

Compliance Monitoring within an EASA Compliant “ATO” I.A.W. Regulation 1178/2011

Sofema Aviation Services (SAS) www.sassofia.com reviews the key elements of the Compliance Monitoring Function related to Aircrew Training Management Regulations

Introduction Compliance Monitoring _ General (GM1 ORA.GEN.200(a)(6)) - ED Decision 2012/007/R

Compliance Monitoring Function

- » Reflect the size, nature, and complexity
- » Compliance Manager (CM) may perform all audits and inspections himself/herself or allocate a resource
- » Personnel should be competent I.A.W. AMC1 ORA.GEN.200(a)(6) point (c)(3)(iii), (External / Internal)

What is the difference between Audit & Inspection?

- » ‘Audit’ means a systematic, independent, and documented process for obtaining evidence and evaluating it objectively to determine the extent to which requirements are complied with.
- » ‘Inspection’ means an independent documented conformity evaluation by observation and judgment accompanied as appropriate by measurement, testing or gauging, in order to verify compliance with applicable requirements.

The organization retains the ultimate responsibility for the effectiveness of the compliance monitoring function in particular for the effective implementation and follow-up of all corrective actions.

Note – Ensure independence of the audit function

- » In case external personnel is used to perform compliance audits or inspections:
 - o Performed under the responsibility of the compliance monitoring manager; and
 - o The organization is responsible for the competence of the external personnel
 - » Relevant knowledge,
 - » Background and
 - » Experience
 - » Knowledge and experience in compliance monitoring.

The organization retains the ultimate responsibility for the effectiveness of the compliance monitoring function in particular for the effective implementation and follow-up of all corrective actions.

Complex Organisations – Compliance Monitoring for ATO's (GM2 ORA.GEN.200(a)(6) - ED Decision 2012/007/R)

Typical subject areas for compliance monitoring audits and inspections for approved training organizations (ATOs):

- » 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. & monitor the following
 - o Training procedures
 - o Flight safety
 - o Flight and duty time limitations, rest requirements, and scheduling
 - o Aircraft maintenance/operations interface

Definition of a Complex Organisation

» An organization should be considered as complex when it has a workforce of more than 20 full-time equivalents (FTEs) involved in the activity subject to Regulation (EC) No 216/20081 and its Implementing Rules.

» Organizations with up to 20 full-time equivalents (FTEs) involved in the activity subject to Regulation (EC) No 216/2008 and its Implementing Rules, may also be considered complex based on an assessment of the following factors:

- o In terms of complexity, the extent and scope of contracted activities subject to the approval
- o Different types of aircraft used
- o The environment (offshore, mountainous area, etc.);
- o In terms of risk criteria, whether any of the following Operations requiring the following specific approvals:
 - » Performance-based Navigation (PBN),
 - » Low visibility operation (LVO),

- » Extended range operations with two-engined airplanes (ETOPS),
- » Helicopter hoist operation (HHO),
- » Helicopter emergency medical service (HEMS),
- » Night vision imaging system (NVIS) and
- » Dangerous goods (DG);

Special Note 1 - The following organizations should always be considered as non-complex:

- » Approved Training Organisations (ATOs) only providing training for
 - o Light aircraft pilot license (LAPL),
 - o Private pilot license (PPL),
 - o Sailplane pilot license (SPL) o
 - o Balloon pilot license (BPL) and
 - o The associated ratings and certificates;
- » Aero-Medical Centres (AeMCs).

Special Note 2 The following organizations should always be considered as complex:

- » Full flight simulators (FFSs);
- » Multi-pilot (MP) type rating;
- » Zero-flight-time training (ZFTT);
- » Complex aircraft;
- » Different categories of aircraft;
- » Instructor Certificate for Multi Pilot & Complex
- » Multi-Site Operation

ATOs Who Provide Training for LAPL, PPL, SPL AND BPL plus Associated Ratings or Certificates require a minimum of an Organisation Review

- » The primary objective of the organization to check the management system remains effective by verifying that it:
 - o Has continually identified its aviation safety hazards;
 - o Has effectively mitigated the associated risks; and
 - o Monitors compliance with the applicable requirements.
- » Safety risk management should:

- o Performed using internal safety or occurrence reports,
- o Hazard checklists,
- o Risk registers or similar risk management tools or processes, integrated into the activities of the organization;

Note to address safety risks related to a change; making use of the existing hazard identification, risk assessment, and mitigation tools or processes;

» Include provisions for emergency response or a formal Emergency Response Plan (ERP).

Note - Should describe the organizational review program and related responsibilities within the organizational documentation

» Persons responsible for the organizational review should have a thorough knowledge of the applicable requirements and of the organization's procedures.

» The status of all corrective and risk mitigation actions should be monitored by the person responsible for the organizational review program and implemented within a specified time frame.

» Action closure should be recorded by the person responsible for the organizational review program, along with a summary of the action taken.

» The results of the organizational review, including all non-compliance findings and new risks identified during the review, should be presented to the accountable manager and the person or group of persons nominated in accordance with ORA.GEN.210(b) prior to a notification to the competent authority.

» All level 1 findings in the sense of ARA.GEN.350 should be immediately notified to the competent authority and all necessary actions are immediately taken.

» Based on the results of the organizational review, the account manager should determine the need for and initiate, as appropriate, further actions to address deficiencies in or further improve the organization's management system.

Next Steps

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