Part-ORA

Part-ARA

Workshop on Reg. 1178/2011 and 290/2012
Vienna, Austria 24 January 2013

Helena Pietilä - Rulemaking Directorate, FCL

Your safety is our mission.
easa.europa.eu

Part-ORA Subpart GEN

ORA.GEN contains the general provisions that are applicable to all approved organisations

- Section I: General
- Section II: Management

These are complemented with the following ATO specific provisions

Part-ORA Subpart ATO

ORA.ATO Specific requirements related to Approved Training Organisations

- Section I: General
- Section II: Additional requirements for ATOs providing training for CPL, MPL, ATPL & associated ratings and certificates
- Section III: Additional requirements for ATOs providing specific types of training

ORA.GEN.105 Competent authority

For organisations in the territory of a Member State

Authority designated by the Member State

For organisations in a third country

The Agency

ORA.GEN.115

Application for an organisation certificate

- competent authority develops the procedures

- the organisation shall provide documentation including a procedure describing how changes **not requiring prior approval** will be managed and notified

ORA.GEN.130 Changes

Changes requiring prior approval :

- changes to the scope of the certificate

- changes to the terms of approval (list of training courses and FSTDs used)

- changes in the organisation's management: lines of responsibility and accountability

- changes in the safety policy

- additional changes as agreed upon initial certification (procedure)

ORA.GEN.120

Alternative means of compliance: need to demonstrate to the competent authority how the safety objective will be met

AMC1-ORA.GEN.120(a)

- risk assessment should be completed

- should demonstrate that an equivalent level of safety to that established by the AMC adopted by the Agency is reached

ORA.GEN.135 Continued validity

- No expiry date on the certificate

- The organisation needs to remain in compliance with the relevant regulation

The authority must get access to the ATO to determine

- the continued compliance of any facility, aircraft, document, records, data, procedures and other relevant material

ORA.GEN.150 Findings

The organisation shall:

- Identify the root cause of findings,

- Define a corrective action plan and

- Demonstrate corrective action implementation

ORA.GEN.155 Immediate reaction to a safety problem

The organisation shall implement:

- any safety measures mandated by the competent authority (ARA.GEN.135)
- mandatory safety information issued by the Agency (ADs and OSD related directives)

ORA.GEN.160 Occurrence reporting

- in a form and manner established by the competent authority
- as soon as practicable, but in any case within 72 hours (unless exceptional circumstances prevent it)

Safety Management System

ICAO Definitions

- *SMS:* A systematic approach to managing safety, including the necessary organizational structures, accountabilities, policies and procedures.

- *Safety.* The state in which risks associated with aviation activities are reduced and controlled to an acceptable level.

- *Safety risk.* The predicted likelihood and severity of the consequences or outcomes of a hazard.

- *Hazard.* A condition or an object with the potential to cause death, injuries to personnel, damage to equipment or structures, loss of material, or reduction of ability to perform a prescribed function.

Safety Management System

In other words

- a safety management system is a series of defined, organisation-wide processes that provide for **effective risk-based decision-making** related to the organisation's daily business

- globally speaking, SMS focuses on **maximizing opportunities to continually improve the overall safety of the aviation system**

Why do we need one?

- *the complexity of the aviation system requires systematic, proactive, performance based management of safety that should be fully integrated with operations*

- *compliance with regulations alone does not ensure safety*

- *organisations need management systems that allow them to identify random causes of potential accidents & incidents (regulations cannot capture these)*

Organisation Requirements & SMS

- ORs do not explicitly refer to SMS. Section II of Part-ORA Subpart GEN deals with "management system"

- ORA.GEN.200 and related AMCs/GM set out what is needed in terms of management system. These, together with the relevant provisions of the Basic Regulation, provide for compliance with the relevant ICAO SARPS on SMS

Management system in a nutshell

- Clearly defined lines of **responsibility and accountability**

- **Safety policy** – philosophies and principles

- **Identification** of aviation **safety hazards**, their **evaluation** and the **management of associated risks**, actions to **mitigate the risk** and **verify their effectiveness**

- To maintain **staff** trained and competent

- **Documentation** of all management system key processes

- Function to monitor **compliance** of the organisation, including a **feedback system**

Proportionality

The management system shall correspond to the size of the organisation and the complexity of its activities, taking into account the hazards and associated risks inherent in these activities.

(see also ICAO Annex 6 Appendix 7)
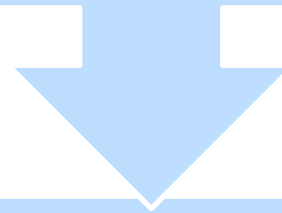
How is this achieved?

different sets of AMCs for "complex" and "non-complex" organisations	*details of SMS implementation are contained as AMC*

Definition of organisational complexity - three criteria (AMC1 ORA.GEN.200(b))

- size, in terms of staffing (>20 FTEs)

- complexity of the activities
  - number of operating sites,
  - number and type of contractors, ..

- risks involved
  - type of operations, e.g. specialised operations (helicopter hoist)
  - different types of aircraft
  - operating environment (mountainous areas, offshore, ..)

ORA.GEN.120 Means of compliance

"alternative means of compliance"

Organisations may use an alternative means of compliance to the AMC adopted by the Agency.

➢ Approval by the competent authority
➢ Equivalent level of safety
➢ Authorities will notify the Agency of the alternative means they have approved and inform other MS

Non-complex organisations
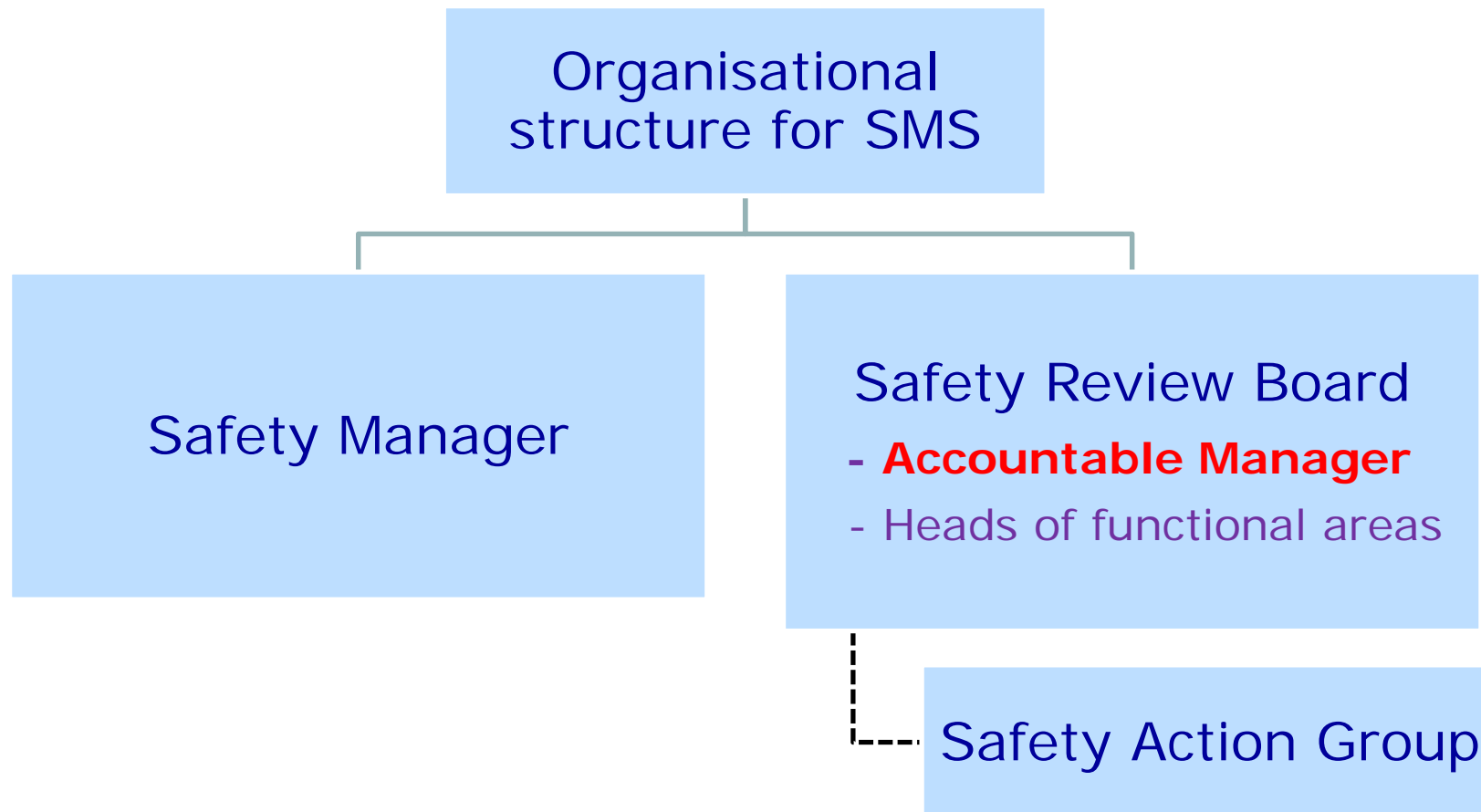
Management system in short:

- Hazard checklist
- Manage safety risks related to a change
- Safety manager (can be also AM)
- Responsibilities in relation to hazard identification, risk assessment and mitigation
- Safety policy
- Emergency response plan (ERP)

Complex organisations

Organisation and accountabilities

AMC1-ORA.GEN.200(a)(1)

```
                    ┌──────────────────────┐
                    │    Organisational    │
                    │  structure for SMS   │
                    └──────────────────────┘
              ┌──────────────┴──────────────┐
    ┌──────────────────┐         ┌──────────────────────────┐
    │                  │         │   Safety Review Board    │
    │  Safety Manager  │         │   - Accountable Manager  │
    │                  │         │   - Heads of functional areas │
    └──────────────────┘         └──────────────────────────┘
                                            ┊
                                      ┌──────────────────────┐
                                      │ Safety Action Group  │
                                      └──────────────────────┘
```

Accountable Manager

Responsibilities:

- actions can be financed
- actions can be carried out in accordance with the regulations
- effective management system is established and maintained

Safety Manager

Functions of the safety manager in complex ATO:

1. facilitate hazard identification, risk analysis and management;

2. monitor the implementation of actions taken to mitigate risks, as listed in the safety action plan;

3. provide periodic reports on safety performance;

4. ensure maintenance of safety management documentation;

5. ensure that there is safety management training available and that it meets acceptable standards;

6. provide advice on safety matters; and

7. initiate and participate in internal occurrence / accident investigations.

Safety Review Board (SRB)

High level committee, that

considers
- matters of strategic safety
- ensures appropriate resources are allocated to achieve safety objectives

monitors
- safety performance
- safety actions
- safety management processes remain effective

SAFETY POLICY

The safety policy is the means whereby the organisation states its intention to maintain and, where practicable, improve safety levels in all its activities and to minimise its contribution to the risk of an aircraft accident as far as it is reasonably practicable.

starting point to ensure efficacy and efficiency of the organisation's SMS

SAFETY RISK MANAGEMENT AMC1 ORA.GEN.200(a)(3)

- Hazard identification processes

  - reactive and proactive schemes + feedback

- Risk assessment and mitigation processes

  - analysis, assessment and control of risks

- Internal safety investigation following occurrences

  - beyond the scope of compulsory reporting

- Safety performance monitoring and measurement

  - combination of safety reporting, safety studies, safety reviews, safety audits, safety surveys

Complex organisations

SAFETY RISK MANAGEMENT continued

- Management of change
  - identify, assess and mitigate

- Continuous improvement
  - reactive and proactive evaluation (audits and surveys)
  - also individual's performance and effectiveness of the system

- Emergency Response Plan
  - actions to be taken in case of an emergency
  - co-ordination with ERPs of other organisations where appropriate

GM1 ORA.GEN.200(a)(3)

INTERNAL OCCURRENCE REPORTING SCHEME

- one element of the hazard identification process
- to identify instances where routine procedures have failed
  - assessment of safety implications to determine need for action
  - dissemination of information regarding relevant incidents and accidents
  - reactive evaluation of effectiveness of risk controls
  - all reports to be retained, as significance may only become obvious at a later stage

- Improve the safety performance without attributing blame

ORGANISATION MANAGEMENT SYSTEM DOCUMENTATION

The information may be contained in any of the organisation manuals

- safety management manual
- operations manual
- training manual

These manuals may also be combined.

It is not required to duplicate information in several manuals, however the organisation must be able to demonstrate that all items are covered

SAFETY MANAGEMENT MANUAL

Key instrument for communicating the approach to safety for the whole of the organisation, to document all aspects of safety management:

1. *scope of the safety management system;*
2. *safety policy and objectives;*
3. *safety accountability of the accountable manager;*
4. *safety responsibilities of key safety personnel;*
5. *hazard identification and risk management schemes;*
6. *safety action planning;*
7. *safety performance monitoring;*
8. *incident investigation and reporting;*
9. *emergency response planning;*
10. *management of change*
11. *safety promotion.*

COMPLIANCE MONITORING FUNCTION

Accountable manager (AM) should designate a compliance monitoring manager (CMM)

Functions of the CMM:

- verify that all applicable standards are complied with
- verify that the organisation's own requirements (policies and procedures) are complied with
- ensure that a compliance monitoring programme is implemented and continually reviewed & improved

The same person may act as CMM and SMM

Non-complex ATOs: AM can be the CMM

GM2 ORA.GEN.200(a)(6) - Complex

COMPLIANCE MONITORING PROGRAMME

- Typical subject areas for compliance monitoring inspections for ATOs should be:
  - facilities;
  - actual flight and ground training;
  - technical standards.

- ATOs should monitor compliance with the training and operations manuals they have designed to ensure safe and efficient training.
- No provisions on audit planning cycles
- CM according to size of the organisation and its complexity
- Dynamic planning (performance based)
- Independence of the audit function

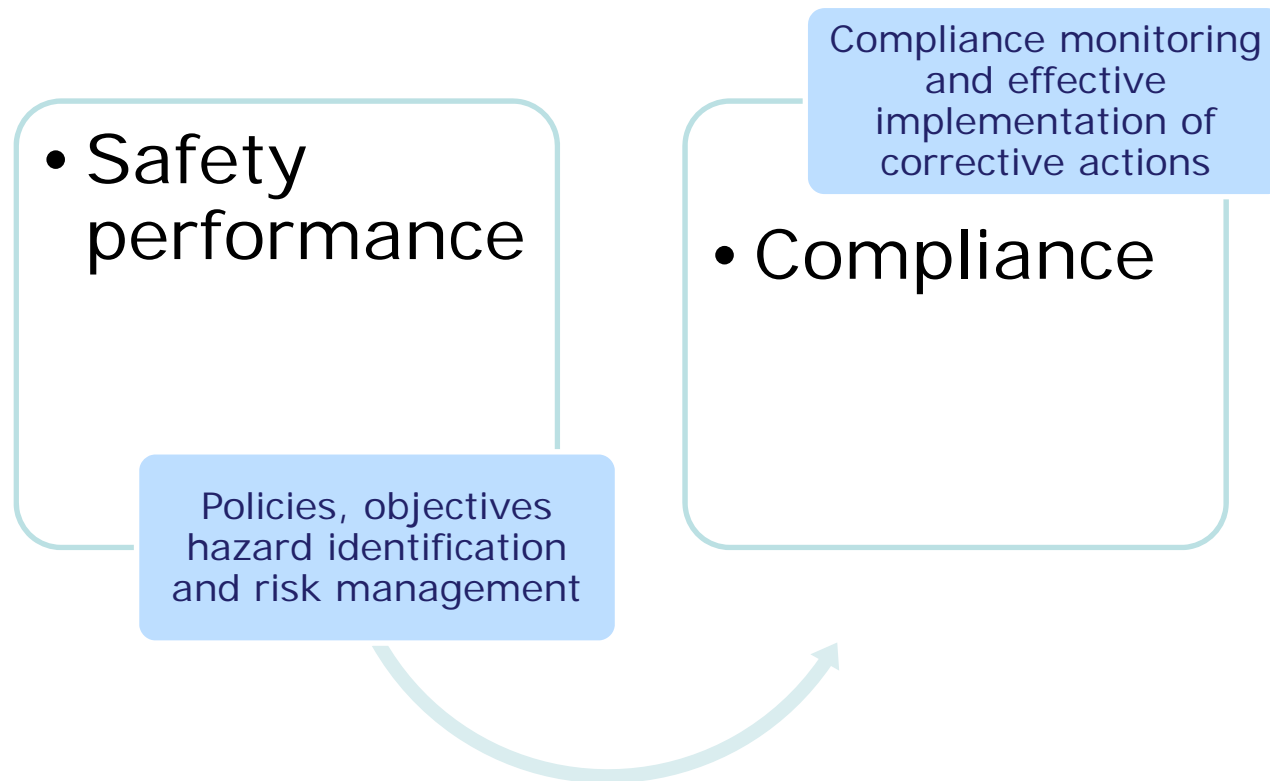## COMPLIANCE MONITORING RESPONSIBILITY WHEN CONTRACTING ACTIVITIES

- contracted safety related activities should be included in the organisation's compliance monitoring programme

- organisation to ensure that the contracted organisation has the necessary authorisation or approval when required, and commands the resources and competence to undertake the task

(same as in IEM No. 1 to JAR-FCL 1.055)

Compliance monitoring versus quality system

ORA.GEN.200 requires a management system with two core components. These are compatible with quality management systems, such as ISO 9001.

- Safety performance

  Policies, objectives hazard identification and risk management

- Compliance

  Compliance monitoring and effective implementation of corrective actions

ORA.ATO.105 Application

- Information / documents to be provided to the competent authority

- Relevant information in the case of a change to the certificate

Specific ORs for ATOs – HIGHLIGHTS

ORA.ATO.110
Personnel requirements

- An Head of Training shall be nominated
- Overall responsibility that the training is in compliance with the applicable requirements

- Requirements for instructors

ORA.ATO.120
Record keeping

- Records shall be kept for 3 years after completion of the training

- flight training, progress reports, information on licences and medical certificates

Specific ORs for ATOs – HIGHLIGHTS

ORA.ATO.125 Training Programme

- Shall be developed for each type of course offered

ORA.ATO.130 Training and operations manual

- shall be established and maintained

- Flight time limitation schemes for instructors in accordance with Part-ORO

Specific ORs for ATOs – HIGHLIGHTS

ORA.ATO.135 Training aircraft & FSTDs	ORA.ATO.140 Aerodromes and operating sites manual
• Adequate fleet of aircraft or FSTDs • FSTDs adequate to training	• Appropriate characteristics and facilities

ORA.ATO Section II

ATOs providing training for **CPL, MPL and ATPL** licences and associated ratings and certificates

ORA.ATO.210 Personnel requirements

ORA.ATO.225 Training Programme

ORA.ATO.230 Training Manual & Operations Manual

ORA.ATO.210 Personnel requirements

- Head of Training (HT)
  - Hold or have held a professional pilot licence (3 years rule)

- Chief Flight Instructor (CFI)
  - shall hold the highest professional pilot licence + associated ratings + instructor certificate at least for one course + flight experience

- Chief Theoretical Knowledge Instructor specified (CTKI)

Training manual and Operations manual

- training manual shall state the standards, objectives and training goals
  - see also AMC1 ORA.ATO.230(a)

- operations manual shall include relevant information to personnel and staff training
  - see also AMC1 ORA.ATO.230(b)

- manuals can be combined

-> cross-reference table between the regulations and the manuals

ORA.ATO Section III

Additional requirements for ATOs providing specific types of training

Chapter 1 Distance learning course

Chapter 2 Zero flight-time training

Chapter 3 Multi-crew pilot licence courses

Chapter 4 Flight test training

- ATO may provide **distance learning** courses for
  - Modular courses
  - HPA courses
  - Pre-entry course for ME helicopter

- At least 10 % classroom instruction

Specific ORs for ATOs – HIGHLIGHTS

Zero flight time training - ZFTT

only for ATOs that have also CAT privileges or

ATOs having a specific arrangement with a CAT operator

90 days operational experience on type (some exemptions)

FFS fully serviceable

ORA.ATO.350 MPL courses

Only ATOs with

- the privileges to conduct CAT or

- specific arrangement with CAT operator

Aircrew Regulation

Cover Regulation
(1178/2011 and 290/2012)

Annex I
Part-FCL

Annex III
Acceptance of TC
licences

Annex VI
Part-ARA

Annex II
Conversion of
national licences

Annex IV
Part-Medical

Annex VII
Part-ORA

Annex V
Part-Cabin Crew

Authority Requirements

ARA.GEN contains the general provisions :

- competent authority's organisation and management system

- initial certification and oversight of approved organisations, the qualification of FSTDs and the attestation of Cabin Crew

ARA.FCL contains specific requirements relating to flight crew licencing applicable to competent authorities

ARA.ATO contains specific requirements relating to approved training organisations applicable to competent authorities

CR Article 4

MS to ensure CAs have proper oversight capabilities

ARA.GEN.115

CAs to provide staff with required oversight & technical documentation

ARA.GEN.120

transparency and standardisation regarding the **alternative means of compliance process**

ARA.GEN.125

cooperation and the exchange of information between authorities and the Agency, as well as between the authorities themselves

ARA.GEN.120 Means of compliance

➢ Agency shall develop AMCs. When the AMCs are complied with, the related requirements of the IRs are met

➢ Alternative Means of compliance may be used as well

➢ The CA shall establish a system of constantly evaluating these AltMC used by itself or by organisations

➢ When the CA find that AltMC are in accordance with IRs:

      - notify the applicant

      - notify the Agency (content, all relevant documentation)

      - inform other MS

If CA uses AltMC itself it shall make them available for organisations and notify the Agency

MANAGEMENT SYSTEM

ARA.GEN.200

CAs to establish management systems

including compliance monitoring:

Internal audit & safety risk management

ARA.GEN.205

Procedures for allocation of tasks to qualified entities

(control of contractors)

ARA.GEN.210

Management of changes in the management system and information to the Agency

ARA.GEN.220

Record keeping requirements:

Storage, accessibility and traceability

Register of approved organisations

ARA.GEN.305 Oversight programme

Standard oversight planning cycle of 24 months, may be extended to 36 months, provided that:

- risks are properly managed
- changes are controlled
- no level 1 findings have been issued
- all corrective actions have been implemented on time

Further extension to **48 months** possible provided that ATO has an established and the authority accepted effective reporting system on safety performance and regulatory compliance

ARA.GEN.350 Findings and corrective actions

- Level 1:
  - lowers safety or seriously hazards flight safety,
  - lack of accountable manager,
  - failure to grant access to the competent authority,
  - falsification of evidence, malpractice or fraud
- Level 2: could lower safety or hazard flight safety

Level 1 findings: immediate action

Level 2 findings: corrective action implementation within 3 months, may be extended subject to satisfactory corrective action plan.

ARA.FCL.200 Issue and revalidation of licences

- A licence shall be issued using the form in Appendix I.

- Instructor or examiner certificates as an endorsement or as a separate document

- Specific authorisation for examiners to revalidate ratings or certificates

Specific ARs for FCL – HIGHLIGHTS

ARA.FCL.205 Monitoring of examiners

- Oversight Programme to be developed
  - for the conduct and
  - for the performance of examiners

- Competent authority shall have a list of examiners updated and published regularly

- Authority shall develop procedures to designate examiners for skill tests

ARA.FCL.210 Information for examiners

Safety criteria for tests and checks when conducted in an aeroplane

- competent authority may provide this

- also for those examiners certified by other authorities but who exercise their privileges in the area

ARA.FCL.215 Validity period

- Applicant may be allowed to exercise his privileges for 8 weeks after successful completion of an examination – pending the endorsement on the licence

  - procedures to be developed by the competent authority

Specific ARs for FCL – HIGHLIGHTS

ARA.FCL.220 Procedure for re-issue of a licence

- Only valid ratings and certificates are transferred to the new licence document

ARA.FCL.300 Theoretical knowledge examinations

- Procedures by competent authority

- Questions for MPL, CPL, IR and ATPL examinations shall be from European Central Question Bank (ECQB)

Specific ARs for FCL – HIGHLIGHTS

ARA.FCL.300 Theoretical knowledge examinations

- More details and distribution of questions in AMC1 ARA.FCL.300

- Terminology (sitting, attempt, etc.) in AMC1 FCL.025

Specific ARs for ATO – HIGHLIGHTS

ARA.ATO.105 Oversight programme

Shall include the monitoring of course standards, including the sampling of training flights with students, if appropriate to the aircraft used.

AMC1-ARA.ATO.105 (detailed)

- Checking facilities for compliance

- Interviewing personnel

- Sampling relevant training courses

- Specific audit or inspection items

ARA.ATO.120 Record keeping

- In addition to the records in ARA.GEN.220, details of courses provided by the ATO

- If applicable records relating to FSTDs used for training

Specific ARs for ATO – HIGHLIGHTS

EASA Form 143 – ATO certificate

- Attachment:
  - TRAINING COURSE APPROVAL
    - including list of training courses and FSTDs ("user approval")

Member States shall replace the certificates with certificates complying with the format laid down the Air Crew Regulation by 08 April 2017 at the latest.

Thank you for your attention.

www.easa.europa.eu

fcl@easa.europa.eu

Your safety is our mission.
easa.europa.eu