

Safety Recommendation Number:	IRLD2014003
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Safety Recommendation Status:	Implemented, closed

Safety Recommendation:

The European Aviation Safety Agency should review Council Regulation (EEC) No 3922/91 as amended by Commission Regulation (EC) No 859/2008, to ensure that it contains a comprehensive syllabus for appointment to commander and that an appropriate level of command training and checking is carried out.

Response:

7 April 2014:

The European Aviation Safety Agency, advised the AAIU by letter that;

“As of October 2014 Member States will apply the new Air OPS Regulation (EU) No 965/2012. The associated acceptable means of compliance (AMC) and guidance material (GM) is published in ED Decision 2012/017/R.

Paragraphs ORO.FC.105 (b) and (c) of the air operations regulation specify the conditions to be fulfilled by a flight crew member before he/she can be assigned as commander. Associated AMC contains details on the route/aerodrome competence. ORO.FC.205 lists the elements of the command course. The development of a detailed course syllabus is the responsibility of the operator and needs to be approved by the authority in accordance with ORO.FC.145.

The Agency agrees that further AMC/GM may be beneficial to operators regarding the establishment and content of the command course. The Agency will therefore consider this issue with rulemaking task RMT.0599 'Review of ORO.FC' which is on the Agency's rulemaking programme.”

21 July 2016:

The European Aviation Safety Agency, further advised the AAIU by letter that;

"This safety recommendation is currently being considered within the framework of Rulemaking Task RMT.0599 'Evidence-based and competency-based training', which was launched on 05 February 2016, with the publication of the associated Terms of Reference.

Although RMT.0599 was primarily set up to integrate evidence-based training into the EU regulations, the scope has been extended to include evaluation of this safety recommendation, as the rulemaking group includes expertise which is appropriate for the evaluation."

24 November 2017:

The European Aviation Safety Agency, further advised the AAIU by letter that;

"Paragraphs ORO.FC.100 and ORO.FC.115 (a) of Annex III Part-ORO (Organisation Requirements for air Operations) of Commission Regulation (EU) No 965/2012 on air operations requires the operator to define the crew composition and provide Crew Resource Management (CRM) training appropriate to the flight crew member's role as specified in the operations manual.

ORO.FC.105 (b) and (c) specify the conditions to be fulfilled by a flight crew member before he/she can be assigned as commander. ORO.FC.205 lists the elements of the command course including training and checking. The development of a detailed course syllabus is the responsibility of the operator and needs to be approved by the authority in accordance with as per ORO.FC.145 (c).

ED Decision 2015/012/R published on 04 May 2015 on Upset Prevention and Recovery Training provides new Guidance Material (GM) to ORO.FC.105 to emphasise that the pilot-in-command / commander's knowledge of the route to be flown should include an understanding of environmental phenomena with the potential to induce an upset. It emphasises the need for understanding climatology relevant to the route of operation and relevant mitigating procedures because recent 'loss of control' aeroplane accidents appear to have been connected with convective cloud in the Inter Tropical Convergence Zone (ITCZ).

CRM is also a major contributing factor to many occurrences, therefore the Agency significantly extended and modernised the existing CRM training scheme with ED Decision 2015/022/R, which entered into force on 01 October 2016. In particular, AMC1 ORO.FC.115 now refers to the broader integration of CRM principles into flight crew training and operations and requires in-depth knowledge of CRM elements to be included in the command course (ORO.FC.115 (b)).

The CRM extension recognises the importance of Human Performance and its non-technical skills. Emphasis is given on Threat and Error Management, which has been instrumental in the development of Evidence Based Training (EBT) as a pilot training concept. EBT pilot competences address both technical and non-technical skills and are used as countermeasures to threat and errors.

The Agency considers that the Commander competence is essential and has already taken measures to develop their knowledge and non-technical skills.

AAIU Comment:

The AAIU notes the ongoing work by EASA regarding this Safety Recommendation. AAIU considers the status of this recommendation as "Implemented, Closed"