

<b>Safety Recommendation Number:</b>	IRLD2021043
<b>AAIU Event Reference:</b>	IRL00917016
<b>AAIU Report Number:</b>	2021-008
<b>Date of Publication of Safety Recommendation:</b>	5 November 2021
<b>Safety Recommendation Status:</b>	In process of implementation

**Safety Recommendation:**

The IAA should review the Operator’s 24-hour SAR shift pattern to ensure that it adequately accounts for concerns arising from published research on human performance; and that the Operator’s FRMS and SAR variation to Aeronautical Notice O.58 provide appropriate levels of safety and protection for crews.

**Response:**

On 02 February 2022, and in subsequent engagement with the AAIU, the IAA provided the following response to this Safety Recommendation:

*"The IAA accepts this safety recommendation.*

*Background Information:*

- *Regulation (EU) 965/2012 Article 8, which sets out requirements for FTL for commercial operations including Fatigue Risk Management (ORO.FTL.120), does not apply to helicopter operators.*
- *IAA Aeronautical Notice O.58 addresses the Flight Time Limitations (FTL) and Rest Requirements for crew members undertaking helicopter Commercial Air Transport (CAT) Operations, declared Commercial Specialised Operations (SPO), and Non-Commercial, and Operations with Complex Motor-Powered Helicopters (Part-NCC).*
- *The SAR operator’s Flight Time Limitation scheme, including 24-hour shift pattern, was approved by the IAA as a variation to this Notice. This approval was in place prior to the 2017 accident.*
- *In addition, the SAR operator must comply with SI No 507 of 2006 (the European Communities (Organisation of Working Time) (Mobile Staff in Civil Aviation)).*
- *ICAO has issued the “Fatigue Management Guide for Helicopter Operators” First Edition, 2020, developed in conjunction with the Flight Safety Foundation (FSF), the International Federation of Airline Pilots’ Associations (IFALPA), and the International Federation of Helicopter Associations (IFHA).*

*Actions taken (SAR):*

- *In 2017, the IAA instructed the operator to ensure that the 12-hour roster pattern applicable for HEMS operations (consistent with CAT requirements)*

*and approved through IAA Aeronautical Direction AN 0.58 was appropriately applied to HEMS missions.*

- *During 2021, the SAR operator advised the IAA of their current work in reviewing their FTL scheme, with the intention to introduce a Fatigue Risk Management System, as recommended by the AAIU in Safety Recommendation IRLD2021042 addressed to the SAR Operator in this regard. The IAA will review any revised FTL scheme and associated FRMS to ensure that it provides appropriate levels of safety and protection for crew.*

- *Following consideration of the AAIU R116 Report, the IAA's conclusion is that the 12-hour shift norm established in EU aviation regulation (EU Reg 965/2012) which applies to commercial operations, and which also by national regulation applies to non-SAR helicopter operations in Ireland, should also apply to SAR helicopter operations in Ireland.*

*Outstanding Actions:*

- *The IAA will issue a Direction to the SAR operator to implement a 12-hour shift pattern within a specified period unless variation from this norm is supported by an FRMS system that demonstrates an equivalent level of safety for such variation on a safety-risk-assessed basis.*

- *The specified period will be determined by the IAA in consultation with the operator, bearing in mind the need to balance safety regulation with the need to provide effective emergency aviation responses.*

- *This action will be completed in Q2 2022."*

On 22 December 2022, the IAA provided the following updated response to this Safety Recommendation:

*"Background Information:*

- *Regulation (EU) 965/2012 Article 8, which sets out requirements for FTL for commercial operations including Fatigue Risk Management (ORO.FTL.120), does not apply to helicopter operators.*

- *IAA Aeronautical Notice O.58 addresses the Flight Time Limitations (FTL) and Rest Requirements for crew members undertaking helicopter Commercial Air Transport (CAT) Operations, declared Commercial Specialised Operations (SPO), and Non-Commercial Operations with Complex Motor-Powered Helicopters (Part-NCC).*

- *The SAR operator's Flight Time Limitation scheme, including 24-hour shift pattern, was approved by the IAA as a variation to this Notice. This approval was in place prior to the 2017 accident.*

- *In addition, the SAR operator must comply with SI No 507 of 2006 (the European Communities (Organisation of Working Time) (Mobile Staff in Civil Aviation)).*
- *ICAO has issued the “Fatigue Management Guide for Helicopter Operators” First Edition, 2020, developed in conjunction with the Flight Safety Foundation (FSF), the International Federation of Airline Pilots’ Associations (IFALPA), and the International Federation of Helicopter Associations (IFHA).*

*Actions Taken:*

- *In 2017, the IAA instructed the operator to ensure that the 12-hour roster pattern applicable for HEMS operations (consistent with CAT requirements) and approved through IAA Aeronautical Direction AN 0.58 was appropriately applied to HEMS missions.*
- *During 2021, the SAR operator advised the IAA of their current work in reviewing their FTL scheme, with the intention to introduce a Fatigue Risk Management System, as recommended by the AAIU in Safety Recommendation IRLD2021042 addressed to the SAR Operator in this regard. The IAA will review any revised FTL scheme and associated FRMS to ensure that it provides appropriate levels of safety and protection for crew.*
- *The IAA published Aeronautical Notice O.76 issue 3 on 01/06/2022, which contains the National SAR Rules that include the requirement to implement an FTL Scheme with a maximum flight duty period of 12 hours. This FTL scheme may be subject to variation if supported by an FRMS system that demonstrates an equivalent level of safety for such variation on a safety-risk-assessed basis.*
- *The IAA has provided an implementation period for the current SAR operator to implement the 12-hour shift pattern or an appropriate FRMS system."*

On 22 December 2023, the IAA provided the following updated response to this Safety Recommendation:

*"On 31 December 2022 CHCI submitted an FRMS application to the IAA. During 2023, the IAA, along with Fatigue Risk Management Science (FRMSc), a contracted 3rd party entity, reviewed the application and engaged with CHCI as they developed their FRMS through to implementation. It is expected that CHCI will commence operating an approved FRMS in early 2024."*

**AAIU Comment:**

The AAIU notes the IAA's response of 02 February 2022.

The AAIU notes that 'The IAA will review any revised FTL scheme and associated FRMS to ensure that it provides appropriate levels of safety and protection for crew.'

The AAIU considers the status of this Safety Recommendation to be 'In Process of Implementation'.

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