THE PROTECTION OF SAFETY DATA, SAFETY INFORMATION AND RELATED SOURCES

Joachim LÜCKING - European Commission
ICAO Regional Safety Management Symposium
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WHY PROTECTING SAFETY DATA AND INFORMATION, AND RELATED SOURCES?
Sources

Data/Information

Safety Management Systems

Safety Intelligence

Prevention of accidents
Safety occurrence?
Report it to your organisation!

We feel confident to report because we are protected
THE PROTECTION
IN THE MEMBER STATES
OF THE EUROPEAN UNION
REGULATION (EU) No 1346/2014 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 3 April 2014


(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 162(2) thereof,

Having regard to the proposal from the European Commission,

After consultation of the Union legislative acts in the Council,

Having regard to the opinion of the European Parliament and the Council,

Acting in accordance with the ordinary legislative procedure,

VOLUNTARY:

1. A high general level of safety should be ensured in civil aviation in the Union and every effort should be made to reduce the number of accidents and incidents with a view to ensuring public confidence in aviation operators.

2. The rate of fatal accidents in civil aviation has remained fairly constant over the last decade. Nevertheless, the number of accidents could not be reduced at a rate that would satisfy the public and increase the weight of global regulatory efforts.

3. Regulation (EC) No 1171/2008 of the European Parliament and of the Council (1) aims to prevent accidents by preventing the human factors and operational factors that may cause such accidents. The Regulation should not interfere with the powers of accident and incident investigators managed by national safety investigation authorities as defined in Regulation (EC) No 376/2010. It may also prevent an accident of a serious incident, requiring the occurrence to be subject to Regulation (EC) No 1445/2010.


5. Paragraph 6 of Regulation (EC) No 1445/2010 sets the occurrence of an accident or incident that may cause serious harm or death, which is not subject to the reporting systems of any other European legislation, and the Regulation should therefore be assessed and considered in relation to the occurrence.

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Mandatory = Voluntary
Use for safety purposes  
Record names in States databases
Internal Just Culture Policy

Except if wilful misconduct or gross negligence

Reporter not subject to prejudice

Mobility and Transport

European Commission

@Transport_EU
BEYOND RULES
GUIDANCE MATERIAL

REGULATION (EU) No 376/2014
ON THE REPORTING, ANALYSIS AND FOLLOW-UP OF OCCURRENCES IN CIVIL AVIATION

COMMISSION IMPLEMENTING REGULATION (EU) 2015/1018
LAYING DOWN A LIST CLASSIFYING OCCURRENCES IN CIVIL AVIATION TO BE MANDATORILY REPORTED

Version 1 - December 2015
Safety occurrence? Report it to your organisation!

Your report can save lives!

Reporting makes our industry safer

More information on www.aviationreporting.eu

Make flying safer!

Report your incidents on www.aviationreporting.eu

CONNECTING EUROPE
I report on my personal behalf *

* If you are employed by an organisation, or if your services are contracted by an organisation, then you are encouraged to report via the internal reporting system of that organisation or via the link below.

I report on behalf of my organisation **

** If your organisation runs its own internal reporting system then you are encouraged to report via that system and not via this site.

Related sites
- European Aviation Safety Policy
- EASA website
- ECCAIRS Portal

Related information
- Why Safety Reporting?
- More about Just Culture
- Applicable Legislation
EUROPEAN CORPORATE JUST CULTURE DECLARATION

KEY PRINCIPLES OF A JUST CULTURE

1. Acting safely is a top priority.
2. Staff, at all levels, should be, as a starting point, considered to act in the interest of safety, in a manner commensurate with the training, experience and professional standards that fit their position or function. To achieve this organisations are responsible for providing their staff with the appropriate environment, tools, training and procedures.
3. It is acknowledged that, in an operational aviation industry environment, individuals, despite their training, expertise, experience, abilities and good will, may be faced with situations where the limits of human performance combined with unwanted and unpredictable systemic influences may lead to an undesirable outcome.
4. Analysis of reported occurrences by organisations should focus on system performance and contributing factors first and not on apportioning blame and/or focus on individual responsibilities, except in the cases foreseen under Regulation (EU) No 376/2014 and other applicable legislation.
5. When assessing individual responsibility, organisations should focus on determining if actions, omissions or decisions taken were commensurate with experience and training, and not on the outcome of an event.
6. Reporters of safety information, and any other person mentioned in the report, are protected from adverse consequences, in accordance with Regulation (EU) No 376/2014.
7. Whilst acknowledging that adverse events can frequently be the driver for analysis, positive behaviour and actions should be captured and encouraged.
8. Organisations should promote effective implementation of Just Culture principles within the organisation at all levels and with all parties, including their representatives. All should actively foster mutual trust and respect, and promote support and cooperation to build the necessary trust across the organisation. Staff should be educated in Just Culture principles and all relevant documentation should be made available.
9. Just Culture internal rules should include, amongst others, the definition of a process, including the actors involved, to determine an unacceptable behaviour, in accordance with its description in Regulation No 376/2014.
10. Just Culture internal rules should document how safety data is managed, stored, protected and disclosed. It should also document to what extent the organisation intends to share de-identified data for safety learning purposes.
11. Support provided by organisations, in cases where staff are subject to external procedures on the basis of an occurrence they have reported or been involved in, reinforces the mutual trust that is necessary to ensure an effective Just Culture.
12. A consistent and effective Just Culture environment requires going beyond publication of Just Culture internal rules.
13. To effectively implement a Just Culture staff at all levels, as well as top management, should understand and accept their responsibility with regards to Just Culture principles and internal rules and their promotion.
14. Organisations, in cooperation with involved parties, including their competent authority, should define how they intend to continuously promote and stimulate the implementation of Just Culture principles and practices throughout the organisation.
15. Organisations should regularly review and assess the maturity of their Just Culture internal rules and compare it to the Just Culture perception within the organisation. Benchmarking may also be of benefit and may be considered.

1 This non-legally binding declaration only considers Just Culture within the context of an organisation and does not address or override the judicial rules or proceedings applicable in individual Member States.
2 Article 56 (11) of Regulation (EU) No 376/2014 prescribes the presence of “Just Culture internal rules”, supported by internal processes that need to be adopted after consulting the organisation’s staff representatives, and implemented in European aviation organisations.
Saving lives with safety information

The impact of implementing a Just Culture in aviation

Brussels
1st October 2015
Charlemagne Building
THANK YOU FOR YOUR ATTENTION!

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