



ANSP Annex I Questionnaire

ANNEX I

GENERAL REQUIREMENTS FOR THE PROVISION OF AIR NAVIGATION SERVICES

1 TECHNICAL AND OPERATIONAL COMPETENCE AND CAPABILITY

An air navigation service provider shall be able to provide services in a safe, efficient, continuous and sustainable manner consistent with any reasonable level of overall demand for a given airspace. To this end, it shall maintain adequate technical and operational capacity and expertise.

Explanatory Note

This requirement is intended to help the organisation ensure that it remains proficient in providing services within a given operational environment.

Questions against Annex 1 CR 1:

1. Please identify documented measures in place to maintain adequate technical and operational capacity and expertise within your operational environment.

2 ORGANISATIONAL STRUCTURE AND MANAGEMENT

2.1. Organisational Structure

An air navigation service provider shall set up and manage its organisation according to a structure that supports the safe, efficient and continuous provision of services.

The organisational structure shall define:

- (a) the authority, duties and responsibilities of the nominated post holders, in particular of the management personnel in charge of safety, quality, security, finance and human resources related functions;
- (b) the relationship and reporting lines between different parts and processes of the organisation.

Explanatory Note

Traceability of authority, (accountability) and responsibility is essential to ensuring that everyone within the organisation can understand clearly where their individual contribution fits. Organisational diagrams provide an easy to use reference for anyone to understand the structure of the organisation and where appropriate, or considered essential, key management and other roles can be reinforced by published and easily available terms of reference.

Questions against Annex 1 CR 2.1:

- 1. Please identify how the organisational structure is defined, documented, and approved, to ensure that it supports the safe efficient and continuous provision of services.
- 2. Please identify how the authorities, duties, responsibilities, inter-departmental relationships, and reporting lines are defined, in particular, the management personnel in charge of safety, quality, security, finance and human resources related functions.

2.2. Organisational Management

An air navigation service provider shall produce a business plan covering a minimum period of five years. The business plan shall:

- (a) set out the overall aims and goals of the air navigation service provider and its strategy towards achieving them in consistency with any overall longer term plan of the provider and with relevant Community requirements relevant for the development of infrastructure or other technology;
- (b) contain appropriate performance objectives in terms of quality and level of service, safety and cost-effectiveness.

An air navigation service provider shall produce an annual plan covering the forthcoming year which shall specify further the features of the business plan and describe any changes to it.

The annual plan shall cover the following provisions on the level and quality of service such as the expected level of capacity, safety and delays to flights incurred as well as on financial arrangements:

- (a) information on the implementation of new infrastructure or other developments and a statement how they will contribute to improving the level and quality of services;
- (b) indicators of performance against which the level and quality of service may be reasonably assessed;
- (c) the service provider's expected short-term financial position as well as any changes to or impacts on the business plan.

Explanatory Note

A business plan is a document that sets out a company's strategic objectives over a five-year period and the way in which these will be achieved.

An Annual plan provides further details on how an organisation plans to meet its objectives as set out in the business plan for the forthcoming year and examines any events or activities which may impact upon these objectives.

The CAA will require the non-commercially sensitive aspects of the business and annual plans to be made available to users as part of the user consultation process to act as a quality check to the information contained within. ANSPs may therefore wish to produce summary documents to be placed in the public domain.

Questions against Annex 1 CR 2.2 *(Not applicable to ANSPs requesting a derogated certificate):*

1. How do you propose to meet the requirements to produce a five-year business plan and an annual plan covering the elements set out in the requirement above?
2. What mechanisms do you have in place to ensure that an effective consultation with users occurs?

3. SAFETY AND QUALITY MANAGEMENT

3.1. Safety Management

An air navigation service provider shall manage the safety of all its services. In doing so, it shall establish formal interfaces with all stakeholders which may influence directly the safety of its services.

Explanatory Note

Safety must be managed to ensure that potential sources of risk are identified, understood and controlled. In this context stakeholders should be defined as those parties who supply goods or services that may directly influence safety. This is a general Safety Management requirement, which for ATS and CNS providers is expanded further under the requirements of Annex 2.

N.B for Met providers the following explanatory guidance is to be taken into account:

Met forecasts are based on a best estimate of future Met conditions in an airspace and their use is at the discretion of pilots. Pilots will also take actual reported Met conditions into account in making operational decisions as a flight progresses. Given this degree of pilots' discretion, it is often difficult, if not impossible, to quantify the safety impact of a Met forecast on the conduct of a flight. However, Met service providers should be able to demonstrate: that provisions have been made to ensure that their forecasts are based on best available data; that some form of systematic forecast verification is employed; and that formal interfaces are in place, with stakeholders that may influence the safety of their services.

Questions against Annex 1 CR 3.1:

1. What arrangements have been established to manage safety?
2. How have stakeholders been identified, and what is their influence to the safety of services?
3. What formal interfaces do you have with stakeholders?

3.2. Quality Management System

An air navigation service provider shall have in place at the latest two years after entry into force of this regulation a quality management system which covers all air navigation services it provides according to the following principles. It shall:

- (a) define the quality policy in such a way as to meet the needs of the different users as closely as possible;
- (b) set up a quality assurance programme that contains procedures designed to verify that all operations are being conducted in accordance with applicable requirements, standards and procedures;
- (c) provide evidence of the functioning of the quality system by means of manuals and monitoring documents;
- (d) appoint management representatives to monitor compliance with, and adequacy of, procedures to ensure safe and efficient operational practices;
- (e) perform reviews of the quality system in place and take remedial actions, as appropriate.

An EN ISO 9001 certificate, issued by an appropriately accredited organisation, covering the air navigation services of the provider shall be considered as a sufficient means of compliance. The air navigation service provider shall accept the disclosure of the documentation related to the certification to the national supervisory authority upon the latter's request.

Explanatory Note

It should be emphasised that whilst a certificated ISO 9001 QMS is an acceptable means of compliance, this is not mandatory. However, a QMS utilising ISO 9001 principles may demonstrate sufficient means of compliance.

Questions against Annex 1 CR 3.2

1. Please provide details of any certificated QMS, issued by an accredited organisation and covering the air navigation services to be provided.
2. If you do not hold a certificated QMS what arrangements are in place to manage quality?
3. What arrangements are in place for document control?
4. If no quality management system currently exists what plans do you have to develop one within 2 years after entry into force of the Common Requirements regulation?

3.3. Operations Manuals

An air navigation service provider shall provide and keep up-to-date operations manuals relating to the provision of its services for the use and guidance of operations personnel. It shall ensure that:

- (a) operations manuals contain instructions and information required by the operations personnel to perform their duties;
- (b) relevant parts of the operations manuals are accessible to the personnel concerned;
- (c) the operations personnel are expeditiously informed of the amendments to the operations manual applying to their duties as well as of their entry into force.

Explanatory Note

Documentation essential to the effective, efficient, and safe provision of the range of services offered should be readily available to anyone having a need to know to perform their duties. All such documentation should be updated when appropriate or retained at the status required (if this is different to the current version).

Questions against Annex 1 CR 3.3:

1. Please identify the operations manuals relating to your service provision.
2. How do you ensure that personnel concerned have access to operations manuals?
3. How do you ensure that operations personnel are expeditiously informed of amendments and when they come into force?
4. How do you maintain currency of the operations manuals?

4 SECURITY

An air navigation service provider shall establish a security management system to ensure:

- (a) the security of its facilities and personnel so as to prevent unlawful interference with the provision of services;
- (b) the security of operational data it receives or produces or otherwise employs, so that access to it is restricted only to those authorised.

The security management system shall define:

- (a) the procedures relating to security risk assessment and mitigation, security monitoring and improvement, security reviews and lesson dissemination;
- (b) the means designed to detect security breaches and to alert personnel with appropriate security warnings;
- (c) the means of containing the effects of security breaches and to identify recovery action and mitigation procedures to prevent re-occurrence.

An air navigation service provider shall ensure the security clearance of its personnel, if appropriate, and coordinate with the relevant civil and military authorities to ensure the security of its facilities, personnel and data.

Explanatory Note

Security must be managed to ensure that potential sources of risk are identified understood and controlled. This will require by a variety of appropriate measures to form an effective Security Management System (SyMS). In this context the ANSP must take into account any supplies of services that may directly impact security and the need to co-ordinate with other civil and military authorities where appropriate.

Questions against Annex 1 CR 4:

1. Please identify particular individuals or post-holders within your organisation to whom security responsibilities and accountabilities are assigned.
2. Have you established a formal Security Management System (SyMS), and does it comply with a recognised standard (e.g. ISO17799)?
3. How do you ensure security of your facilities and personnel against unlawful interference? (e.g. environmental, physical and information security measures; employee vetting via approved agencies, Counter Terrorism and Criminal Records checks and previous employee references).
4. How do you ensure security of your operational data, and restrict access only to those authorised?
5. Please identify the media used to obtain, produce and maintain operational data, (i.e. paper/electronic based) and relevant standards applied.
6. How do you carry out security risk assessments and, when was the last assessment

carried out?

7. What security monitoring and improvement processes do you have in place?
8. What provisions have you made for security reviews?
9. How do you act upon and disseminate lessons learned from security reviews?
10. What specific processes have you established for the mitigation of *safety-related* issues identified through the security review process?
11. What process and means do you have in place to detect security breaches and alert personnel with appropriate security warnings?
12. What processes do you have in place to identify recovery action and mitigate against future occurrences?

5. HUMAN RESOURCES

An air navigation service provider shall employ appropriately skilled personnel to ensure the provision of its services in a safe, efficient, continuous and sustainable manner. In this context, it shall establish policies for the recruitment and training of personnel.

Explanatory Note

The efficiency and effectiveness with which an organisation may continue to provide services will depend on the establishment and maintenance of an appropriately skilled and competent workforce.

Questions against Annex 1 CR 5:

1. What documented policies are in place for the recruitment and training of personnel to ensure they are appropriately skilled?

6. FINANCIAL STRENGTH

6.1. Economic and financial capacity

An air navigation service provider shall be able to meet its financial obligations, such as fixed and variable costs of operation or capital investment costs. It shall use an appropriate cost accounting system. It shall demonstrate its ability through the annual plan as referred to in part 2.2. of this Annex as well as through balance sheets and accounts as practicable under its legal statute.

6.2. Financial audit

In accordance with article 12(2) of Regulation (EC) No 550/2004, an air navigation service provider shall demonstrate that it is undergoing an independent audit on a regular basis.

Explanatory Note

The CAA believes that an ANSP's financial fitness will best be demonstrated through the process of an ANSP undergoing an independent financial audit and hence these two requirements are taken together in the questionnaire. The audit process itself examines whether, in the view of the auditor, the company is 'a going concern'. If this were not the case, the auditor would be compelled to include a statement highlighting any financial difficulties.

Questions against Annex 1 CR 6.1 and CR 6.2 *(Not applicable to ANSPs requesting a derogated certificate)*:

1. Do regular independent financial audits take place?
2. If so by whom and at what frequency?

7. LIABILITY AND INSURANCE COVER

An air navigation service provider shall have in place arrangements to cover its liabilities arising from applicable law.

The method employed to provide the cover shall be appropriate to the potential loss and damage in question, taking into account the legal status of the air navigation service provider and the level of commercial insurance cover available.

An air navigation service provider which avails itself of services of another air navigation service provider shall ensure that the agreements cover the allocation of liability between them.

Questions against Annex 1 CR 7: *(Not applicable to ANSPs requesting a derogated certificate):*

1. Can you confirm the level and type of liability insurance that you have in place (to cover ANSP related risks only) and the provider of that cover?
2. Do you currently provide statistical data on aircraft type and movements to the CAA?
3. Do you obtain services or information from other ANSPs and if so please specify details?
4. In such cases as (3) are you included as additionally insured on the liability insurance of another ANSP? Is it your intention to cover liability in this way?

8. QUALITY OF SERVICES

8.1 Open and transparent provision of services

An air navigation service provider shall provide its services in an open and transparent manner. It shall publish the conditions of access to its services and establish a formal consultation process with the users of its services on a regular basis, either individually or collectively, and at least once a year.

An air navigation service provider shall not discriminate on grounds of nationality or identity of the user or the class of users in accordance with applicable Community law.

Explanatory Note

Provision of ATS, CNS, AIS, and Met, services are normally published in the UK AIP (Air Pilot).

Questions against Annex 1 CR 8.1:

1. Where are your conditions for access to services published?
2. What formal user consultation arrangements have you put in place and how often do you consult with your users?
3. What information is made available to users as part of the consultation process?

8.2. Contingency plans

At the latest one year after certification, an air navigation service provider shall have in place contingency plans for all the services it is providing in the case of events which result in significant degradation or interruption of its services.

Explanatory Note

Any potential interruption or degradation to service is an aspect of risk that must be managed. A contingency plan will be required within 12 months following certification to ensure that events with a potential to create interruptions or significant degradations to the operational continuity of service, are identified and mitigating actions are anticipated.

Questions against Annex 1 CR 8.2:

1. What contingency plans exist?
2. If not currently in place what arrangements will be put into place to develop contingency plans within 12 months following certification?
3. What is the scope of the contingency plans?

9. REPORTING REQUIREMENTS

An air navigation service provider shall be able to provide an annual report of its activities to the relevant national supervisory authority. This report shall cover its financial results without prejudice to article 12 of the Regulation (EC) No 550/2004, as well as its operational performance and any other significant activities and developments in particular in the area of safety.

The annual report shall include as a minimum:

- an assessment of the level and quality of service generated and of the level of safety provided;
- the performance of the air navigation service provider compared to the performance objectives established in the business plan, reconciling actual performance against the annual plan by using the indicators of performance established in the annual plan,
- developments in operations and infrastructure,
- the financial results, as long as they are not separately published in accordance with article 12(1) of the Regulation (EC) No 550/2004,
- information about the formal consultation process with the users of its services,
- information about the human resources policy.

The air navigation service provider shall make the content of the annual report available to the public under conditions set by the national supervisory authority in accordance with national law.

Explanatory Note

An annual report is a yearly report that sets out the current financial position of the company and details of its activities over the past year, including a description of the company's operations, and an overview of its achievements towards the objectives set out in the annual and business plans.

The CAA will require the non-commercially sensitive aspects of the annual report to be made available to users as part of the user consultation process to act as a quality check to the information contained within.

Questions against Annex 1 CR 9 (*Not applicable to ANSPs requesting a derogated certificate*):

1. How do you plan to meet the requirement to produce an annual report?
2. What information will be made available to users as part of the user consultation process?