Finance and Corporate Services
Information Management

19 September 2013
FOIA reference: F0001645

Dear XXXX

I am writing in respect of your recent request of 27 August 2013, for the release of information held by the Civil Aviation Authority (CAA).

Your request:

> *"How many reports have you logged where a pilot or other flight deck crew has fallen asleep whilst in charge of an aircraft since 01 January 2012 to date?"*

Our response:

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

Incident reports are provided to the CAA under the terms of the Mandatory Occurrence Reporting (MOR) scheme, as described under Article 226 of the Air Navigation Order 2009 (ANO). Each report made is reviewed and, where appropriate, further investigation carried out and action taken.

We have therefore carried out a search of the CAA MOR database for any reports of a Pilot falling asleep whilst in charge of an aircraft since 1 January 2012 to all processed reports as at 4 September 2013. We are in receipt of one such report during the specified period and have attached a summary of that event. We have however, removed identifying information from these reports as this information is exempt from disclosure under section 44 (1) (a) of the FOIA.

Section 44 (1) (a) of the FOIA provides that information is exempt information if its disclosure is prohibited by, or under, any enactment. Under Section 23 of the Civil Aviation Act 1982, information which relates to a particular person (which includes a company or organisation) and has been supplied to the CAA pursuant to an ANO is prohibited from disclosure, (a copy of this exemption can be found enclosed).

For more information about the Mandatory Occurrence Reporting scheme, please refer to CAP382 which can be found at: www.caa.co.uk/cap382

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

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
Information Rights and Enquiries Officer

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 44

(1) Information is exempt information if its disclosure (otherwise than under this Act) by the public authority holding it-

(a) is prohibited by or under any enactment,
(b) is incompatible with any Community obligation, or
(c) would constitute or be punishable as a contempt of court.

(2) The duty to confirm or deny does not arise if the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) fall within any of paragraphs (a) to (c) of subsection (1).

Section 23 of the Civil Aviation Act is such a statutory prohibition. Accordingly, the obligations of the CAA to comply with Section 23 are unaffected by the Freedom of Information Act.

Under Section 23, information supplied to the CAA in connection with its regulatory functions and which relates to a particular individual or organisation must not be disclosed by the CAA unless such disclosure is authorised by one of the exceptions contained in Section 23 itself.

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Date Produced: 09 October 2013

Safety Regulation Group
Safety Data

Aviation House **Gatwick Airport South** **West Sussex** **RH6 0YR**	Direct Dial Direct Fax E-mail	01293 573220 01293 573972 sdd@caa.co.uk	Switchboard Fax	01293 567171 01293 573999

These records were retrieved from the UK CAA Mandatory Occurrence Reporting (MOR) Scheme by a member of Safety Data

The MOR system records include information reported to the CAA, information obtained from CAA investigations, and deductions by CAA staff based on the available information. The authenticity of the contents or the absence of errors and omissions cannot be guaranteed. Records in this system commenced on 1 January 1976 coincident with the introduction of Mandatory Occurrence Reporting in the UK, but occurrences reported voluntarily are also included, and no distinction is made between them.

Note: Any data provided from these records are made available on the understanding that they are only to be used for purposes of flight safety and must not be used for other purposes.

SUBJECT: **MOR involving Pilots asleep.**
PERIOD : **01 January 2012 to all processed reports as at 04 September 2013.**

Make/mdl/srs:	AIRBUS A330	**File Number:**	**201310476**
Phase of Flight:	En-route	**UTC Date:**	13/08/2013
Classification:	Incident	**Location:**	En route
Event Type:	Flight crew		

Headline:
Flight crew suffering from symptoms of severe fatigue.

Narrative:
Reporter suggests both members of flight crew had only 5hrs sleep in two nights due to longer duty period with insufficient opportunity to sleep. Both crew rested for 20min rotations and fell asleep.

Number of Records: 1