



EASA

European Aviation Safety Agency

OPEN SESSION: Risk based regulations and oversight

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EASA
European Aviation Safety Agency

EASA transition towards a Performance Based Environment (PBE)

Thaddée Sułocki

9 December 2015

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EASA view: $PBE = PBR + RBO$



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Available [here](#)

A Harmonised European Approach
Based Environment

PERFORMANCE BASED ENVIRONMENT

PERFORMANCE
BASED **REGULATIONS**

RISK BASED
OVERSIGHT



CE-1

CE-2

CE-3

CE-4

CE-5

CE-6

CE-7

CE-8



Implementation of PBE

Recommendation from MB Sub-Group on the Future of the European Aviation Regulatory System

Review of the EASA Basic Regulation:

- transition to a risk and performance based approach to regulations and oversight
- support the implementation of SMS and State Safety Programme through the enactment of the European Aviation Safety Plan (EASp)

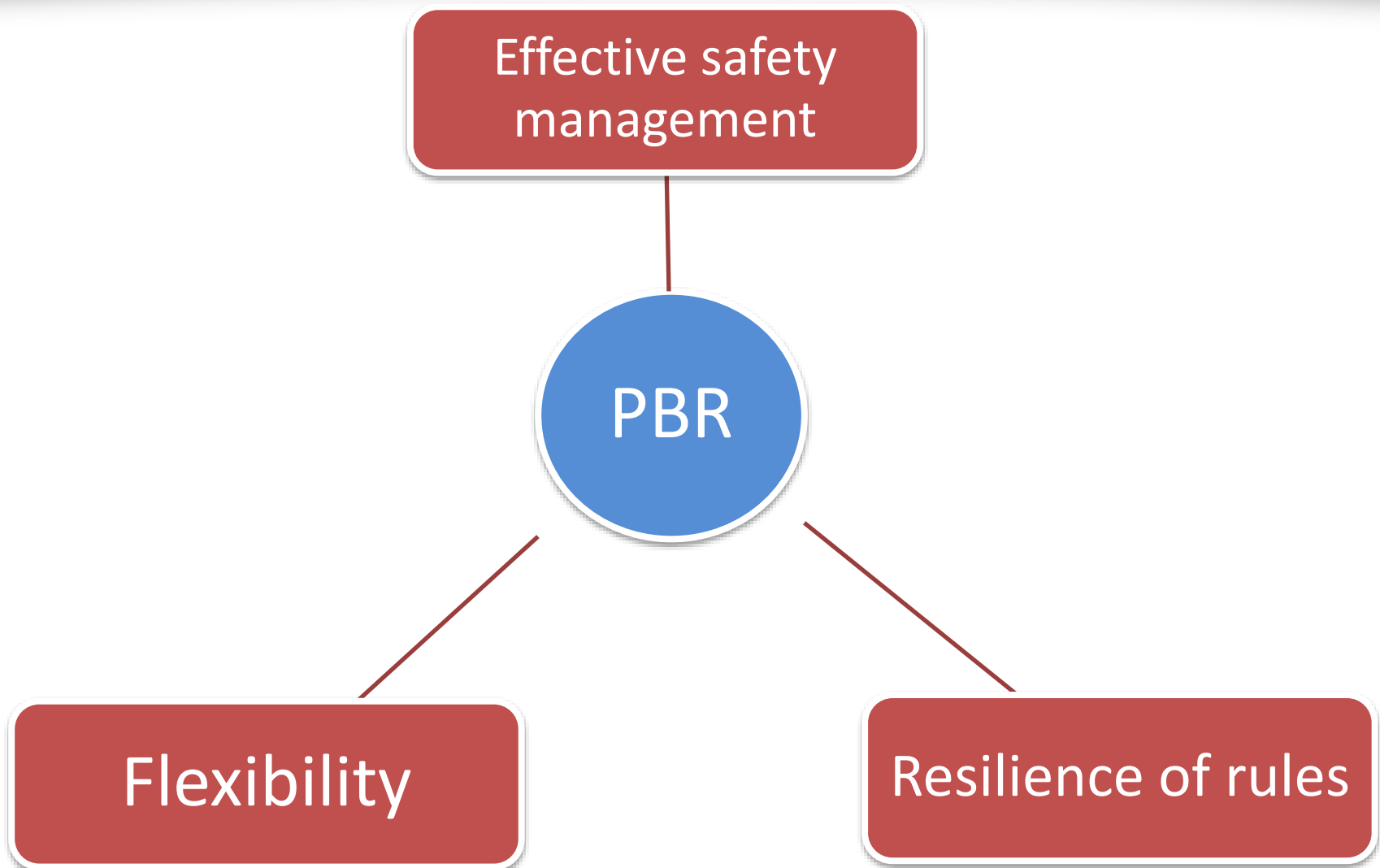
EASA's vision:

- proactively work on safety, supported by strong safety analysis capability
- proportionate and performance-based rules
- right mix between prescriptive rules and PBR
- integrated, data-driven risk-based oversight

PBE



Expected benefits of Performance Based Rules





The starting point

ARx.GEN.305(b)

For organisations certified by the competent authority, the oversight programme shall be developed taking into account

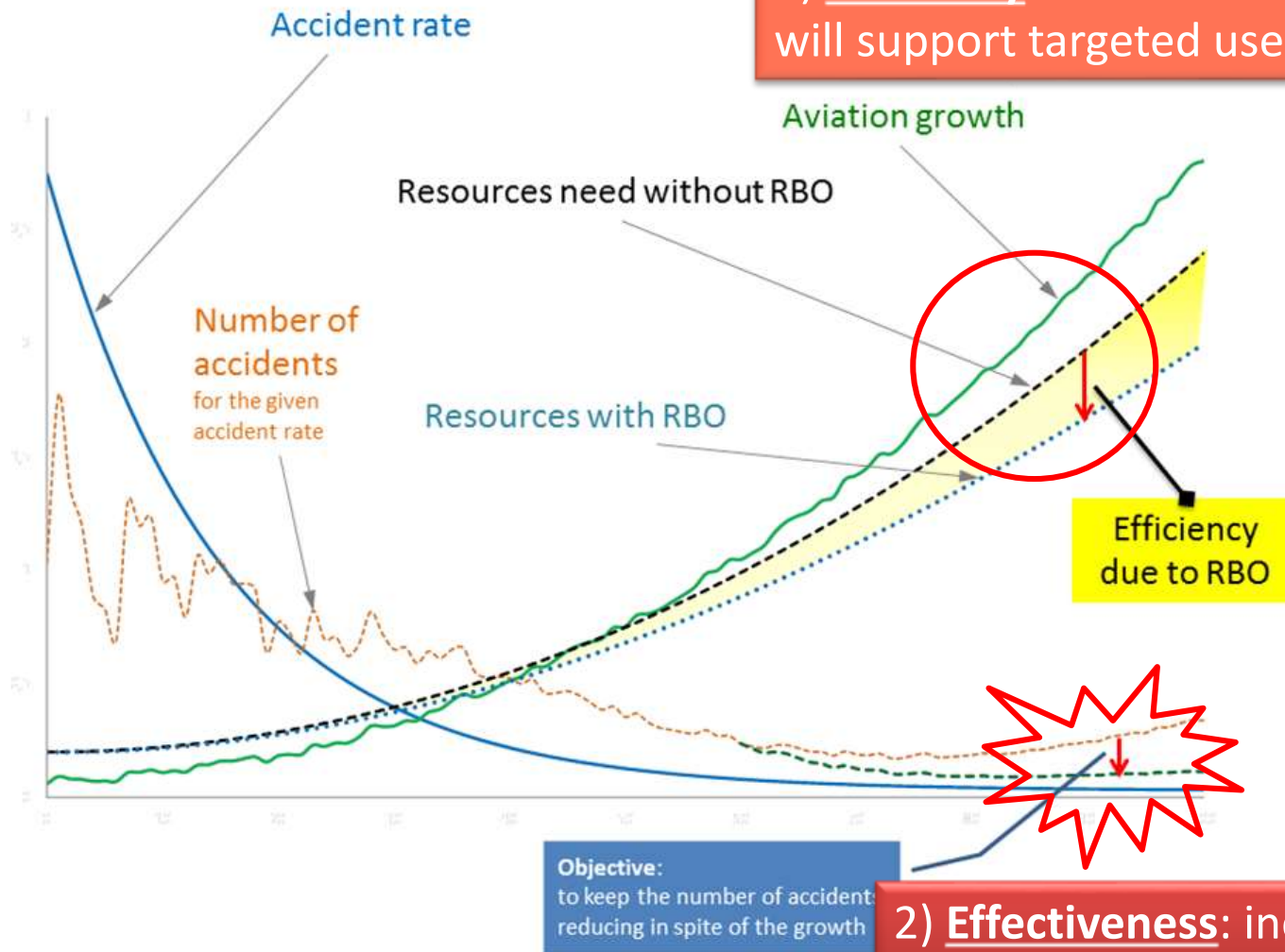
- the **specific nature** of the organisation,
- the **complexity** of its activities,

- the **results of past certification and/or oversight activities** required by ARO.GEN and ARO.RAMP, and shall be based on the **assessment of associated risks.**



Expected benefits of RBO in a growing industry

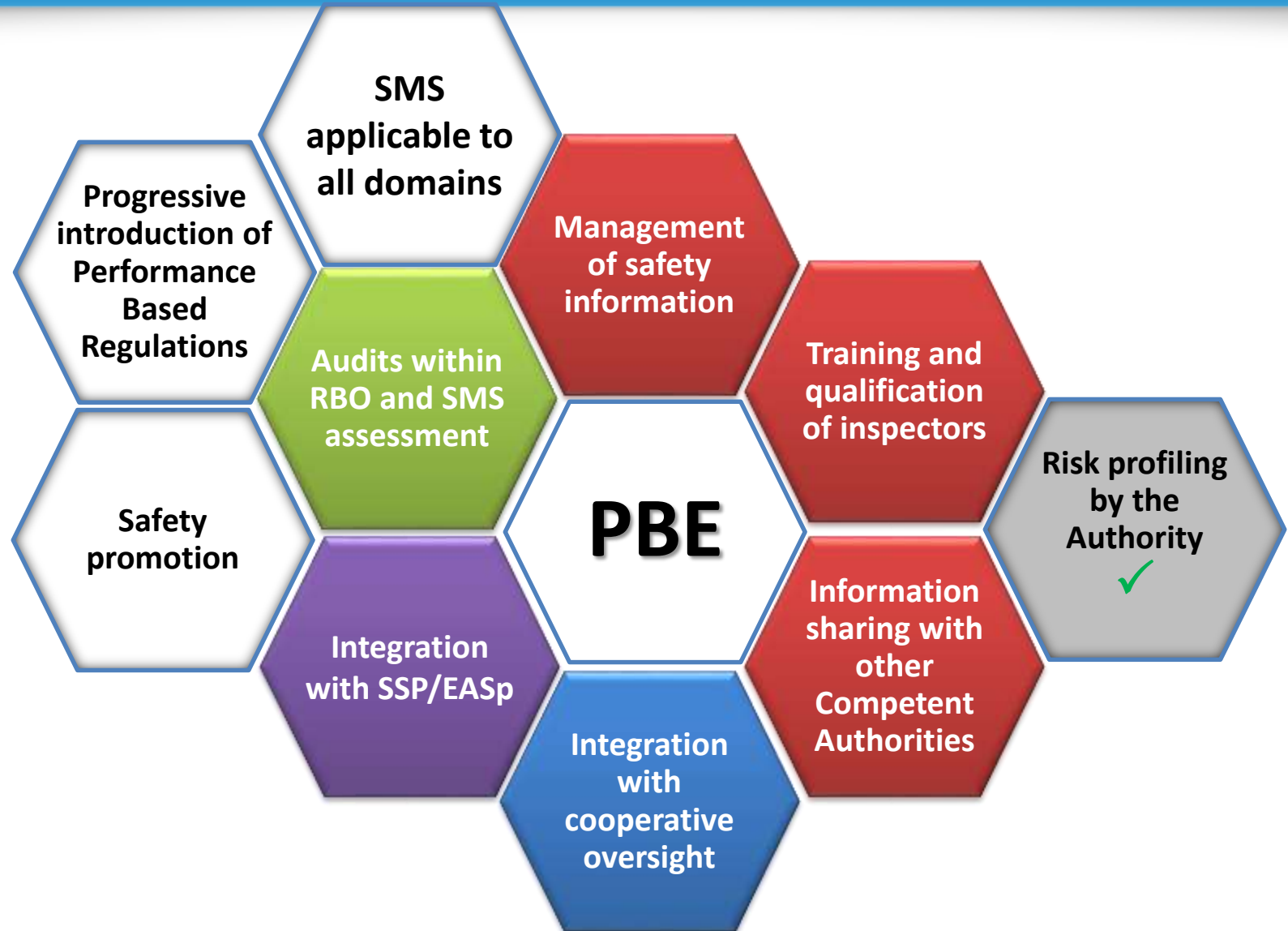
1) **Efficiency**: better knowledge and analysis will support targeted use of resources



2) **Effectiveness**: increased focus will improve safety



Next developments





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Thank you for your attention

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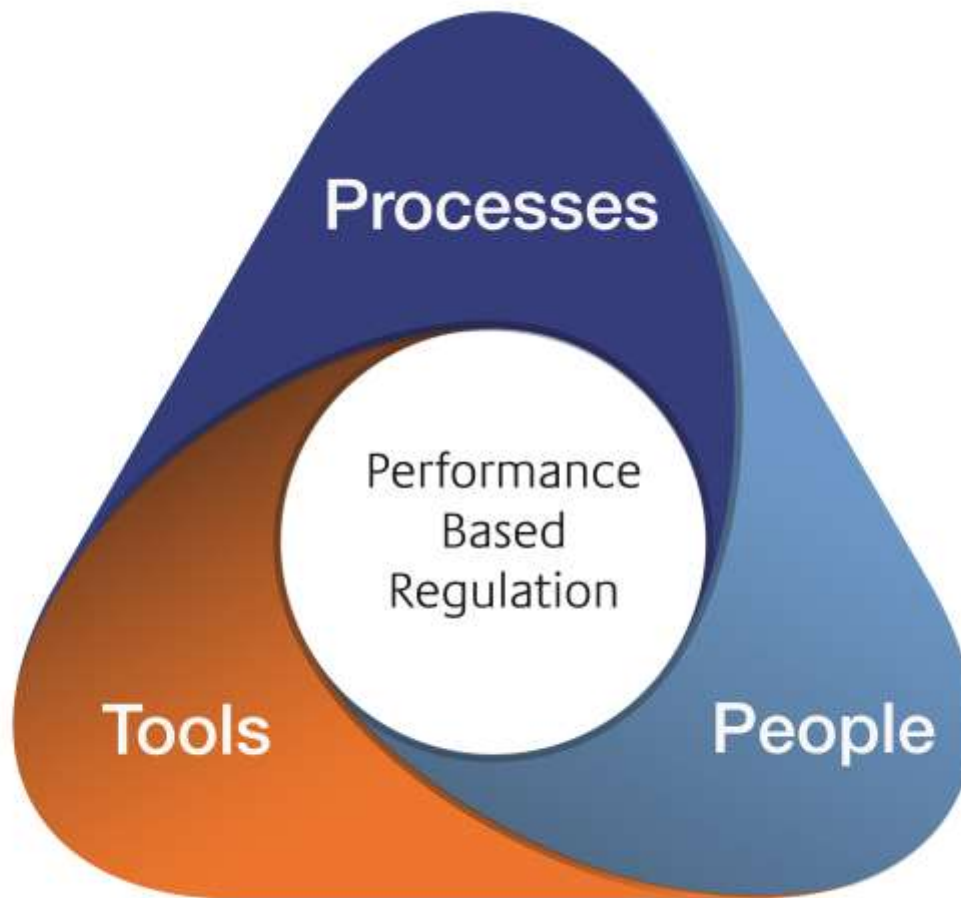
UK CAA's Transformation to be a 'Performance Based' Regulator

Ben Alcott
International Director
UK Civil Aviation Authority
9 December 2015

When we began 2 years ago we had a clear vision for our change programme

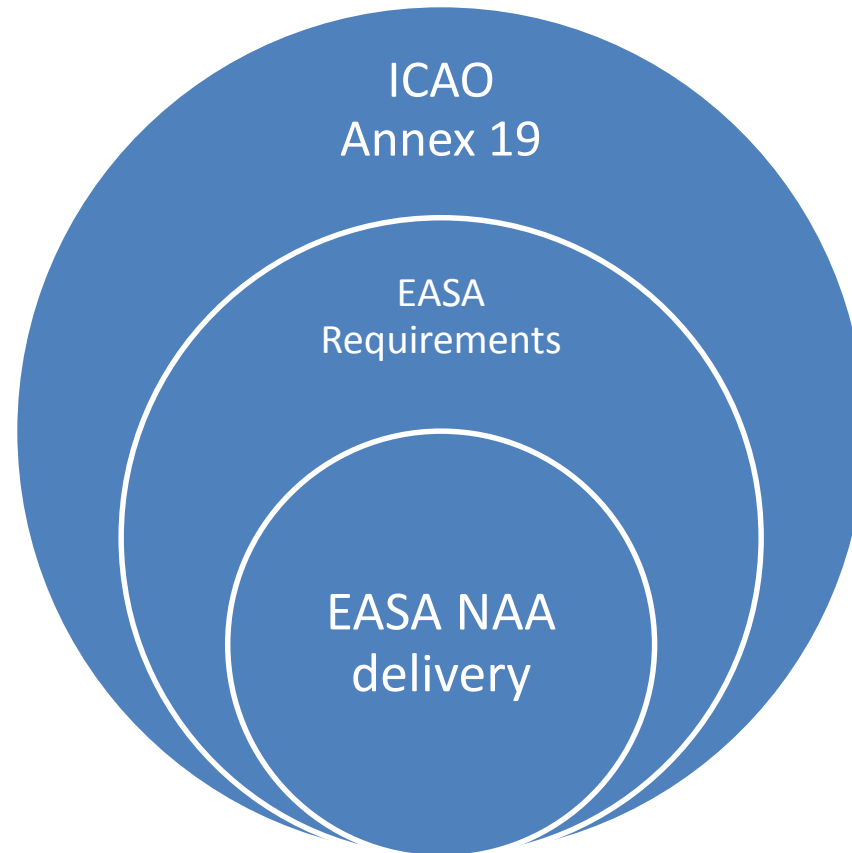
To transform the CAA into a Performance Based Regulator, working with industry to demonstrably reduce safety risk across the total aviation system and develop the capabilities required for future regulators.

Achieving this is a major change programme requiring top down commitment to succeed...



...And change is never easy

The context for PBR starts at the global level for an EASA NAA



The European Context

EASA Pivot to Performance Based Regulation



The CAA's PBR Programme was designed to provide the link between industry SMS and the requirements placed on National Authorities



OR*.GEN.200 (a) 3:

The identification of aviation safety hazards entailed by the activities of the operator, their evaluation and management of associated risks, including the actions to mitigate the risk **and verify the effectiveness**

The oversight programme (EASA ARA/ARO.GEN.305):

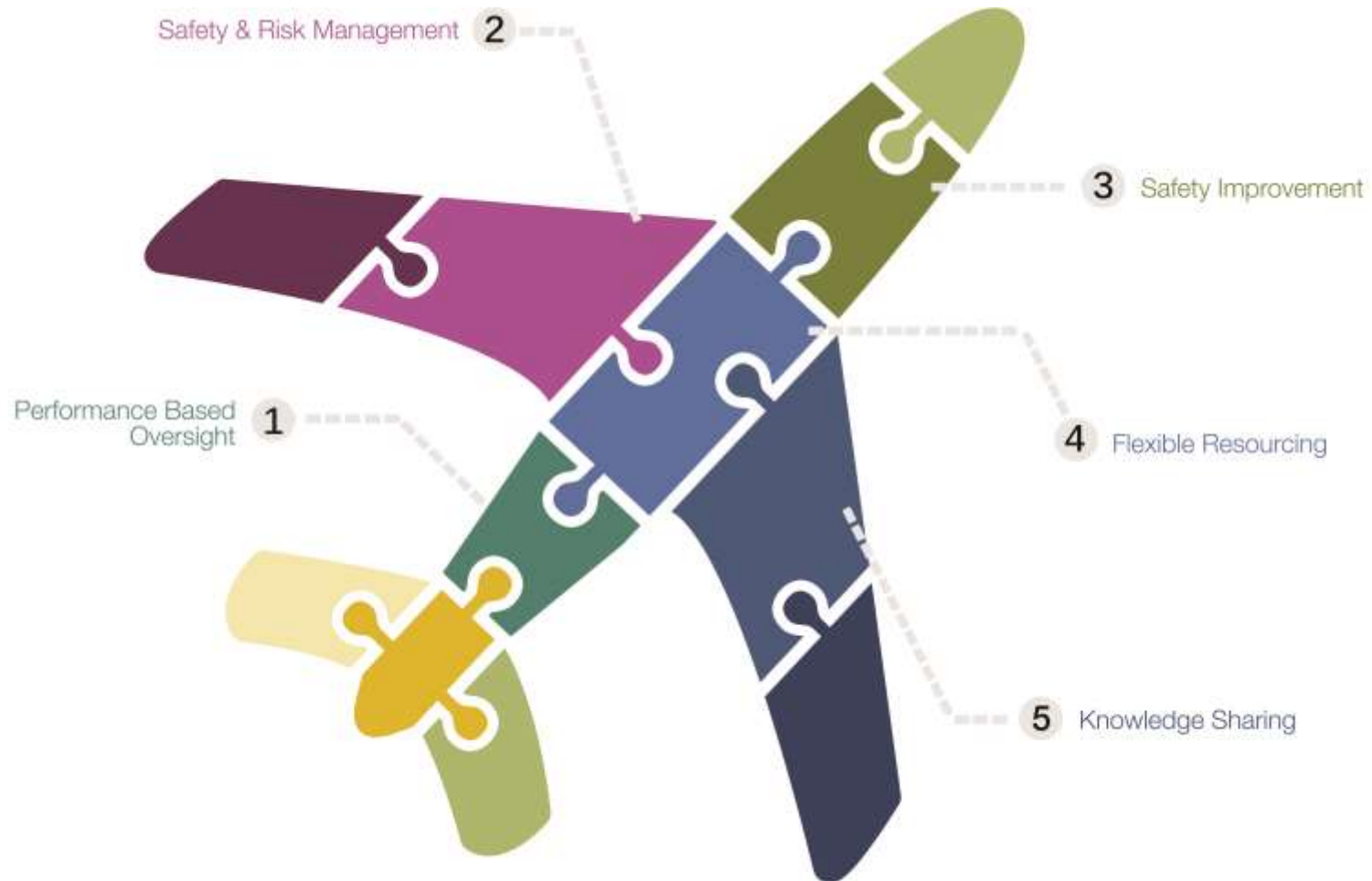
....must be developed taking into account the **specific nature of the organisation**, the **complexity of its activities**, the results of **past certification and/or oversight activities** required by ARO.GEN and ARO.RAMP and shall be **based on the assessment of associated risks**.

Driven by an NAA Management System (ARA/ARO.200):

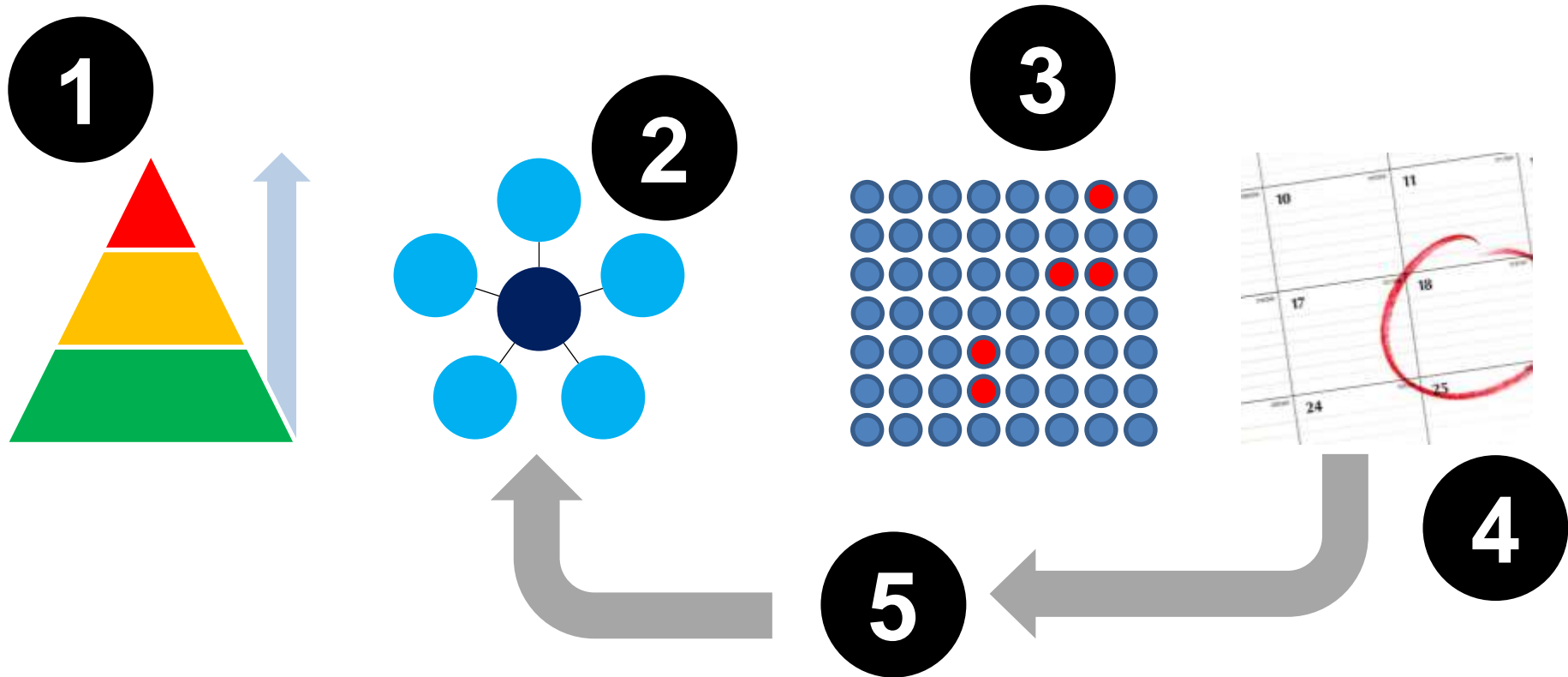
The competent authority shall establish and maintain a **management system**, including as a minimum:

- (1) documented **policies and procedures** to ... achieve compliance with Regulation (EC) No 216/2008
- (2) a **sufficient number of personnel** to perform its tasks and discharge its responsibilities. Such personnel shall be **qualified to perform their allocated tasks** and have the necessary knowledge, experience, initial and recurrent training to ensure continuing competence. A system shall be in place to **plan the availability of personnel**, in order to ensure the proper completion of all tasks

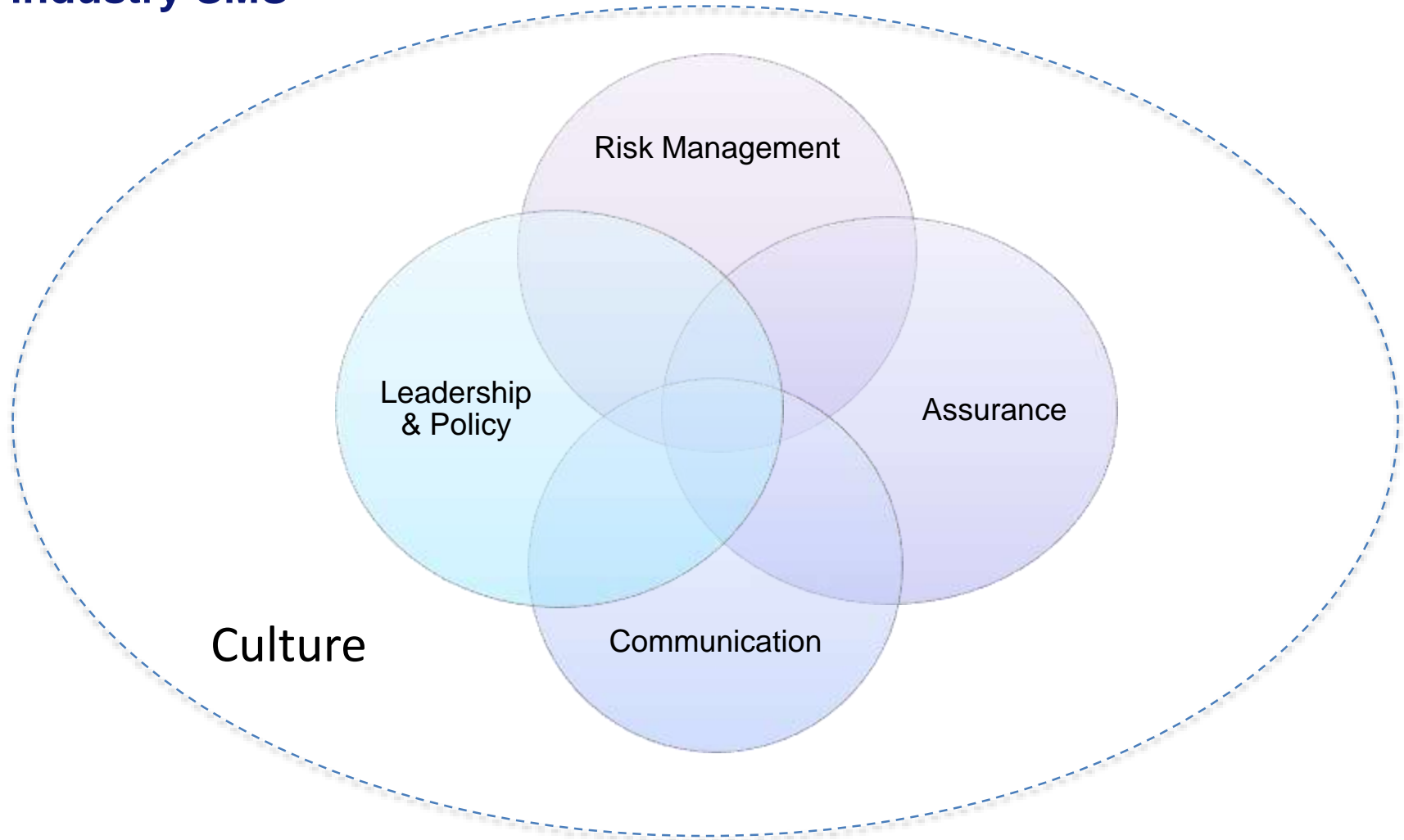
To deliver on these requirements, an NAA needs a number of key capabilities



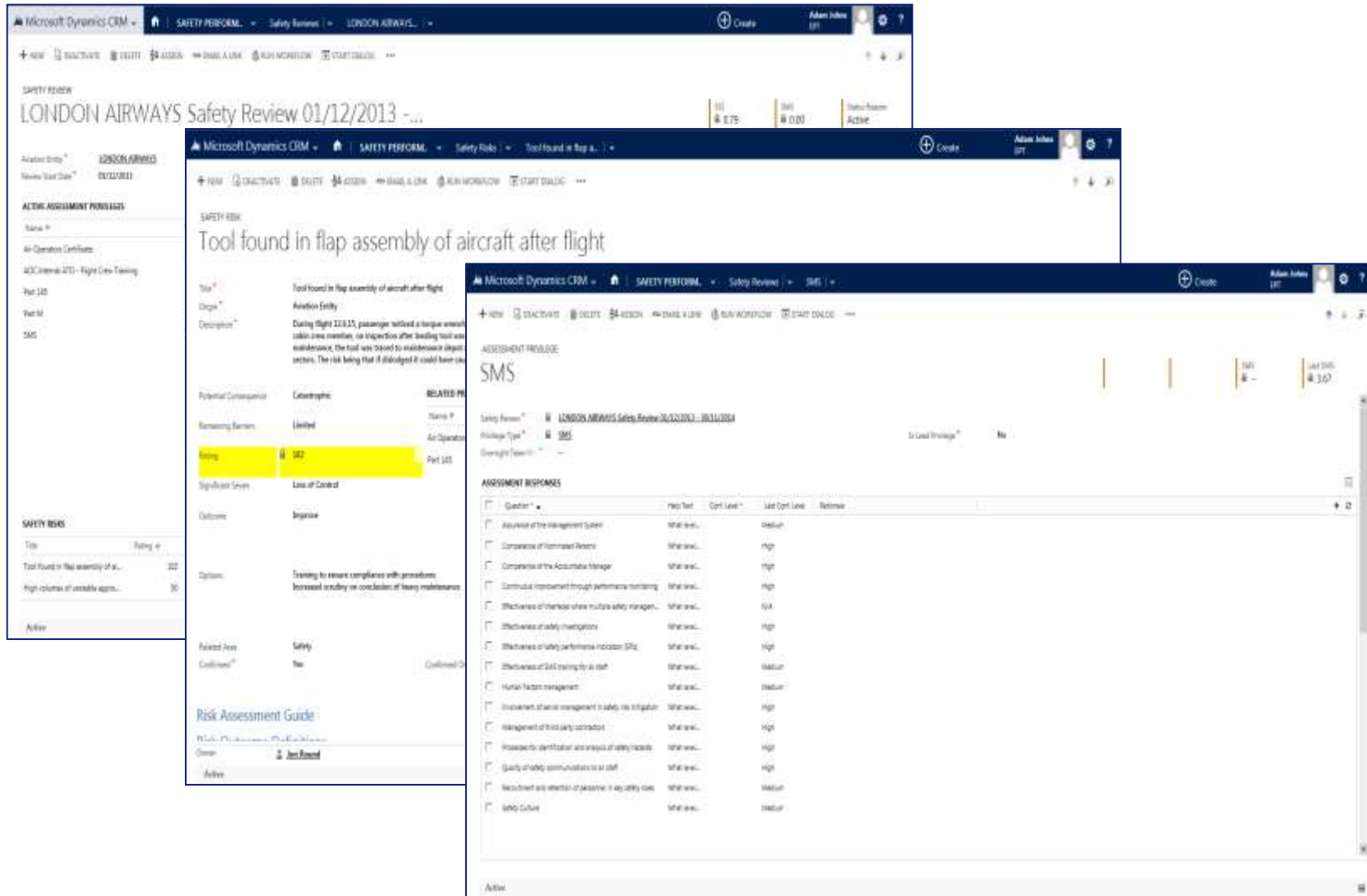
Performance Based Oversight (PBO) forms the foundation of PBR



Our Regulatory SMS will drive our sector and system wide decisions, combining our PBO knowledge with other intelligence to create rich risk pictures...BUT it's *not* an industry SMS



We have delivered new tools to support our processes



The image displays three overlapping screenshots of the Microsoft Dynamics CRM interface, showcasing new tools for safety review and risk assessment.

Top Screenshot: LONDON AIRWAYS Safety Review 01/12/2013

This screenshot shows the main dashboard for a safety review. The title bar indicates "SAFETY PERFORM." and "Safety Review | LONDON AIRWAYS". The left sidebar lists navigation options: "NEW", "DEACTIVATE", "DELETE", "ASSIGN", "EMAIL A LINK", "RUN WORKFLOW", and "START DIALOG". The main content area displays the "SAFETY REVIEW" for "LONDON AIRWAYS" on "01/12/2013". A sidebar on the left lists "ACTIVE ASSUMPTION PRIORITIES" with details for "Name", "Air Operator Certificate", "MSD/Intervall 270 - Flight Crew Training", "Part 145", "Part M", and "SMS".

Middle Screenshot: Tool found in flap assembly of aircraft after flight

This screenshot shows a detailed view of a safety risk. The title bar indicates "SAFETY PERFORM." and "Tool found in flap assembly of aircraft after flight". The main content area displays the "SAFETY RISK" details, including the title "Tool found in flap assembly of aircraft after flight", the description "During flight 12345, passengers noticed a foreign object in the cabin area, on inspection after landing tool was maintenance, the tool was found to maintenance department. The risk being that it could have caused...", and the potential consequence "Catastrophic". The risk is categorized as "SMS" and "Part 145".

Bottom Screenshot: SMS Assessment Responses

This screenshot shows the "SMS" (Safety Management System) assessment responses. The title bar indicates "SAFETY PERFORM." and "SMS". The main content area displays a table of assessment responses, including columns for "Question", "Risk Level", "Last Risk Level", and "Response". The table lists various questions related to safety management, such as "Assessment of the Management System", "Competence of the Management System", "Competence of the Accountable Manager", "Continuous improvement through performance monitoring", "Effectiveness of the safety management system", "Effectiveness of safety investigations", "Effectiveness of safety performance indicators (SPI)", "Effectiveness of SMS training for all staff", "Human factors management", "Development of a safety management system (SMS)", "Management of third party contractors", "Procedures for identification and management of safety hazards", "Quality of safety communications to all staff", "Recruitment and retention of personnel in key safety roles", and "Safety Culture".

People – helping our colleagues deliver PBR

- Hard skills training
- Soft Skills training
- Role specific competency framework
- Described the culture that underpins PBR and how to get there
- Embedding PBR into our HR systems and processes

Since we started we have delivered significant change...



- Performance Based Oversight (PBO) processes have been designed and tested
 - Over 200 current field force staff have been trained
 - Over 200 entities have made the transition to the PBO way of working
- Emerging CAA Regulatory SMS processes now in place
- New IT tools for PBO have been designed, configured, delivered and are in use
- A process to aggregate, assess and prioritise total aviation risks has been developed

Are we getting the benefits?

PBO

- CAA Colleagues report the team approach adds significant value
- Simplified common tools and processes improve efficiency
- 'Better Regulation' principles embedded by design
- Accountable Manager meetings delivering higher value than previously
- EASA support for approach

RSMS

- Theory sound and has EASA support
- Phase 1 (present and suitable) test met

Some benefits already beginning to be realised – more to come in increased safety and efficiency

In conclusion.....

- Don't underestimate the size or complexity of the change
 - You'll need a really good plan
 - You'll need experience of organisational change
 - You'll need resources *dedicated* to making the change
- It is a *major* change programme covering
 - Processes
 - Tools
 - PEOPLE
- It's a change for your industry too: Keep them involved
- Keep focused on the primary goal of **Improved Safety**
- But don't overlook the benefits of **Improved Efficiency**