ES²-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.
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**
- Airworthiness
- Operations & FCL
- 3rd Country Operations
- Aerodromes
- ATM/ANS

**Performance regulation**

**Safety regulation**

**Interoperability regulation**

**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
Where does Just Culture come in?

- Regulation (EC) No 996/2010
- Regulation (EU) No 691/2014
- Directive 2003/42/EC
- Regulation (EC) No 216/2008
**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 brought in respect of unpremeditated/unintentional infringements of law if reported
- Protection of incident reporting by employees
- Caveat: no prejudice to national rules related to access to information by judicial authorities
EASA’s role?

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

EASA core functions

- **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
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
**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)
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
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
2012 2013

15 Sep ANSPs submit to their NSA answers to EoSM and JC questionnaires
31 Oct
1 Feb NSA verifies the answers

20-21 Sep 2012 JC Workshop, Istanbul
Just Culture verification by EASA

2013

 Deadline to submit the verified answers to EASA

1 Feb

EASA/PRB preparation of safety performance Factsheets and final review of PRB 2012 report

1 Apr

EASA light verification of Safety KPIs

June

EASA continues on site verification of Safety KPIs (standardisation inspections)

Sep

2014
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)
Thank you for your attention!

Your safety is our mission.

easa.europa.eu
For further information, please contact:

Clarisse Ribeiro
Clarisse.Ribeiro@easa.europa.eu

Milen Dentchev
Milen.Dentchev@easa.europa.eu

Your safety is our mission.
Your safety is our mission.
easa.europa.eu
Key players in the EASA system

**COMMISSION**
- Adopts implementing rules
- Enforcement measures

**EASA**
- Proposes IR’s
- Adopts AMC’s, CS, GM
- Standardisation inspection
- Issues (rarely) certificates
- Assists States & stakeholders to apply the rules

**STAKEHOLDERS via SSCC**

**STATES**
- Implement rules
- Issue (most) certificates and licences
- Oversee organisations and personnel
- Advise EASA

**AGNA**

**Opinions**

**Reports**

**Comitology**

Extension - new tasks but roles remain?