



Implementation of Regulation (EU) 376/2014

EASA Safety Intelligence and Performance Dept

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TE.GEN.00409-001



First Point of Interest

- The title:
- Regulation on the Reporting, Analysis and Follow Up of Occurrences in Civil Aviation



Context

- Firstly – European Regulation on occurrence reporting is nothing new
- Regulation on Occurrence Reporting since 2003
- Now updated to allow for existence of EASA and for the modern reality of SMS

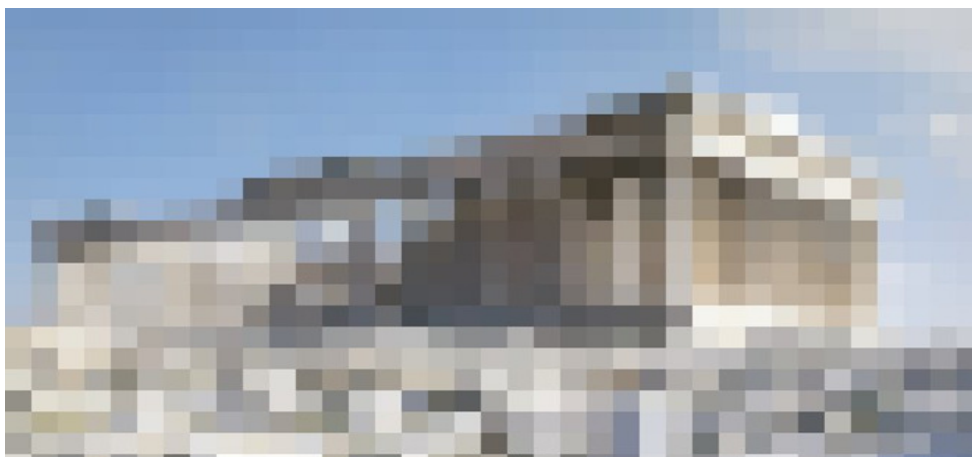


- Directive 2003/42

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Information vs Knowledge



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Background to the New Regulation

- European Commission Communication on “Setting up an Aviation Safety Management System for Europe”
- Other EU Legislation
 - Such as EASA Basic Regulation
 - Regulation 996/2010 on the Investigation and Prevention of Accidents
- ICAO Annex 19
- SMS Implementation at organisations

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Adoption of the New Legislation

- European Commission Proposal – December 2012
- Agreement between Parliament and Council – December 2013
- Adopted on - 3 April 2014
- Entry into Force – May 2014
- Application – **15 November 2015**
- The focus is now on supporting the implementation of the Regulation

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Key Areas for Implementation

- Reporting of occurrences
 - Mandatory reporting vs Voluntary reporting
 - ECCAIRS/ ADREP compatibility and methods of reporting
 - Follow up reporting
- European risk classification scheme
- Guidance material development and dissemination to authorities and industry
- Confidentiality of information and Just Culture
- Safety analysis strategy

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Mandatory and Voluntary Reporting

- Regulation defines two types of reporting system
 - Mandatory reporting (MORS) for the types of occurrence listed in the Annexes of the associated Implementing Regulation (IR)
 - Anything else falls into the definition of Voluntary reporting (VORS)
- IR (from the EC) split into 1 GA category and 4 Commercial Aviation categories
 - Flight Ops, Aerodrome, ATM and Technical

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Who Reports What?

- Pilots-in-command → Occurrences related to the operation of Aircraft
- Maintenance, manufacturing or design organisation (Part 21) staff → Occurrences for light aviation
- Airworthiness certification officials → Occurrences related to technical conditions, maintenance and repair of the aircraft
- Air traffic controllers → Occurrences related to air navigation services and facilities
- Air navigation facilities safety managers → Occurrences related to air navigation services and facilities
- Airport safety managers → Occurrences related to aerodromes and ground services
- Ground handlers → Occurrences related to aerodromes and ground services

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What Kind of Reporting System?

- Individuals -> Organisations -> Competent Authorities
- Or Individuals -> Competent Authorities
 - Mandatory reporting obligations in IR
 - Does not conflict with BR and its Irs
 - Nothing new – only the inclusion of organisations and of EASA
 - No duplication of reporting systems: one report serving different purposes

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MND(1 No, see the point above on this issue
MICHEAUX NAUDET Delphine (MOVE); 19/05/2014



Reporting Timescales

- Occurrence happens – individual reports to their organisation through SMS
- Within 72 Hours - organisation sends report to competent authority (CAA) in ECCAIRS/ ADREP compatible format
- Within 1 Month – Follow Up report from organisation to competent authority (CAA)
- Within 3 Months – Final report to.....
- All occurrences (MORS and VORS) shall be sent to the ECR by the competent authority

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Direct Reporting by Individuals

- Who would report directly to Competent Authorities
 - Persons not employed or contracted by an organisation (e.g. General Aviation Pilot)
 - Persons who do not want to report to their organisations (e.g. whistle blowers)
 - EASA MS have flexibility on how this will happen

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Voluntary Reporting

- What and how?
 - Occurrences not covered by mandatory reporting (types of occurrence not in IR)
 - Reporting by persons not covered by the list of individuals in Regulation
 - Individual countries also have flexibility on the means of reporting and merging of MOR and VOR data
 - Any current systems in place at national level do not have to be undone

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ECCAIRS/ ADREP Compatibility

- Has led to a few questions from industry
- If does **not** mean you have to use ECCAIRS within your organisations
- It is intended to minimise manual data entry of occurrence reports by standardising formats
- Compliance with ECCAIRS/ ADREP can be met in a number of ways
- Based on a reduced version of the ECCAIRS/ ADREP Taxonomy – the Reduced Interface Taxonomy (RIT)

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Methods of Compliance

- Through agreed processes in individual countries establish by the competent authority
- Via a data exchange format (organisations)
 - Uses an XSD Schema consisting of the RIT data fields
 - Enables conversion of occurrence report data from one IT system into an ECCAIRS format
- Using the European Reporting Portal
 - Web reporting (possible Apps in the future)
 - Offline reporting and upload
 - Portal emails ECCAIRS compatible report to NAA

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Follow Up Reporting

- Main purpose of follow up reporting is to provide extra information following organisational investigations and follow up
- Organisations should provide follow up within 1 Month of occurrence
- Final report should be completed within 3 months
- This information is vital to identify causal factors from safety analysis to support safety improvements

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Knowledge and Intelligence



**Feedback gives us Knowledge
Analysis turns this into Intelligence**

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European Risk Classification Scheme

- Timescales for Development – 2 Phases
 - Phase 1 – 2015: Development of structure of the European Risk Classification Scheme
 - Phase 2 – 2016: Development of supporting material Principles established from work in Network of Analysts – compatibility with ARMS/ RAT etc
- For Regulation
 - Organisations can use any Risk Classification Scheme
 - When implemented – NAAs should use European Risk Classification Scheme

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Risk Classification Scheme - Development

- ToR provided by European Commission
- Group established in January - led by EASA
- Membership from cross section of industry
 - ATM – CANSO and Eurocontrol
 - NAAs – France, Spain and UK
 - ARMS Developers and Research Organisations
 - Airlines and Trade Organisations (AEA, EBAA, ERA, IATA)
 - Airports (ACI Europe) and Manufacturers (ASD)
- First meeting on 10-11 March

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Guidelines and Information Workshops

- To explain how the Regulation should be understood and interpreted
- To detail how it will interact with EASA Basic Reg 216/2008 and its IRs
- To propose good practices and possible means of compliance
- Workshops to support Guidelines in Brussels
 - For Member States – 30 March 2015
 - For Industry – 27 April 2015

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Confidentiality of Information

- Appropriate confidentiality of reports provided under the Regulation
- Information shall only be used for the **purpose of safety** and shall not be used to attribute blame or liability
- This does not prevent the use of information for risk based decision making or oversight

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Just Culture

- Protection for reporters and persons named in any occurrence report
- Refrain from proceedings using information and protection from prejudice by employers
- Development of a Policy Model for the Internal Industry Just Culture Policy
 - 3 Meetings with industry in March/ May/ June
 - High level conference – 1 October in Brussels
- Communication and promotion material to be developed this summer on Just Culture

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European Aviation Safety Agency

Comments or Questions?

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