

Finance and Corporate Services
Information Management

7 March 2012
FOIA reference: F0001294

Dear XXXX

I am writing in respect of your recent application of 8 February 2012, for the release of information held by the Civil Aviation Authority (CAA).

Your request:

"Please could you provide me with the following information:

1. How many UK airline pilots have had a period of more than 21 days off flying duties as a result of musculoskeletal damage (MSD) for the period a) 2002 - 2005 and b) 2005 to present?

I would hope this information is available from pilot unfit for flying notifications and/or AME return to flying notifications sent to the CAA and/or possibly MORs.

2. How many of these pilots with MSD reported and were treated for conditions involving their necks (or cervical spine)?

This would include simple neck pain, cervical disc problems (identified by MRI), cervical facet joints problems, cervical disc surgery, pain/anti inflammatory injections to the cervical spine and/or nerve problems with one or both arms/hands which could include numbness, pins and needles, weakness and pain".

Our response:

In assessing your request in line with the provisions of the Freedom of Information Act 2000 (FOIA), we are able to provide the information below.

1. While the information you have requested is held by the CAA, we do not have an automated system capable of extracting the information you have requested, therefore each record would have to be accessed manually.

We have estimated that the cost of complying fully with your request would be approximately £19950 and therefore exceeds the appropriate limit of £450, under the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004.

Civil Aviation Authority

Aviation House GW Gatwick Airport South Crawley West Sussex England RH6 0YR www.caa.co.uk
Telephone 01293 768512 rick.chatfield@caa.co.uk

This estimate is based on obtaining full details taking approximately 798 hours.

Section 12 of the Freedom of Information Act does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request exceeds the appropriate limit (a copy of this exemption can be found below). We are therefore, unable to comply fully with this part of your request.

However, we do have totals of declarations of a decrease in fitness due to musculoskeletal damage for 2004 (full year) and 1st June 2007 to 30th November 2011.

The numbers are as follows,

01/01/2004-31/12/2004 -265

01/06/2007 -30/11/2011 -1524

2. We have estimated the time to obtain, verify and collate this information, only for the time periods stated above, would require 3 days as some of the declarations were provisional diagnoses only and would require review of the physical records.

Therefore, the estimated cost to comply with this part of your request is £525 which equates to 21 hours work also exceeding the appropriate limit of £450, under the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004.

If you are not satisfied with how we have dealt with your request in the first instance you should approach the CAA in writing at:-

Mark Stevens
External Response Manager
Civil Aviation Authority
Aviation House
Gatwick Airport South
West Sussex
RH6 0YR

mark.stevens@caa.co.uk

The CAA has a formal internal review process for dealing with appeals or complaints in connection with Freedom of Information requests. The key steps in this process are set in the attachment.

Should you remain dissatisfied with the outcome you have a right under Section 50 of the Freedom of Information Act to appeal against the decision by contacting the Information Commissioner at:-

Information Commissioner's Office
FOI/EIR Complaints Resolution
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
www.ico.gov.uk/complaints.aspx

Should you wish to make further Freedom of Information requests, please use the e-form at <http://www.caa.co.uk/foi>.

Yours sincerely

Rick Chatfield
FoIA & EIR Case Manager

CAA INTERNAL REVIEW & COMPLAINTS PROCEDURE

- The original case to which the appeal or complaint relates is identified and the case file is made available;
- The appeal or complaint is allocated to an Appeal Manager, the appeal is acknowledged and the details of the Appeal Manager are provided to the applicant;
- The Appeal Manager reviews the case to understand the nature of the appeal or complaint, reviews the actions and decisions taken in connection with the original case and takes account of any new information that may have been received. This will typically require contact with those persons involved in the original case and consultation with the CAA Legal Department;
- The Appeal Manager concludes the review and, after consultation with those involved with the case, and with the CAA Legal Department, agrees on the course of action to be taken;
- The Appeal Manager prepares the necessary response and collates any information to be provided to the applicant;
- The response and any necessary information is sent to the applicant, together with information about further rights of appeal to the Information Commissioners Office, including full contact details.

Freedom of Information Act : Section 12

Exemption where cost of compliance exceeds appropriate limit.

(1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

(2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.

(3) In subsections (1) and (2) "the appropriate limit" means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.

(4) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority-

(a) by one person, or

(b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign,

the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.

(5) The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.