

Case Study EASA Risk Based /Performance Based Oversight and Measurement of Effectiveness of ATO/DTO

Sofema Aviation Services (SAS) www.sassofia.com considers key aspects of Risk Based Oversight of Approved Training Organisation (ATO) and Declared Training Organisation (DTO)

Introduction

Following the introduction of Regulation 1178/2011 the single option for all pilot training requirements was the Approved Training Organisation (ATO) it was established that a better solution was required to provide a more proportionate response for General Aviation. Following wide consultation, EASA produced a General Aviation Training process we now know as the 'Declared Training Organisation' (DTO).

The EASA ATO approval process requires that an organisation be an 'Approved Training Organisation' (ATO) to enable the provision of training for the

- Issue or renewal of European professional pilot's licenses
 - CPL
 - MPL
 - ATPL
 - Issue of associated ratings
 - IR
 - Type Ratings

A Declared Training Organisation (DTO) is a system which has been specifically developed to meet the needs of general aviation for a training system which was more appropriate and proportionate for the needs of General Aviation (GA).

- A Declared Training Organisation (DTO) does not need approval from the Competent Authority in the way that an Approved Training Organisation (ATO) does, instead, a representative of the organisation submits a declaration.
- The declaration confirms that the organisation has implemented a safety policy and will comply with all applicable requirements; it lists the training courses the organisation will provide, the aircraft aerodromes and operating sites to be used, and the names of management personnel.

DTO Management Structure

Within the DTO is required typically 2 management positions as follows:

- The 'Representative' is responsible to develop and implement the safety policy and to ensure that the DTO complies with all applicable requirements additionally the representative is responsible to ensure sufficient resources are available.
- The 'Head of Training' who accepts responsibility for the content of the training courses as well as the delivery of training.

Note – The same person could be nominated as both Representative and Head of Training however the DTO needs to have adequate facilities and aircraft

DTO Training Program Introduction

The DTO is able to provide the required training in support of:

- The light aircraft pilot's licence (LAPL),
- Private pilot's licence (PPL)
- Helicopter
 - Type-ratings for single-engine aircraft (including turbines) with five or less seats and
 - Night Ratings
 - Sailplanes Ratings
 - Balloon Pilot Ratings
 - Associated Ratings
 - Night Flight
 - Aerobatics
 - Mountain Flying
 - Sailplane Towing
 - Banner Towing

DTO Training Program Structure

- A training program is required for each course (Information to support available in Part -FCL).
- Standardisation courses for flight examiners may be offered but require specific pre-approval from the competent authority.

Note – DTOs are not required to have an Operations Manual but might choose to have one.

DTO Records and Reporting Obligations

- DTOs shall keep the following records:
 - All training delivered.
 - The progress of individual students.
 - The qualifications of instructors.

Note 1 – Course completion certificates will be issued for the students to use when they apply for their licenses or ratings.

Note 2 – In place of compliance monitoring, a DTO will conduct an annual internal review and produce a report. The review will cover safety performance and adequacy of training. The report will also include details of the training courses delivered during the year.

DTO Competent Authority Oversight

- Although there is no ‘approval’ requirement the Competent Authorities are under an obligation to conduct oversight of DTOs.
 - Risk-Based oversight, with focus on
 - Larger organisations
 - DTO’s providing more training or
 - When the CA deems it is necessary (safety risks).
- Authorities will conduct “random” inspections and audits on DTOs, sometimes unannounced

Potential Corrective Action Required

- Possibility to Suspend Organisation From Training Provision

Primary differences in EASA Risk-Based / Performance-Based Oversight and Measurement of Effectiveness between an Approved Training Organisation ATO and a Declared Training Organisation DTO:

The primary difference in EASA Risk-Based / Performance-Based Oversight and Measurement of Effectiveness between an ATO and a DTO is that ATOs are subject to more stringent oversight, whereas DTOs are overseen by the NAA.

- This difference affects the level of risk assessment, performance monitoring, and measurement of effectiveness.
- Risk-based oversight refers to the process of identifying, assessing, and prioritizing risks associated with the activities of an organization, and developing strategies to manage those risks.
- Performance-based oversight refers to the process of monitoring an organization's performance against specific performance indicators, such as safety, quality, and efficiency.

In terms of risk-based oversight, EASA requires a risk-based approach to its oversight of ATOs, which involves assessing the safety risks associated with the organization's activities and determining the appropriate level of oversight required.

- In contrast, DTOs are overseen by the NAA, which may apply a less stringent risk-based approach to oversight.

ATO DTO Performance Based Oversight Introduction

In terms of performance-based oversight, both ATOs and DTOs are required to monitor their own performance and provide evidence of their effectiveness.

- ATOs are required to maintain a quality management system that includes performance monitoring and measurement, whereas DTOs are required to maintain a training management system that includes performance monitoring and measurement.
- The level of performance monitoring and measurement will differ between ATOs and DTOs, ATOs typically being required to maintain more comprehensive performance monitoring and measurement systems than DTOs.

Note - Under the risk-based oversight approach, EASA requires the evaluation of the safety performance of ATOs and DTOs based on their safety management systems, safety culture, compliance with regulations, and safety-related activities.

- The safety performance of the organizations is assessed using safety indicators and safety performance targets.

Performance-Based Oversight Checklist - Generic

Involves assessing the safety performance of ATOs and DTOs based on their safety outcomes, rather than their compliance with regulations.

- This approach emphasizes the need for continuous improvement in safety performance and encourages ATOs and DTOs to take a proactive approach to safety.
- To measure the effectiveness of ATOs and DTOs, Regulators use a range of performance indicators, such as
 - Safety reporting rates,
 - The number of safety-related incidents, and
 - Safety culture assessments.
- The agency also conducts safety audits and inspections to identify areas for improvement and to ensure that safety standards are being met.

Here is a generic checklist for EASA Risk-Based / Performance-Based Oversight and Measurement of Effectiveness of ATO/DTO:

- Determine the scope of the oversight activity.
- Develop a risk-based oversight plan for the activity.
- Identify the risks associated with the activity.
- Identify the performance-based metrics to be used in the oversight activity.
- Determine the data sources to be used to measure the metrics.
- Establish the criteria for determining the effectiveness of the activity.
- Determine the resources required to conduct the oversight activity.
- Identify the personnel responsible for conducting the oversight activity.
- Provide training to the personnel responsible for conducting the oversight activity.
- Establish a schedule for conducting the oversight activity.
- Conduct the oversight activity according to the established plan and schedule.
- Collect data and analyze the results of the oversight activity.
- Identify areas of non-compliance or areas where improvement is needed.
- Develop a plan to address any areas of non-compliance or areas where improvement is needed.
- Monitor the implementation of the plan to address areas of non-compliance or areas where improvement is needed.
- Reassess the oversight plan and metrics periodically to ensure they remain effective.
- Maintain records of the oversight activity and the results of the assessment.
- Provide feedback to the ATO/DTO regarding the results of the oversight activity and any areas where improvement is needed.

What Specific Items to be checked as part of an EASA Risk-Based / Performance-Based Oversight and Measurement of Effectiveness of ATO/DTO:

- **Compliance with regulatory requirements:** The ATO/DTO should comply with all applicable regulations and standards, including those related to safety management, training standards, and air operations.
- **Training programs:** The training programs should be designed to meet the needs of the students and be consistent with the regulatory requirements.
- **Quality management system:** The ATO/DTO should have an effective quality management system in place to ensure that training programs are delivered in a safe, efficient, and effective manner.
- **Instructor qualifications and training:** The ATO/DTO should have qualified and competent instructors who are properly trained and meet the regulatory requirements.

- **Training equipment and facilities:** The ATO/DTO should have adequate training equipment and facilities that are maintained in a safe and serviceable condition.
- **Safety management system:** The ATO/DTO should have an effective safety management system that identifies and manages safety risks associated with its training operations.
- **Student records:** The ATO/DTO should maintain accurate and complete records of each student's progress and performance throughout their training.
- **Continuous monitoring:** The ATO/DTO should continuously monitor its training operations to identify and address any safety risks or issues that arise.
- **Measurement of effectiveness:** The ATO/DTO should have a process in place to measure the effectiveness of its training programs and identify areas for improvement.

What are the Challenges related to Effective Risk-Based / Performance-Based Oversight and Measurement ATO and DTO.

- **Data availability and quality:** A key challenge in implementing risk-based oversight and performance-based oversight is the availability and quality of data.
 - Data is required to establish risk profiles, measure performance, and track the effectiveness of oversight activities.
 - However, data may not always be available or may be of insufficient quality, which can hinder the effectiveness of oversight.
- **Resources:** Effective risk-based oversight and performance-based oversight require significant resources, including personnel, infrastructure, and technology.
 - Regulators and industry stakeholders may not always have the resources to implement and sustain these activities over the long term.
- **Complexity:** Oversight activities must be tailored to the unique characteristics of each organization.
 - Developing risk profiles, performance metrics, and oversight plans can be challenging, and it may be difficult to ensure consistency across organizations.
- **Training and expertise:** Requires highly trained and knowledgeable personnel who are able to apply risk-based and performance-based oversight principles.
 - Potential shortage of trained personnel, and it may be difficult to retain personnel with specialized knowledge and expertise.
- **Cooperation and coordination:** Requires cooperation and coordination between regulators and industry stakeholders.

- Potential challenges in developing and maintaining effective partnerships, particularly where there are differences in regulatory frameworks or cultural norms.
- Continuous improvement: Risk-based and performance-based oversight requires ongoing evaluation and continuous improvement. Regulators and industry stakeholders must be willing to identify areas for improvement and take action to address them.
- Overall, the challenges related to EASA Risk-Based / Performance-Based Oversight and Measurement of Effectiveness of ATO/DTO highlight the need for a collaborative and coordinated approach to aviation oversight that prioritizes data quality, resource allocation, training and expertise, and continuous improvement.

DTO Checklist

- **Risk assessment:** EASA requires the DTO to carry out a risk assessment of its training activities to identify the potential hazards and assess the associated risks.
- The DTO must have a documented risk management process that identifies and evaluates the hazards, assesses the risk, and implements mitigations.
- **Compliance monitoring:** EASA expects the DTO to monitor its compliance with the regulations and standards.
- The DTO must have a compliance monitoring program that includes regular internal audits, quality assurance, and corrective action plans to address any identified non-compliances.

Performance-based oversight: The DTO must implement a performance-based oversight system that monitors the effectiveness of its training programs.

- The DTO must have a system that measures the quality and effectiveness of the training delivered, and ensures that the training meets the required standards.

Management review: EASA Regulations requires the DTO to have a management review process that assesses the effectiveness of the training program and identifies areas for improvement.

- The management review must include a review of the DTO's compliance with regulations and standards, as well as an evaluation of the effectiveness of the risk management process.

Continuous improvement: The DTO must have a continuous improvement program that identifies areas for improvement and implements actions to improve the quality and effectiveness of its training program.

- The program must be regularly reviewed and updated to ensure that it remains effective.

Documentation: CA requires the DTO to maintain complete and accurate records of its training activities.

- The DTO must have a system for documenting training activities, including training plans, course materials, training records, and feedback from students.

Reporting: The DTO must regularly report on its training activities to CA. The reports must include information on compliance with regulations and standards, the effectiveness of the training program, and any identified areas for improvement.

Communication: The DTO must maintain effective communication with its stakeholders, including students, instructors, and EASA. The communication must be clear, timely, and accurate.

ATO Risk Based / Performance Checklist

Checklist related to EASA Risk-Based / Performance-Based Oversight and Measurement of Effectiveness of Approved Training Organisation ATO:

- **Compliance with Regulations:** Ensure that the ATO is fully compliant with all EASA regulations and requirements.
- **Safety Management System (SMS):** Verify that the ATO has a fully functional SMS that complies with EASA regulations.
- **Risk-Based Oversight:** Verify that the ATO has a robust risk management process that includes identification, assessment, mitigation, and monitoring of risks.
- **Performance-Based Oversight:** Ensure that the ATO has an effective performance-based oversight program that monitors the quality of training provided and measures the effectiveness of the training.
- **Key Personnel:** Verify that the ATO has sufficient qualified and experienced personnel to carry out the training activities.

- **Training Program:** Verify that the ATO's training program is comprehensive and up-to-date, and meets all EASA requirements.
- **Facilities and Equipment:** Verify that the ATO has adequate facilities and equipment to support its training program.
- **Documentation and Records:** Verify that the ATO maintains accurate and complete records of all training activities and that the records are easily accessible.
- **Complaints and Feedback:** Verify that the ATO has a process for receiving and addressing complaints and feedback from students and stakeholders.
- **Continuous Improvement:** Verify that the ATO has a process in place to continuously improve its training program and operations.
- **Audit and Inspection:** Verify that the ATO is subject to regular audits and inspections by EASA or its Designated Authorities.
- **Safety Performance:** Measure the safety performance of the ATO through safety indicators and report any issues or concerns to EASA.
- **Training Outcomes:** Measure the effectiveness of the ATO's training program through student performance and feedback, and adjust the program accordingly.
- **Risk Assessments:** Verify that the ATO conducts regular risk assessments of its operations and training activities and takes appropriate measures to mitigate identified risks.
- **Reporting:** Ensure that the ATO reports any incidents or accidents to EASA or its Designated Authorities in a timely and accurate manner.