



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

10TH ANNIVERSARY

RP1 2012 and 2013 Monitoring and improvements

ES2-WS01-14

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 - Overview
 - Core functions
- Legal basis
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 - Effectiveness of Safety Management (EoSM)
 - Use of RAT methodology (RAT)
 - Just Culture (JC)



European Aviation Safety Agency

EASA

- Agency of the EU established in 2002
- Based in Cologne, Germany
- 28 EU Member States + 4 (IS, NO, CH, LI)
- Regulation (EC) No 216/2008 – Basic Regulation

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



EASA core functions

➤ **Rulemaking**

- assists European Commission in the preparation of EU law
- issues CSs, AMCs and GMs for the application by Member States 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



Performance Scheme

- SES 2: introduction of ANS performance targets
- IRs: Regulation (EU) 691/2010
Regulation (EU) 390/2013
- Performance measurement



Effectiveness of Safety Management



The EoSM in practice

➤ **The tool:**

- The EoSM is measured by on-line questionnaires (authorities and ANSPs).

➤ **The procedure:**

- EoSM ANSP questionnaires are reviewed by their authorities;
- The Authorities send both questionnaires to EASA (on-line);
- EASA (led by the ATM/ANS STD Section) start the verification process.



Why EASA?

- It is a legal requirement (Art. 7 of Reg. (EU) 390/2013)
- The scope of ATM/ANS inspections coincides with the scope of the questionnaire in more than 85%:
- Is the only way to get evidence that the perception that the authority has coincides – or not - with the results of the audits
- The monitoring process that EASA has currently in place helps to feedback the States on a continuous basis



EoSM verification process

- In 2012: First exercise.
- EoSM Scores computed based on formula as in AMC;
- Verification by EASA: “Light” and “Thorough”.
- **“Light verification”:**
 - Desktop analysis of the available documentation complemented with interviews at the phone or emails
- **“Thorough verification”:**
 - Applicable to the States inspected by EASA
 - Replies were cross-checked with what was found during the EASA standardisation visits



RP1 2013: EU States

- 'Thorough' verification of 16 EU States plus CH
 - Three of them were visited by EASA two times for the follow up inspections.



- 'Light' verification of 10 EU States plus NO



Verification tool

Component 1	State safety policy and objectives			Outcome of CI (relevant only for the first assessment)					
Element 1.1	State safety legislative framework			Findings raised		UNCs raised		CAP	
M O1.1: Implement the EU safety legislative and regulatory framework, including where necessary, by aligning the national framework.		Answers 2012	Answers 2013	D class	C class	Linked with "D" finding	Linked with "C" finding	CA agreed	CA implemented (finding closed based on received evidence)
There is a well-established primary aviation legislation that contains provisions enabling the government and its administration to proactively supervise civil aviation activities and implements the EU safety regulatory framework in relation to ATM/ANS.		Q1-1	D	D					
There are adequate financial and competent resources in place to carry out all phases of safety regulatory processes.		Q1-2	C	C	Y		Y	Y	N
There are national secondary regulations that address requirements stemming from primary legislation, international obligations and they are in line with the EU Regulatory Framework in relation to ATM/ANS.		Q1-3	B	B					
National regulations are regularly reviewed, assessed, maintained up to date and in line with the European regulatory framework by the appropriate authority.		Q1-4	C	C					
The State's regulatory process takes into account the need to implement and comply with national requirements and international obligations including the obligations stemming from EU regulations in a timely and consistent manner.		Q1-5	E	E					
Element 1.2	State safety responsibilities and accountabilities								
M O1.2: Establish national safety responsibilities and maintain the national safety plan in line with the European Aviation Safety Plan, where applicable. The national safety plan shall include the state policy to ensure the necessary resources.									
There is a competent authority established to be responsible for safety in ATM/ANS supported by appropriate and adequate technical and nontechnical staff with safety policies, regulatory functions, roles, responsibilities and objectives in place.		Q1-6	E	D					
The regulatory and service provision functions and organisations are clearly separated at all levels in the State.		Q1-7	D	E		Y	Y	Y	N
Legislation and procedures are in place to ensure the oversight of safety requirements in accordance with EU regulations and, where applicable, with national and international obligations.		Q1-8	C	D	Y		Y	Y	N
The relevant competent authority for safety has documented responsibilities and accountabilities of their staff. In addition, it has delegated sufficient legal authority to staff to allow them to execute their duties. Staff within the competent authority understand and accept their responsibilities.		Q1-9	D	C					



2013: Feedback to the NSAs

MO1.1: Implement the EU safety legislative and regulatory framework, including where necessary, by aligning the national framework.		Answers 2012	Answers 2013	D class	C class	Linked with "D" finding	Linked with "C" finding	CA agreed	CA implemented (finding closed based on received evidence)
There is a well-established primary aviation legislation that contains provisions enabling the government and its administration to proactively supervise civil aviation activities and implements the EU safety regulatory framework in relation to ATM/ANS.	Q1-1	C	D	N	N				
There are adequate financial and competent resources in place to carry out all phases of safety regulatory processes.	Q1-2	C	C	N	N				
There are national secondary regulations that address requirements stemming from primary legislation, international obligations and they are in line with the EU Regulatory Framework in relation to ATM/ANS.	Q1-3	C	D		Y				
National regulations are regularly reviewed, assessed, maintained up to date and in line with the European regulatory framework by the appropriate authority.	Q1-4	B	C	N	N				
The State's regulatory process takes into account the need to implement and comply with national requirements and international obligations including the obligations stemming from EU regulations in a timely and consistent manner.	Q1-5	B	D	N	N				
Element 1.2	State safety responsibilities and accountabilities								
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There is a competent authority established to be responsible for safety in ATM/ANS supported by appropriate and adequate technical and nontechnical staff with safety policies, regulatory functions, roles, responsibilities and objectives in place.	Q1-6	C	D		Y		N	Y	
The regulatory and service provision functions and organisations are clearly separated at all levels in the State.	Q1-7	D	E	N	N				
Legislation and procedures are in place to ensure the oversight of safety requirements in accordance with EU regulations and, where applicable, with national and international obligations.	Q1-8	C	E	N	N				

NSA #12345
(finding text)

NSA #56789
(finding text)



Feedback

- Inconsistencies between the questionnaires and what it was found during the audits
- Possible reason: PoC for the questionnaires was not present in the audit (no coordination)
- Expected results:
 - Coordination
 - Realistic replies, closer to computed scores



Use of Risk Assessment Tool (RAT)



RAT Reporting RP1 2012

- Two reporting requirements
 - EASA brief questionnaire
 - Reporting of actual occurrences via
 - AST Mechanism
 - European Central Repository



EUROCONTROL

Annual Summary Template Mechanism





RP1 2012 Lessons Learned

- Some differences between NSA figures and PRU/ECTL figures
 - Requirements: disputed interpretation of the regulation and required level of application
 - Definitions: whether to include all severity classifications
 - Data delivery times: preliminary data (April) versus final data (September)
 - Coordination NSA - ANSP



RP1 2012 Lessons Learned ctd

- RAT questionnaire very basic:
 - Only scope to ascertain if RAT is applied.
 - No ability to explain deviations from the Yes/No scenario
- Inability to clearly compare the answers of the respondents due to inconsistent implementation of the Regulation by States



RP1 2012 Feedback to States

- Feedback provided through:
 - Annual Report (PRU)
 - Rulemaking process, NPA and CRD
 - Key stakeholders attended and provided feedback through NPA process
 - European Network of Safety Analysts



Network of Analysts



Reporting on the level of Just Culture



JC measurement as SKPI

➤ Just Culture as a Safety Key PI

Reporting by Member States and their ANSPs of the **level of presence** and corresponding **level of absence** of **Just Culture**.

➤ Just Culture

- Defining “Just Culture”?
- How to measure the level of JC?



JC measurement as SKPI

► **Just Culture** as a Safety Key PI

Reporting by Member States
level

... **means** a culture in which front line operators or others are not punished for actions, omissions or decisions taken by them that are commensurate with their experience and training, but where gross negligence, wilful violations and destructive acts are not tolerated (Regulation (EU) No 390/2013, art.2)

How to measure the level?



Measuring JC levels

AMC/GM + appendices (Questionnaires)

- Questionnaires divided into three sections:
 - Policy and its implementation
 - Legal & Judiciary
 - Occurrence reporting and investigation
- State and ANSP level:
 - **State level** focus: primary legislation, distribution of responsibilities, agreement with judicial/police authorities,...
 - **ANSP level** focus: internal procedures, support to staff, investigation procedure, training, handling of occurrence reports,...



JC verification for RP1 - 2012

- Review: 29 States and 36 ANSPs
- No sampling but a complete review of information provided
- Aim:
 - identify tendencies, 'best practices', common approaches to JC
 - identify effective measures (or possible obstacles) to the application of JC at State and ANSP level



JC verification for RP1 – 2012 ctd'

Methodology

- Analytical approach
 - Review of the legislative and document reference
 - Assessment of level of implementation
 - Summary
- Numerical approach
 - Yes/No responses for each question/section
 - % of YES responses for each question

(e.g. "x % of States have indicated that that there is an explicit Just Culture policy, which is endorsed at appropriate State level and made public.")

- Publication in PRB reports



JC verification for RP1 - 2013

- Same Questionnaires as for RP1 - 2012
 - Amended Questionnaire for RP1 – 2014
 - Guidance to assist States/ANSPs in their response
- 29 States and 37 ANSPs
- Same approach – full review of all questionnaire
- Additional – ‘gap’ analysis with RP1 – 2012 responses
- Modified methodology for cluster analysis



Just Culture – cluster analysis

- Cluster analysis?
 - Grouping of similar responses indicating agreement or common approaches
- Three categories of clusters
 - “High-density” clusters
 - “Medium-density” clusters
 - “Low-density” clusters
- Objective
 - Identify common approaches – best practices
 - Share experience and expertise
 - Improve understanding of JC – foster JC environment



JC – ‘high-density’ cluster examples

► States

Cluster #1 (ST.P.6)	States
<i>The State has a clear definition at State-level of the role of different State authorities and ANSPs in handling safety reports and the flow of information.</i>	YES : 28 – NO : 1
The definition of the roles in handling safety reports and the flow of information is generally adopted in national legislation at State-level, except for one State, which does not provide additional information.	

► ANSPs

Cluster #8 (ANSP.O.5)	ANSPs
<i>The ANSP provides regular feedback to staff based on occurrence reports.</i>	YES : 37 – NO : 0
All ANSPs provide regular feedback to all staff based on occurrence reporting. In most cases, the ANSPs will use the occurrence reports feedback in training course and provide in-depth feedback. In most cases, the feedback is provided through periodical internal letters, bulletins, debriefings, meetings, ANSP newsletters and intranet pages.	



JC- 'low- density' cluster examples

➤ States

Cluster #1 (ST.P.9)	States
<i>Have a regulatory requirement to include elements and/or courses on Just Culture in the training programmes for staff working in the competent authority and service providers.</i>	YES : 7 – NO : 22
<p>Most States responded negatively, indicating that there was no <u>regulatory requirement</u> but emphasising that courses were included in training programmes.</p> <p>For the States answering positively, there were different approaches, most indicated that JC principles were included in training although not always as a stand-alone course. In some instances it was specified that the requirement was intended for ANSPs and that for staff working at the CA there was no specific mention.</p> <p>In this instance, the overall feedback is that, as a minimum, elements of JC are present in training programmes, but in most cases that is applicable to ANSP staff rather than CA staff.</p>	

➤ ANSPs

Cluster #1 (ANSP.L.2)	ANSPs
<i>Have an agreement between ANSPs and judicial/police authorities to ensure protection of reported incident data and involved individuals.</i>	YES: 7 – NO: 30
<p>For a wide majority of ANSPs there is no agreement in place as described above. In some, the ANSP indicated that such an agreement would not be possible under national law. However, most noted that the protection of incident data and individuals involved is in any case ensured through national legislation.</p> <p>In one instance, the ANSP noted that collaboration between the ANSP and the police/judicial authorities was underway and in another response, the ANSP indicated that regular meetings took place between the bureau processing incident reports, the prosecutor and aviation actors, based on an agreement with the judiciary.</p>	



JC verification for RP1 – 2013 ctd'

Improvements

- Common factors per 'key question'
 - Drawing conclusions from the information provided
 - Identifying common points and 'best practices' by cluster analysis
 - Sharing publicly-available information
- Pre-requisite :
 - agreement on the publication of the information provided by States/ANSPs



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Thank you!

Questions?

isabel-clara.barbero@easa.europa.eu

clarisse.ribeiro@easa.europa.eu

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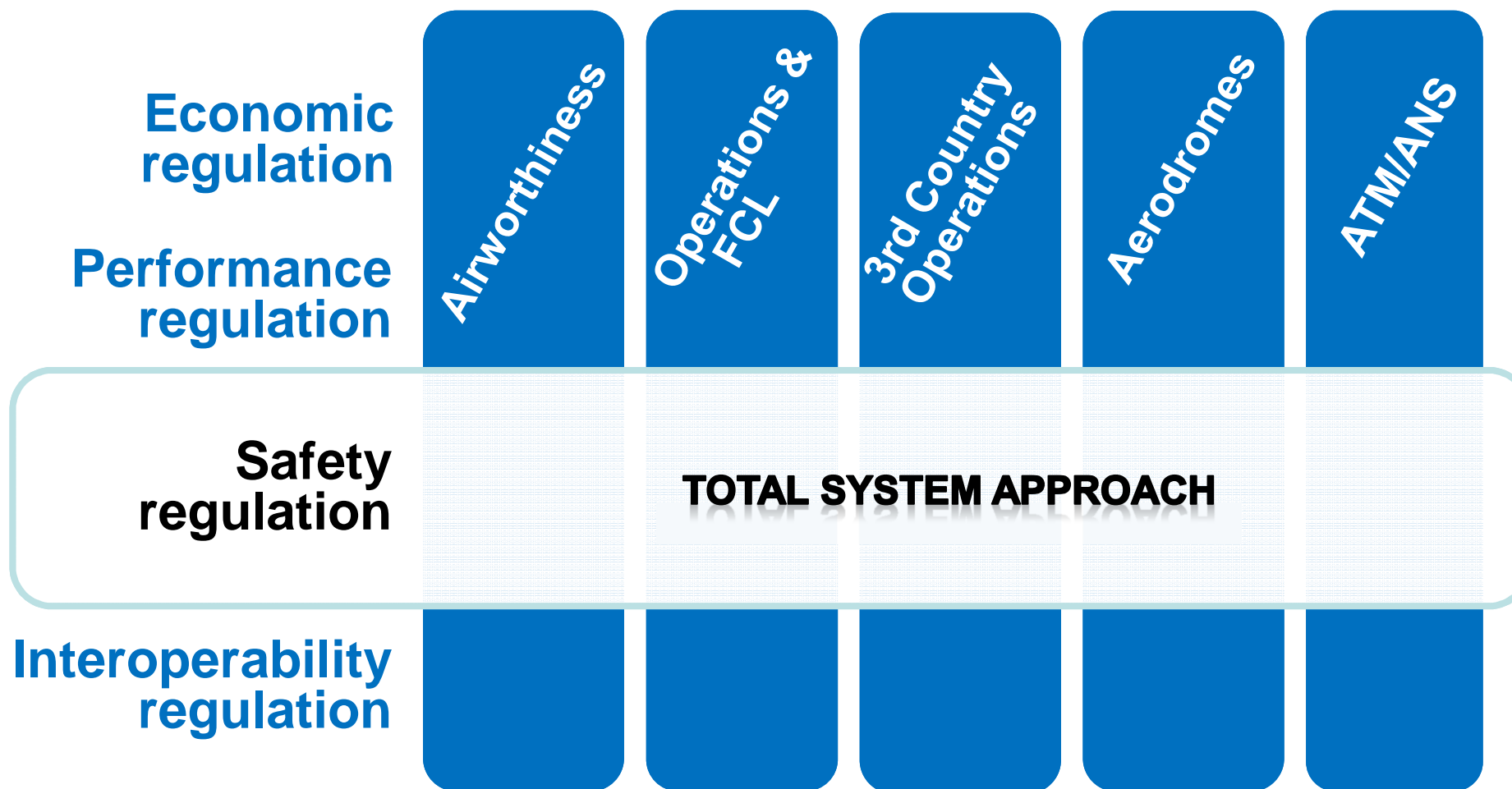


Scope of the EASA system





Regulatory approach





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Regulatory Structure

