

RMT.0700 – EU/EASA åtgärder

Germanwings flight 4U9525

AOC seminarie 2017-11-23

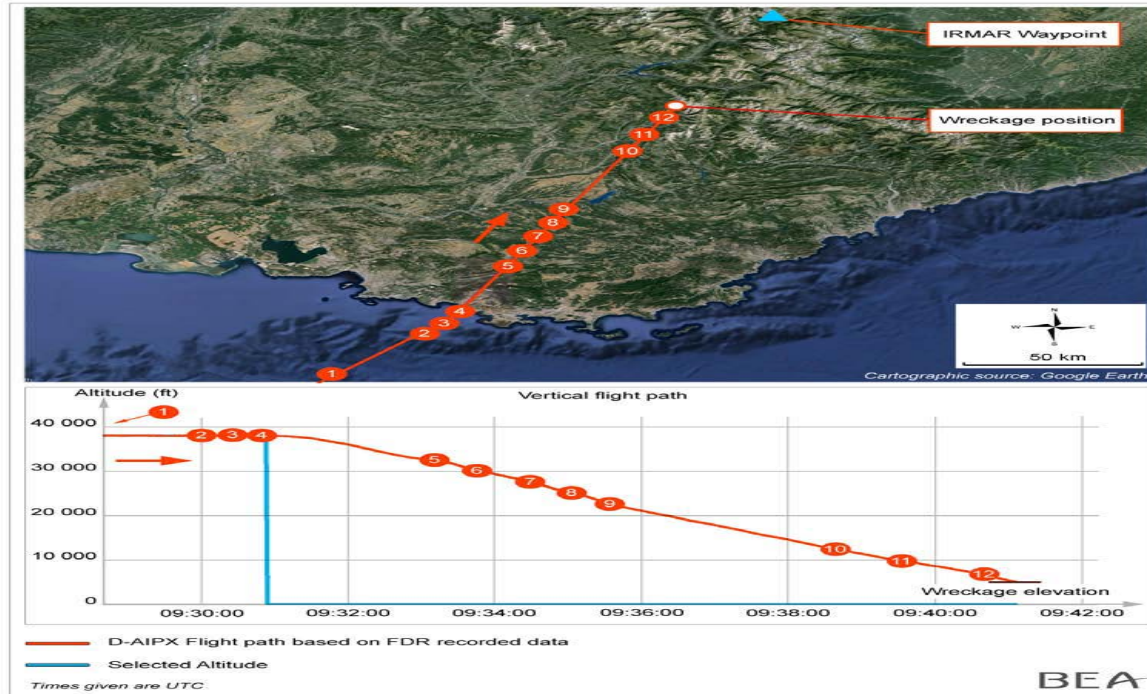
Jonas Gavelin

Sektionen för flygbolag

Bakgrund RMT.0700

- Den 24 Mars 2015, Airbus A 320, Germanwings flight 4U9525 - Barcelona – Dusseldorf, 144 pax + 4 cabin crew/2 piloter.
- På 38,000 fot, lämnade befälhavaren flight deck.
- När befälhavaren skulle återvända till flight deck nekade Co-piloten befälhavaren tillträde genom att inte öppna dörren.
- Befälhavaren lyckades inte bryta upp den förstärkta dörren till flight deck.
- Co-piloten genomförde en avsiktlig “*Controlled Flight Into Terrain*” (CFIT).
- Alla 150 personer ombord omkom.

Bakgrund RMT.0700



Bakgrund RMT.0700

- Den Franska haverikommissionen (BEA) lämnade en preliminär rapport den 6 Maj 2015. (Slutlig rapport 13 mars 2016)

The copilot intentionally modified the autopilot instructions to order the aeroplane to descend until it collided with the terrain.

- *Understand the medical history of the co-pilot*
- *The copilot was suffering from a severe mental disorder. Understand how a pilot with a mental disorder could be flying as a professional*
- *Worldwide review of the process of medical certification of pilots*
- *Reduce the risk associated with mentally ill pilots*

Bakgrund RMT.0700

- Samma dag som BEA lämnade sin preliminära rapport gav EU-kommissionären Ms. Violetta Bulc EASA i uppdrag att analysera BEA:s preliminära rekommendationer.
- EASA bildade en arbetsgrupp med "high level" representanter från bl.a. EASA, KOM, luftfartsmyndigheter, flygbolag, pilotorganisationen ECA, Olika expertläkare och psykologer m.m. ” *Task Force on Measures Following the Accident of Germanwings Flight 9525*”.
- Arbetsgruppen lämnade en rapport den 16 juli 2015 till EU-kommissionen med 6 rekommendationer samt föreslog att EASA tar fram en handlingsplan för att implementera dessa åtgärder.

Bakgrund RMT.0700

- EASA arbetsgruppen lämnade följande rekommendationer till EU-kommissionen:
1. *The principle of 'two persons in the cockpit at all time' should be maintained.*
 2. *Pilots should undergo a psychological evaluation before entering airline service.*
 3. *Airlines should run a random drugs and alcohol programme.*
 4. *Robust programme for oversight of aeromedical examiners should be established.*
 5. *A European aeromedical data repository should be created.*
 6. *Pilot support systems should be implemented within airlines.*

EASA/KOM handlingsplan

		Recommendations						
		1	2	3	4	5	6	
Work packages	EASA	Air operations	2-pilots in cockpit	Psycho. evaluation Airlines	Drug & alcohol Airlines			Pilot support systems
	Aircrew		Psycho. med assess. & AME Trng	Drug & alcohol Med.	AME oversight & networks	Aero-Med data Repository		
	IT					Software		
	COM	Personal data						Data protection/ public safety

RMT.0700 Terms of Reference – Implementering av rekommendationer

The specific objectives of this RMT are, therefore:

- (a) to achieve the level of aviation safety laid down in Regulation (EC) No 216/2008 by:
 - (1) ensuring pilot physical, psychological and psychiatric aero-medical fitness so that their medical condition is less likely to interfere with the safe exercise of the privileges of their licences;
 - (2) ensuring that reasonable measures are taken so that flight crew members are psychologically suitable for CAT operations, and thus being able to exercise safely the privileges of their licences;
 - (3) ensuring that medical conditions of aircrew members misusing psychoactive substances are less likely to interfere with the safe exercise of the privileges of their licences;
 - (4) enhancing aero-medical examination so that the risks of undetected pilot medical and psychological conditions are reduced through improved training, practice, oversight and fostering networks of AMEs;
- (b) to contribute to the continuous improvement of the aircrew and air operations rules to ensure that a high level of safety is constantly maintained and can be better achieved;
- (c) to develop mitigation measures for aviation safety risks arising from adverse social consequences or conditions such as loss of pilot licences;
- (d) to ensure protection of personal data.

Resultatet av RMT.0700

- **Opinion 9/2016- MED**
 - Ändringar i Part-MED - Förordning (EU) 1178/2011 + AMC/GM
- **Opinion 14/2016 – OPS**
 - Ändring av artiklarna i Förordning (EU) 965/2012
 - Annex I - Definitioner
 - Annex II - Part-ARO/ARO.RAMP
 - Kompletterande AMC/GM – (EASA beslutar).
 - Part CAT
 - Kompletterande AMC/GM – (EASA beslutar).

Opinion 9/2016-MED

MED.B.055 ~~Psychiatry~~ Mental Health

~~(a) Applicants shall have no established medical history or clinical diagnosis of any psychiatric disease or disability, condition or disorder, acute or chronic, congenital or acquired, which is likely to interfere with the safe exercise of the privileges of the applicable licence(s).~~

(a) Comprehensive mental health assessment shall form part of the initial class 1 aero-medical examination.

(b) Drugs and alcohol screening shall form part of the initial class 1 aero-medical examination.

Opinion 14/2016-OPS

- Opinion 14/2016 innehåller förslag till nya regler i förordning (EU) 965/2012 (IR-nivån) som tillsammans med kompletterande AMC/GM kan beskrivas som:
- **Preventiva åtgärder:**
 - En CAT-Operatör ska säkerställa att psykologisk bedömning ”*psychological assessment*” av en pilot har gjorts innan ”*line flying*”.
 - En CAT-operatör ska möjliggöra, underlätta och säkra tillgång till ett ”flight crew support programme”; och
 - En CAT-operatör ska ha en policy som förhindrar och upptäcker missbruk av droger och alkohol bl.a. genom att drog - och alkohol tester av bl.a. flyg- och kabinbesättning sker vid anställning.

- **Korrigerande - och uppföljande åtgärder:** Utföra drog – och alkoholtester av bl.a. piloter och kabinbesättning
 - Efter en allvarlig händelse;
 - Efter en olycka;
 - Vid (rimlig) misstanke; och
 - Oannonserad efter rehabilitering och återgång till arbete.
- **Kompletterande åtgärder:** Slumpmässiga obligatoriska alkoholtester av piloter och kabinbesättningar inom ramen för rampinspektionsprogrammet för att säkra en ytterligare säkerhetsbarriär. Eller genom nationella åtgärder.

Ny CAT.GEN.MPA.175 Endangering safety

CAT.GEN.MPA.175 Endangering safety

- (a) The operator shall take all reasonable measures to ensure that no person recklessly, intentionally, or negligently acts or omits to act so as to:
 - (a1) endanger an aircraft or person therein; or
 - (b2) cause or permit an aircraft to endanger any person or property.
- (b) The operator shall ensure that a flight crew member has undergone a psychological assessment before commencing line flying in order to:
 - (1) identify psychological attributes and suitability of the flight crew in respect of the work environment; and
 - (2) reduce the likelihood of negative interference with the safe operation of the aircraft.
- (c) Considering the size, nature and complexity of the activity of an operator, an operator may replace the psychological assessment referred to in (b) with an internal assessment of the psychological attributes and suitability of the flight crew member.

AMC1 CAT.GEN.MPA.175(b) Endangering safety - PSYCHOLOGICAL ASSESSMENT

- Del av rekryteringsprocessen av piloten.
- Anpassning till komplexiteten av den flygoperativa verksamheten. ***”adapted to the particularity, the complexity and the challenges of the operational environment that the flight crew is likely to be exposed to, resulting from a job analysis identifying the safety-critical dimensions related to the position and the role within the company;”***
- Bör utföras av psykolog som är expert på uttagning av flygande personal och som har kunskap om piloters operationella miljö - “flygpsykolog”. (Kan också göras av operatör i samråd med psykolog, se AMC).
- Bör vara gjord inom 24-månader från flygning på linjen. (Perioden kan vara längre, se AMC.)
- Kan accepteras av annan operatör om kriterier i AMC uppfylls.

AMC1 CAT.GEN.MPA.175(c) Endangering safety

INTERNAL ASSESSMENT FOR NON-COMPLEX OPERATORS

An operator **may replace the psychological assessment with an internal assessment** of the psychological attributes and suitability of the flight crew member in the following cases:

- (a) the operator benefits from **high employment stability** and a low turnover rate of flight crews; and
- (b) the operator is considered to be a non-complex operator, i.e. when it has a **workforce of 20 full-time equivalents (FTEs) or less** that are involved in the activity subject to Regulation (EC) No 216/2008 and its Implementing Rules.

Crew support programme

CAT.GEN.MPA.215 Support programme

The operator **shall enable, facilitate and ensure access** to a support programme that will assist and support **flight crew members** in **recognising, coping with, and overcoming any problem which might negatively affect their ability to safely exercise the privileges of their licence**. Such access shall be made available to all flight crew members.

4 AMC:

- **AMC1 CAT.GEN.MPA.215 Support programme-PRINCIPLES GOVERNING A SUPPORT PROGRAMME**
- **AMC2 CAT.GEN.MPA.215 Support programme CONFIDENTIALITY AND PROTECTION OF DATA**
- **AMC3 CAT.GEN.MPA.215 Support programme - ELEMENTS OF A SUPPORT PROGRAMME**
- **AMC4 CAT.GEN.MPA.215 Support programme - TRAINING AND AWARENESS**

Viktiga beståndsdelar i crew support programme

- Självdeklaration och möjlighet till arbetsbefrielse
- Konfidentialitet och skydd av data
- Länk till SMS
- Träning och utbildning
- Mitigering av risker kring “loss of license”
- Etc.

AMC3 CAT.GEN.MPA.215 Support programme

ELEMENTS OF A SUPPORT PROGRAMME

(a) A support programme should contain as a minimum the following elements:

- (1) procedures including education of flight crew regarding self-awareness and facilitation of self-referral;
- (2) assistance provided by professionals, including mental health professionals with relevant knowledge of the aviation environment and trained peers;
- (3) monitoring of the efficiency of the programme;
- (4) monitoring and support of the process of returning to work;
- (5) management of risks resulting from fear of loss of licence; and
- (6) a referral system to an aero-medical examiner in clearly defined cases (e.g. medical conditions or safety issues).

(b) A support programme should be linked to the management system of the operator, provided that data is used for purposes of safety management and is anonymised and aggregated to protect confidentiality.

➤ **‘PSP’ in short:**

“Pilots together with medical / psychological experts, helping their fellow pilots to deal with different kinds of work & life related issues and problems.” (ECA)

”3. Advantages of PSP (Källa: European Cockpit association information briefing note peer support program)

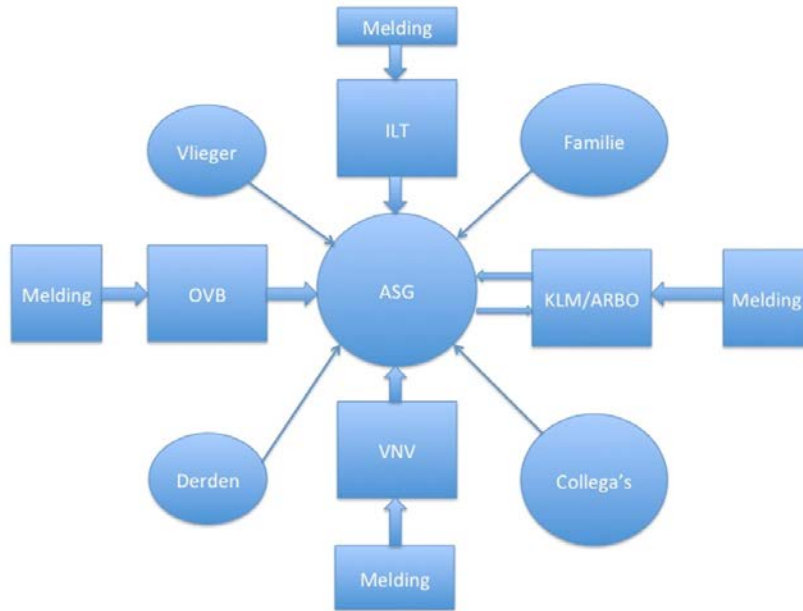
Peer Support Programmes:

- enable early identification of problem cases through the intervention of ‘peers’, i.e. colleagues/fellow-pilots;*
- allow the pilots to be guided towards help, i.e. counseling and, if needed, to treatment and rehabilitation, and*
- allow the airline to maintain crews if and after they successfully went through treatment, rather than losing staff and having to hire and train new ones.*
- they build on specifically trained pilot volunteers, are supported (incl. financially) by the airlines, and draw on specialised external experts and advice.*
- because of their light administrative set-up, the voluntary nature of the pilot peers’ services, and the (often) voluntary support provided by external experts, PSP are very efficient and cost effective.*
- help airlines to save significant amounts of money by lower sick rates and absenteeism, as a result of PSP in their company, while keeping staff motivated and encouraged to deal with problems rather than hiding them, out of fear to lose their license, job and livelihood.”*

Support programme

WHO	WHAT	Detail	Detail	Pilots	Cabin Crew
CAT operator	Provide access to support programme Temporary relief from duty	Ensure confidentiality & anonymity	Enable self-declaration. Could include support after rehabilitation & unannounced testing after rehab.	YES	NO, but can be extended to Cabin Crew, voluntarily.

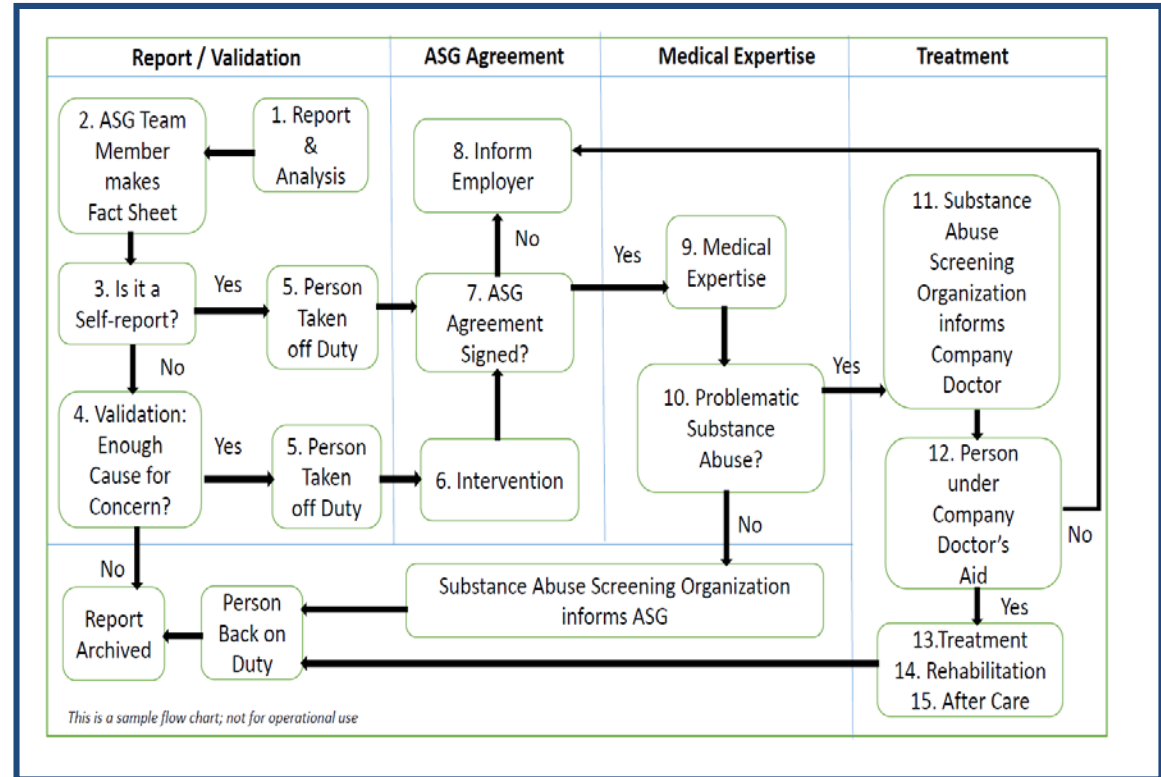
Exempel från Holland – Anti Skid Groep (ASG)



- **Explanation**
- Melding = report
- ILT = CAA Netherlands
- Vlieger = pilot
- Derden = third parties
- OVb = independent trust team for civil aviation

Crucial ingredients for a successful PtoP

- Privacy & confidentiality => both reporter and colleague
- PSP => **in addition** to company policies, not a substitute
- Just Culture => fully embraced by airline management
- Centralized reporting point of all reports
- Support by National government:



Alkohol och drogpolicy- Operatören

CAT.GEN.MPA.170 **Psychoactive substances** ~~Alcohol and drugs~~

- (a) The operator shall take all reasonable measures to ensure that no person enters or is in an aircraft when under the influence of psychoactive substances ~~alcohol or drugs~~ to the extent that the safety of the aircraft or its occupants is likely to be endangered.
- (b) The operator shall develop and implement a policy on the prevention and detection of misuse of psychoactive substances by flight crew, cabin crew and other safety-sensitive personnel, in order to ensure that the safety of the aircraft or its occupants is not endangered.
- (c) Without prejudice to the applicable national legislation on data protection concerning testing of individuals, the operator shall develop and implement an objective, transparent and non-discriminatory procedure for the prevention and detection of cases of misuse of psychoactive substances by flight and cabin crew and other safety-sensitive personnel.
- (d) The operator shall inform the medical assessor of the licensing authority in case of a confirmed positive test result.

Definitioner

(...)

(78a) 'misuse of substances' means the use of one or more psychoactive substances by aviation personnel in a way that:

- a. constitutes a direct hazard to the user or endangers the lives, health or welfare of others; and/or
- b. causes or worsens an occupational, social, mental or physical problem or disorder.

(...)

(98a) 'psychoactive substances' means alcohol, opioids, cannabinoids, sedatives and hypnotics, cocaine, other psychostimulants, hallucinogens, and volatile solvents, whereas caffeine and tobacco are excluded.

(...)

(105a) 'safety-sensitive personnel' means persons who might endanger aviation safety if they perform their duties and functions improperly, including but not limited to crew members, aircraft maintenance personnel and air traffic controllers.

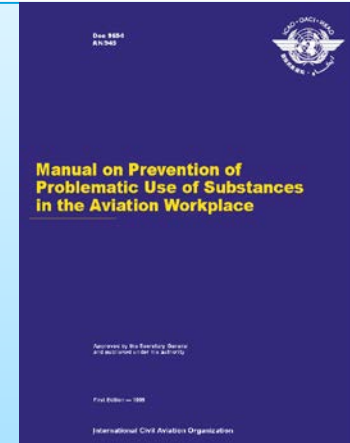
Alkohol och droger- Tre skyddsbarriärer

CAT.GEN.MPA.170 samt 4AMC och 4 GM

CAT Operatörers policy om Alkohol & Drogtestning

(Bygger bl.a. på ICAO Doc 9654)

1. Vid anställning,
2. Allvarlig händelse eller olycka eller rimlig misstanke



- Testning måste vara objektiv, transparent och icke-diskriminerande.
- Slumpmässig testning vid återgång till arbete efter rehabilitering
- Operatör kan även skapa ett slumpmässigt test programme (GM3)

Alkohol och droger - Rampinspektion

3. Alkoholtester inom ramen för rampinspektionsprogram

- Regleras av ny IR: ARO.RAMP.106 + 5 AMC/GM
- Slumpvis tester under rampinspektion (FC & CC)
- Rapportering till EASA ARO.RAMP.145



- Random alcohol testing of flight and cabin crew.
- Include data into RAMP database and use data for future policy considerations.
- Build on good experience of RAMP programme & existing mitigating measures, i.e. avoiding:
 - Unnecessary stress for crew,
 - no interference with safety related tasks,
 - No contact with passengers and
 - undue delay to operations etc.

3. Nya regler medger nationella program för alkohol och drogtest. Regleras i svensk lag och genomförs av Polisen (Tull & KBV)

- Samordnas med rampinspektionsprogrammet
- Regleras i grunden av Svensk lag och EU förordning artikel 1&4:
- Och av ny IR: ARO.RAMP.106 & ARO.RAMP.145

Article 1

Commission Regulation (EU) No 965/2012 is amended as follows:

- (1) In Article 4, paragraph 2 is added as follows:
‘Member States shall ensure alcohol testing of flight and cabin crew members of operators under their own oversight or under the oversight of another Member State or of a third country. Such testing shall be performed within the framework of the ramp inspection programme of ARO.RAMP of Annex II of this Regulation.’
- (2) In Article 4, paragraph 3 is added as follows:

‘By way of derogation from paragraph 2, Member States may perform alcohol testing of flight and cabin crew members outside the framework of the ramp inspection programme of Annex II of this Regulation. Such testing may be performed by other authorised officials of the Member State, provided that the Member State applies equivalent principles in scope, testing methodologies and recognised quality standards as required under paragraph 2 of this Article. Results of such alcohol tests shall be included in the centralised database in accordance with point (b) of ARO.RAMP.145.’

(3) In Article 4, paragraph 4 is added as follows:

Member States shall ensure removal from duty of a crew member who refuses to cooperate during an alcohol test or who has been identified to be under the influence of psychoactive substances after a confirmed positive test.

(4) In Article 4, paragraph 5 is added as follows:

Member States may perform additional testing of psychoactive substances other than alcohol. In that case, the Member State shall notify the Agency and the Commission.

(5) Annex I (Definitions for terms used in Annexes II to VIII), Annex II (Part-ARO), and Annex IV (Part-CAT) are amended as shown in the Annex to this Regulation.

Systematic and random testing of flight and cabin crew

WHO	WHAT	Detail	Substances	Pilots	CC	Safety-sensitive staff, under control of operator
CAT operator drug and alcohol testing	Systematic	Upon employment	Psychoactive substances	YES	YES	YES
		After accident/incident		YES	YES	YES
		On suspicion		YES	YES	YES
	Random	Unannounced after rehab		YES	YES	YES
Member State alcohol testing under RAMP programme or by national officials	Random	Either by national officials or within the RAMP inspection programme. All data to be included into RAMP database.	Alcohol	YES	YES	NO

Note: CAT operator may implement random testing programme. This is not proposed as a requirement in the Opinion, but it is explicitly referred to in a GM3 [CAT.GEN.MPA.170\(b\)](#).

- EASA kommittén har diskuterat Opinion 14/2016 m.m. vid tre möten (Feb/2017; Jun/2017; Okt/2017) och kommer sannolikt att besluta om de nya reglerna Feb/2018. ”Technical meeting” med experter hölls i Mars/2017 på EASA.
- EASA kommer att besluta om nya AMC/GM i samband med att de nya reglerna i förordning (EU) 965/2012 träder ikraft.
- Många praktiska frågor återstår att klara ut innan implementering. Crew support, operatörers tester. TS vs Polis bl.a. om praktiska/operativa frågor om rapportering, sekretess m.m.

- Slut -