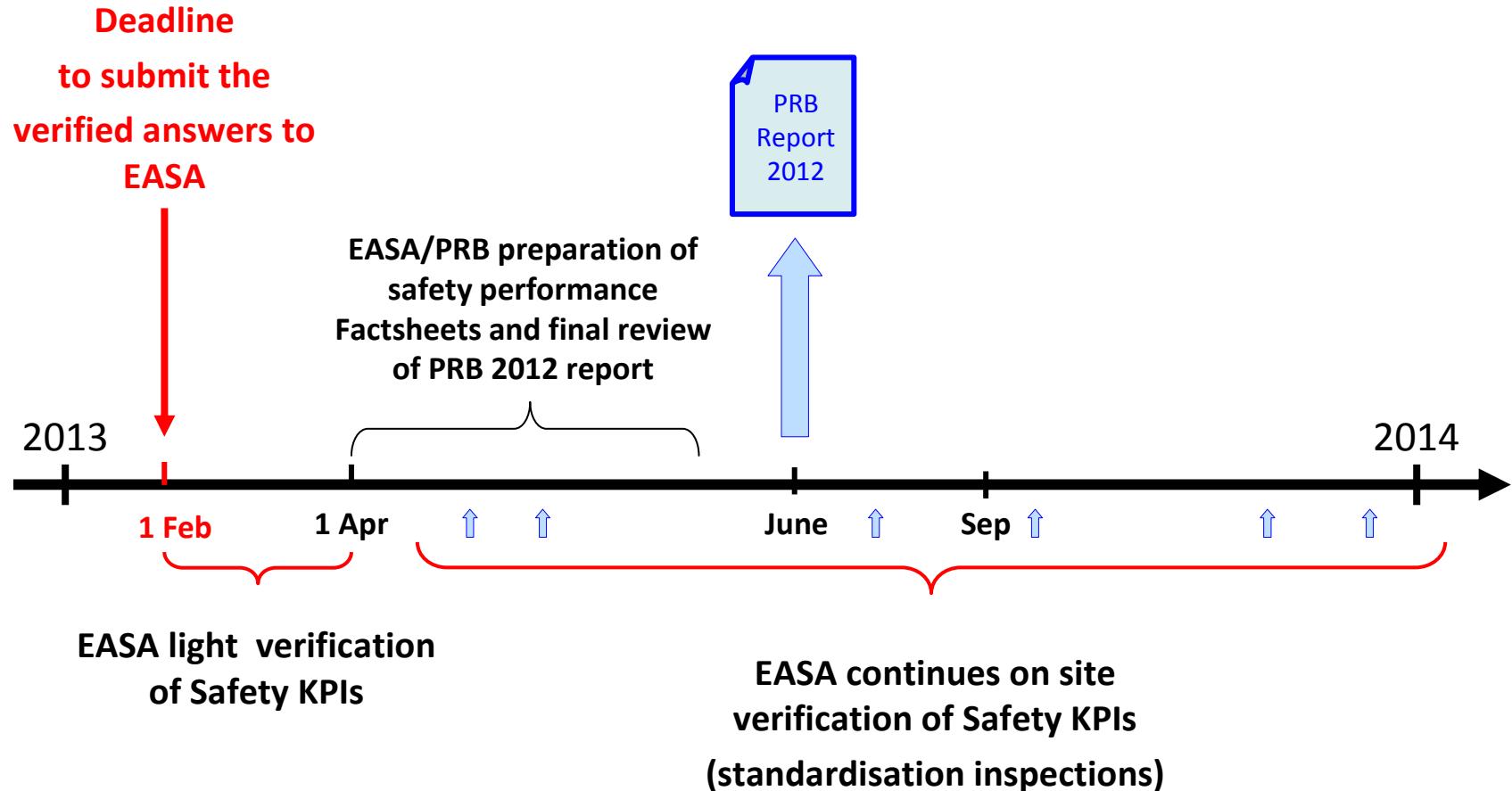


# Just Culture verification by NSAs





# Just Culture verification by EASA





# Limitations

- Only a few audits can be counted for 2013, therefore EASA will start with:
- **Light verification through desktop audits based on available documentation (e.g. written evidences submitted to EASA, information published on Internet + clarification on the phone (interviews))**
- Later, based on audit results and other methods of verification will be added
- Results will be discussed at EASA Standardisation coordination meetings (together with other topics)



EUROPEAN AVIATION SAFETY AGENCY  
AGENCE EUROPÉENNE DE LA SÉCURITÉ AÉRIENNE  
EUROPÄISCHE AGENTUR FÜR FLUGSICHERHEIT

Thank you for your  
attention!

Your safety is our mission.  
**easa.europa.eu**



EUROPEAN AVIATION SAFETY AGENCY  
AGENCE EUROPÉENNE DE LA SÉCURITÉ AÉRIENNE  
EUROPÄISCHE AGENTUR FÜR FLUGSICHERHEIT

*For further information, please contact:*

*Clarisso Ribeiro*

[Clarisso.Ribeiro@easa.europa.eu](mailto:Clarisso.Ribeiro@easa.europa.eu)

*Milen Dentchev*

[Milen.Dentchev@easa.europa.eu](mailto:Milen.Dentchev@easa.europa.eu)

Your safety is our mission.

**easa.europa.eu**

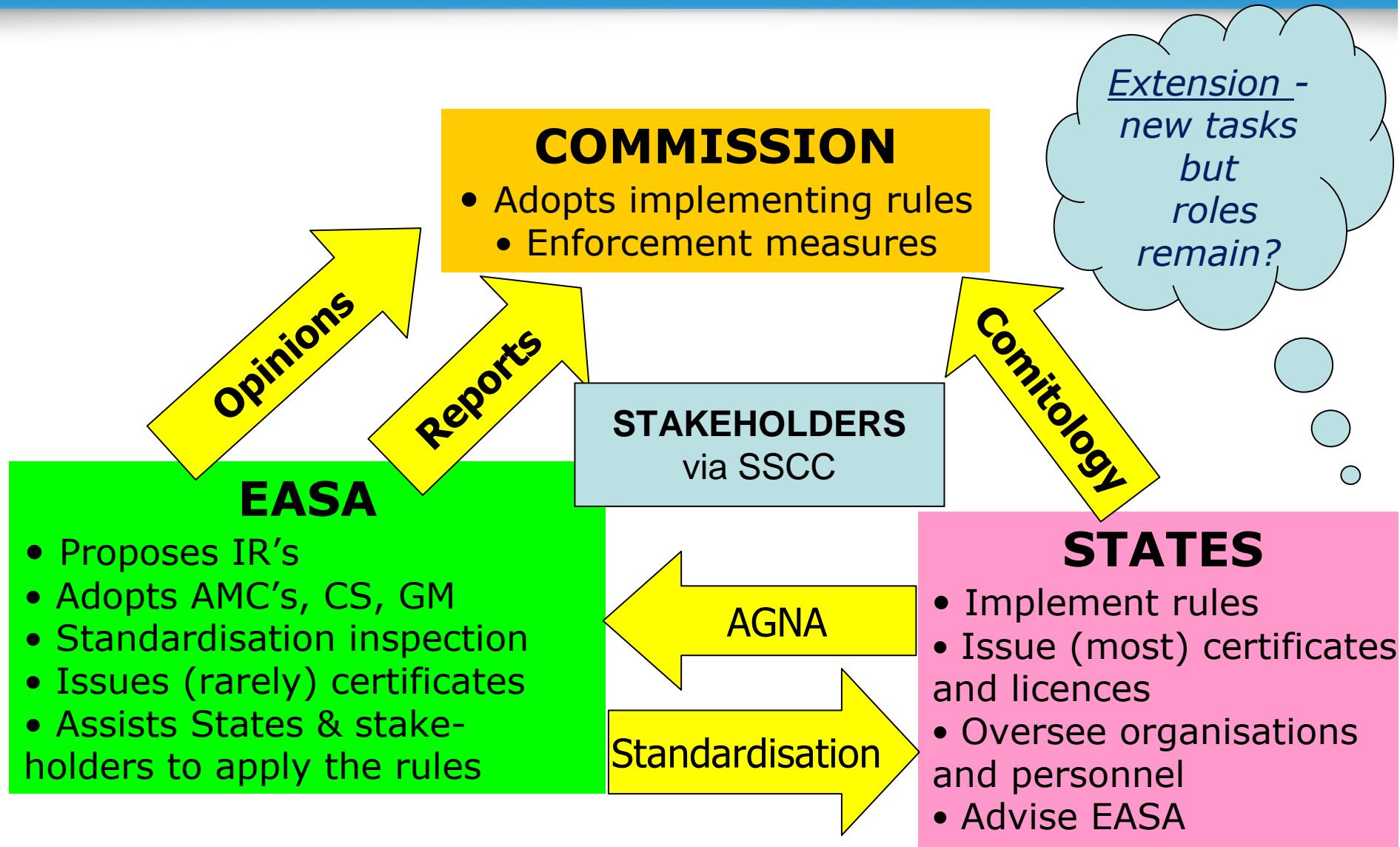


EUROPEAN AVIATION SAFETY AGENCY  
AGENCE EUROPÉENNE DE LA SÉCURITÉ AÉRIENNE  
EUROPÄISCHE AGENTUR FÜR FLUGSICHERHEIT

Your safety is our mission.  
**[easa.europa.eu](http://easa.europa.eu)**



# Key players in the EASA system





# EASA regulatory system

**•Essential requirements**

**•Implementing Rules**

**•Certification Specifications**

**•Acceptable Means of Compliance**

**•Guidance Material**

**•Legislator**

**•EU**

**•Agency**

**•Binding**

**•Non-binding**