

24 January 2014
FOIA reference: F0001766

Dear XXXX

I am writing in respect of your recent request dated 25 December 2013, for the release of information held by the Civil Aviation Authority (CAA).

Your request:

"I am enquiring as to whether:

- 1. The CAA have formally accepted **Relative Safety** arguments; as apposed to the use of ALARP for both aircraft and air traffic control, for civil aviation operations at Heathrow and the other airports in the London TMA?*
- 2. Has the CAA provided a formal letter of derogation from ALARP based safety?*
- 3. If the CAA have now formally accepted **Relative Safety** can you please point me to the formal standards that detail how this should be implemented?*
- 4. Also, how does the CAA reconcile the differences between ALARP based safety – UK Law - and **Relative Safety** (no worse than it was yesterday) ?*
- 5. Does the CAA have another interpretation of Relative Safety; one that they will declare as definitive?"*

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.

1. The CAA is not aware of any circumstances where a relative safety argument has been offered. Changes to all aspects of Air Traffic Control (ATC) provision at all UK airports are subject to robust safety oversight based on the Air Navigation Service Provider's (ANSP) obligation under European law to undertake the identification of hazards and to deploy associated risk assessment and mitigation measures. Details of processes selected by the ANSP are varied, and are defined in the ANSP's Safety Management System, and although many different approaches are taken, ALARP is the most common. The CAA oversees the ANSP's conduct of such processes using a risk based approach. Similar conditions apply in operations and airworthiness domains.

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

2. No, however, given the answer above this is not necessary within the current regulatory environment.
3. No such formal acceptance has taken place (see answer above).
4. No such reconciliation is necessary in the absence of a formal acceptance as described in the previous question.
5. The CAA does not have another interpretation, nor is it in a position to make such a declaration.

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.