

4 February 2014
FOIA reference: F0001779

Dear XXXX

I am writing in respect of your recent request of 8 January 2014, for the release of information held by the Civil Aviation Authority (CAA).

Your request:

"I should be grateful if you would please let me know whether or not any Mandatory Occurrences were reported involving Boeing 747 aircraft at London Heathrow Airport on 27 October 2013.

In the event that any Occurrences have been reported, I should be grateful if you would please confirm whether any damage to the aircraft was reported and, if so, please provide me with the details of any such damage, and, how and when [time and phase of flight] the damage occurred".

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.

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 searched the CAA database for any occurrences involving a Boeing 747 at London Heathrow Airport, regardless of its nationality, on 27 October 2013 and provided an excel summary of the one report found (please note that this report is currently the subject of a CAA investigation and is awaiting further information before closure). We have removed identifying information from this report 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
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.

File Number	Date	Time Identified	Phase of Flight Identified	Location	Aircraft model	Headline	Narrative
201313914	27/10/2013	08:00:00	Maintenance	EGLL (LHR): London/Heathrow	747	Missing outlet guide vane (OGV) infill panel on nr1 engine with resultant damage.	The rear of the engine had been damaged by the departing panel and a hole measuring 1in by 2in was found on the green perforated liner, which had pierced through to the exterior skin causing a small dent and a hole. Nothing was found in the maintenance manual that would allow this damage which led to an aircraft change.