

24 September 2013
FOIA reference: F0001662

Dear XXXX

I am writing in respect of your recent request of 12 September 2013, for the release of information held by the Civil Aviation Authority (CAA).

Your request:

"We are pursuing a claim against Thomson Holidays for a flight delay in excess of 8 hours that also resulted in a change of airport for our flight (TOM1454 from Edinburgh) to Lanzarote on 18/07/13. The reason for the delay is recorded by Thomson as a bird strike. However we were on the same holiday as a gentleman who works at the airport and he would have been responsible for recording a bird strike on an incoming flight to Edinburgh on the 17/07/13 while on duty. Thomson cannot or will not confirm that a bird strike was formally recorded. I understand that this has to be done. At the moment I do not know who to believe. Can I please have the evidence one way or the other before I take this further?"

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.

The CAA runs and administers an on-line birdstrike reporting scheme which is intended to record birdstrikes in UK airspace, regardless of whether damage was caused to the aircraft. A birdstrike means any incident in flight in which there was reason to believe that the aircraft has been in collision with one or more birds.

We have searched the on-line birdstrike database for all confirmed bird strikes from 16th to 19th July 2013 and can confirm that there were no reported birdstrikes in UK airspace involving a Thomson aircraft.

In addition, the CAA runs a Mandatory Occurrence Reporting scheme in which all birdstrikes to UK operated aircraft, which resulted in damage to the aircraft or loss or malfunction of any essential service, are reportable regardless of whether the birdstrike occurred in the UK or abroad. We can confirm that we have not received such a report involving a Thomson aircraft corresponding with the details in your request.

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

It is possible that the aircraft sustained a birdstrike outside of UK airspace, which did not result in damage to the aircraft or a loss of malfunction of any essential service. If this happened, it would not be required to be reported to the CAA. In this case, however, it is likely that the airline would wish to check the aircraft thoroughly to ensure that there was no damage before releasing the aircraft back into service.

If you have not already approached them, the CAA's Passenger Advice and Complaints Team may be able to advise you in relation to any claim. Full details can be found on our website at www.caa.co.uk/passengercomplaints.

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
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.