



Tony Licu

Head of Safety Unit and Head of Digital Transformation Office, EUROCONTROL Network Manager Directorate

JUST CULTURE... REVISITED!

In this 35th Edition of *HindSight*, we are revisiting Just Culture. Just Culture is a subject close to our hearts and minds. I have not come across anyone in aviation who hasn't had strong thoughts and feelings about the topic of Just Culture.

Almost 10 years ago, we published *HindSight* 18 on the theme of 'Justice and Safety'. For the first time, we had judiciary and legal specialists writing alongside aviation practitioners in the same magazine. A year earlier, we had started the Prosecutor-Expert course, where we put judiciary and aviation professionals together for the first time. Thanks to our mentor Roderick van Dam, former Head of Legal Service at EUROCONTROL, we finally brought together the two for the tango.

Ten years on, and it's been an incredible journey. There have been ups and downs, but we brought Just Culture to the minds of everyone. It has been such great teamwork, with IFATCA, the European Cockpit Association, and a great group of professionals that believe in this concept. We are in great debt to some Italian judges – Massimo Scarabello and Andrea Montagni have been with us every year, and helped to promote and clarify what Just Culture really means. It is probably no coincidence that they come from Italy – the country of the Linate and Sette Fratelli accidents. Italy has come a long way along the journey of Just Culture. I also owe a debt of gratitude to Professor Pietro-Antonio Sirena – an inspiration every time I come in contact with him. And we are thankful to our colleagues at the Dutch Public Prosecution Service, including Bote ter Steege, Fred Bijlma, Katja van Bijsterveldt, and Aco Verhaegh. There are so many others. Without all these colleagues, we would not have accomplished so much. See the article "What have we done for you" in this issue of *HindSight* to read about what we collectively have done.

Just Culture Manifesto



"Just Culture" is a culture in which front-line operators and others are not punished for actions, omissions or decisions taken by them which are commensurate with their experience and training, but where gross negligence, wilful violations and destructive acts are not tolerated."

Organisations are run by people. In tens of industries – transportation, healthcare, energy, internet, and more – thousands of occupations, and millions of organisations around the world, it is people who make sure that things normally go well. And they nearly always do.

But sometimes, things go wrong. Despite our best efforts, incidents, accidents and other unwanted events happen. Following such events, there is a need for support and fairness for those involved and affected, and learning for organisations, industry and society as whole. In the absence of intentional wrongdoing or gross negligence, these obligations should not be threatened by adverse responses either by organisations or States.

The goals of this Just Culture Manifesto are to:

- articulate a vision of just culture that connects with people from all industrial sectors, around the world;
- speak to people in all roles – front line, support, specialists, management, both in private industry, government organisations and departments, and the justice system;
- provide a framework for other people to advance this vision of just culture.

As referred to in the Just Culture definition, only a very small proportion of human actions is criminally relevant (criminal behaviour, such as substance abuse or misuse, grossly negligent behaviour, intention to do harm, sabotage, etc.). Mostly, people go to work to do a good job; nobody goes to work to be involved in an incident or accident.

Five Commitments

We have distilled **five commitments** that we believe are critical for Just Culture and the need to balance safety and the administration of justice.

- 1 Ensure freedom to work, speak up and report without fear:** People at work should feel free to work, speak up and report harmful situations, conditions, events, incidents or accidents without fear of unfair, unjust or unreasonable blame or punishment. Unfair, unjust or unreasonable blame or punishment does not motivate people to do a good job, nor to avoid 'human error'. Instead, it reduces cooperation, trust and reporting, prevents innovation, and adversely affects healthy judgements about risks that are part of everyday work. Rather than making people afraid, we all need to contribute to an environment where people can work and provide essential safety-related information to improve how the organisation works. While we aim for free and open reporting, people who report must be confident that their identity, or the identity of any person implicated, will not be disclosed without their permission or unless required by law – at any stage of the reporting, investigating and learning process.
- 2 Support people involved in incidents or accidents:** The organisation must support people who are involved in or affected by accidents. This is the first priority after an unwanted event. Accidents can be traumatic experiences for all involved. People may be distressed or injured, physically or psychologically. Support for people is therefore the first priority after an unwanted event. While adverse events such as accidents are uncomfortable and often distressing experience, the learning process should not be. Safety investigations and organisational learning activities concerning unwanted events should – as far as possible – be positive experiences for all involved, improving the design of the system, helping individuals, teams and the organisation to grow and become more resilient, and repairing – as far as possible – any damage done.

SUPPORTING EUROPEAN AVIATION



ΕΥΡΩΠΕΙΑΚΗ ΑΕΡΟΠΟΡΕΙΑ



I attend various conferences in other industries, and they speak so highly about aviation and how we learn from mistakes. People write books about us. Matthew Sayed's *Black Box Thinking* is one of my favourites (thanks to Steve Shorrock for introducing it to me). This year I was back to school in the London Business School for a course on digital disruption. The professor talked about how important it is to treat your people fairly when organisations embark on digital transformation. He started to elaborate that you cannot be totally blame free and you need to nurture the right culture. "*Hang on a minute,*" I said, "*this is exactly what we call Just Culture in aviation!*" He wrote on the white board 'Just Culture', and I think he must have been thinking – what the heck is this? Putting aside the various definitions and descriptions, regulations and books, Just Culture is about being fair with people and doing the right thing.

Sometimes we make it so complicated. We invent flow diagrams and substitution tests to answer the question of whether our staff are within acceptable behaviour limits. Sometimes we are distracted by similar concepts, like 'psychological safety'. When I look at our Just Culture Manifesto, I wonder how it is different. If psychological safety is a key successful trait of high-performing teams and organisations, so is Just Culture. Just Culture helps our industry, our organisations, and our teams perform because it allows people to speak up, learn from mistakes, and improve – do better. Whatever we call it, we need to create the right environment. Unfortunately, one bad decision can unbalance many years of good decisions.

I believe we have great people that come to work do a great job. They do not come to work to have an accident. So why discipline people who want to do a good job? In this edition

of *HindSight* we have again very diverse contributions from aviation and other sectors. I would like to invite you to read it from cover to cover, and to join us in signing the Just Culture Manifesto (<http://www.bit.ly/JCManifesto>). It summarises Just Culture so well, and it applies to aviation and every other industry.

1. Ensure freedom to work, speak up and report without fear: People at work should feel free to work, speak up and report harmful situations, conditions, events, incidents or accidents without fear of unfair, unjust or unreasonable blame or punishment.

2. Support people involved in incidents or accidents: The organisation must support people who are involved in or affected by accidents. This is the first priority after an unwanted event.

3. Don't accept unacceptable behaviour: Gross negligence and wilful misconduct are very rare, but cannot be tolerated.

4. Take a systems perspective: Safety must be considered in the context of the overall system, not isolated individuals, parts, events or outcomes. The system is the main influence on performance.

5. Design systems that make it easy to do the right things: Improving safety means designing ways of working that make it easy to do the right thing and hard to do the wrong thing.

Enjoy HindSight 35! 

.....

Tony Licu is Head of Safety Unit and Head of Digital Transformation Office within the Network Manager Directorate of EUROCONTROL. He leads the deployment of safety management and human factors programmes of EUROCONTROL. He has extensive ATC operational and engineering background, and holds a Master degree in Avionics.