

[REDACTED]

Date: 1 July 2025
Reference: F0007436

Dear [REDACTED]

Thank you for your request of 12 June 2025, for the release of information held by the Civil Aviation Authority (CAA). For reference your original enquiry was as follows:

I am wondering if it is possible to retrieve the following information:

-A Detailed safety report as to why the 18:20 flight EZY3373 LPL to BCN was cancelled on 30/05/2025 (Please, if possible, provide any images that may have been taken to back up any issues with the aircraft)

-Please also provide the recent journey this aircraft had taken before it landed in LPL along with any weather warnings that may have occurred during the flight

-Please provide the details as to what journey this exact aircraft had taken after the cancellation

- I am led to believe this aircraft was then used to transport an already delayed alternative flight to Belfast (not sure if it was BFS or BHD) as an alternative to being used for our flight to BCN We were informed the flight was cancelled due to operational issues - but this was never elaborated.

Your request has been considered in line with the provisions of the Freedom of Information Act 2000 (FOIA). I can confirm that for the first element of your request the CAA is unable to confirm nor deny whether information held and for the remainder no information is held; if I may I shall address each of your points in turn:

-A Detailed safety report as to why the 18:20 flight EZY3373 LPL to BCN was cancelled on 30/05/2025 (Please, if possible, provide any images that may have been taken to back up any issues with the aircraft)

It is the CAA's position that should this type of operational granular level information be held by the CAA it would only be provided to us in the form of Mandatory Occurrence Reporting (MOR data). It is the CAA position that for MOR data we can neither confirm nor deny whether information within scope of your original request is held.

Please see the below explanatory annex for further details on MOR data and the FOIA exemption the CAA is relying.

[REDACTED]

-Please also provide the recent journey this aircraft had taken before it landed in LPL along with any weather warnings that may have occurred during the flight

-Please provide the details as to what journey this exact aircraft had taken after the cancellation

- I am led to believe this aircraft was then used to transport an already delayed alternative flight to Belfast (not sure if it was BFS or BHD) as an alternative to being used for our flight to BCN We were informed the flight was cancelled due to operational issues - but this was never elaborated.

For these elements of your request I can confirm that following a review of held information it has been reasonably determined that the CAA holds no information within scope of the above request.

Dispute with your Airline

If you are in dispute with your airline, you may also wish to contact the CAA's Passenger Complaints Team (PACT):

How the CAA can help | Civil Aviation Authority

Additionally, the following CAA consumer pages may also be of some interest to you:

Delays and cancellations | Civil Aviation Authority (caa.co.uk)
Alternative dispute resolution | Civil Aviation Authority (caa.co.uk)
Latest trends and statistics | Civil Aviation Authority (caa.co.uk)
<https://www.caa.co.uk/publication/download/23012>

You may, if you have not already done so, wish to contact NATS (UK air traffic control), EuroControl (European air traffic control), the relevant airport authority or your airline. As these are separate and unique originations I am unsure as to what, if any, additional information they will be able to provide:

NATS - A global leader in air traffic management and airport performance

EUROCONTROL | Supporting European Aviation | EUROCONTROL

Yours sincerely,

Communications & Engagement Team
Information Rights Specialist
Civil Aviation Authority

Follow us on Twitter: @UK_CAA

At the CAA we respect agile working so, while it suits me to send this now, I do not expect a response or action outside of your own working hours.

Please consider our environment. Think before printing.



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:

FOI.Requests@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 out below. A request for an internal review should be submitted within 40 working days of the date of this letter.

Should you remain dissatisfied with the outcome you have a right under Section 50 of the FOIA to appeal against the decision by contacting the Information Commissioner at:

Information Commissioner's Office
FOI/EIR Complaints Resolution
Wycliffe House
Water Lane
Wilmslow
SK9 5AF
<https://ico.org.uk/concerns/>

If you wish to request further information from the CAA, please use the form on the CAA website at FOI - Freedom of Information (caa.co.uk).

- 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.

Explanatory Annex – Section 44 (prohibitions on disclosure)

For clarify I should like to take this opportunity to stress that no inference either way should, or indeed can, be taken from the CAA's position; we are unable to neither confirm nor deny whether we hold information. If there is any ambiguity in the following as to whether the

CAA holds or does not hold relevant information then the overriding principle that the CAA neither confirms nor denies whether in-scope information is held would take precedent.

Section 44(2) of the FOIA does not require a public authority to confirm or deny whether it holds any information, if even in doing so would, in itself, reveal exempt information.

It is the CAA's position, therefore, we unable to confirm or deny whether information is held as to either confirmation would release into the public domain sufficient information prohibited from release by way of section 44 (prohibitions on disclosure) of the FOIA.

The request, as worded, requires to satisfy it confirmation or deny that information is held within MOR data;

-should the CAA confirm such information is held within MOR data (a Yes) this would release information validating this fact.

-should the CAA deny such information is held within MOR data (a No) this would, in turn, release information proving the negative.

Section 44 (prohibitions on disclosure)

When public authorities receive a request for information they normally have a duty under section 1(1)(a) of the Freedom of information Act to inform the requester whether the information is held. This is called "the duty to confirm or deny". However, in certain circumstances, this duty does not apply and public authorities are not obliged to say whether or not they hold the information. It is the CAA's position that in this instance we can neither confirm nor deny whether we hold relevant information with respect to your request under section 44 (1)(a)(prohibitions on disclosure) of the Freedom of Information Act.

It is the CAA's position that the requested information, if held, would be exempt from disclosure by way of section 44(1)(a) (prohibitions on disclosure)(by virtue of Regulation (EU) No. 376/2014 Recital 33; assimilated into UK law in accordance with The European Union (Withdrawal) Act 2018) of the FOIA.

Recital 33 of Regulation (EU) No. 376/2014;

The purpose of ... limiting access to the European Central Repository solely to interested parties participating in the improvement of civil aviation safety, is to ensure the continuing availability of safety information so that appropriate and timely preventative action can be taken and aviation safety improved... information should be used strictly for the purpose of maintaining or improving aviation safety and should not be used to attribute blame or liability

It is the CAA position, therefore, that as the information was furnished to us and Regulation (EU) No. 376/2014, by way of Recital 33, puts a bar on further disclosure (other than to improve safety – please see section below entitled "Disclosure of information for the purpose of maintaining or improving aviation safety") the exemption at section 44 of the FOIA is engaged.

Under section 44(1)(a) (prohibitions on disclosure) of the FOIA, information is exempt if its disclosure is prohibited by or under any enactment; in this case the CAA considers that the disclosure of occurrence information into the public domain in response to a FOIA request is not permitted by Regulation (EU) No. 376/2014 which, as mentioned below, is assimilated into UK law in accordance with The European Union (Withdrawal) Act 2018.

Occurrence Reporting

Occurrence reports, which the above original enquiry relates to, are held by the CAA in accordance with Regulation (EU) No. 376/2014 on the reporting, analysis and follow up of occurrences in civil aviation ("the Regulation"). At the end of the transition period on 31 December 2020 the Regulation, as amended by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019, is assimilated into UK law in accordance with The European Union (Withdrawal) Act 2018.

An occurrence means any safety-related event which endangers or which, if not corrected or addressed, could endanger an aircraft, its occupants or any other person. The aim of the Regulation is to improve aviation safety by ensuring that relevant safety information relating to civil aviation is reported, collected, stored, protected, exchanged, disseminated and analysed.

The civil aviation safety system is established on the basis of feedback and lessons learned from accidents and incidents. Occurrence reporting and the use of occurrence information for the improvement of safety depend on a relationship of trust between the reporter and the entity in charge of the collection and assessment of the information.

The purpose of protecting safety information from inappropriate use, and of limiting access to occurrence information solely to interested parties participating in the improvement of civil aviation safety, is to ensure the continuing availability of safety information so that appropriate and timely preventive action can be taken and aviation safety improved.

The Regulation requires that appropriate measures are put in place to ensure that information collected through occurrence reporting schemes is kept confidential, and that such information is not made available or used for any purpose other than for the maintenance or improvement of aviation safety.

This position has, in the past, been upheld by the ICO; for decision notices upholding this position please use the following links:

[fs_50633690.pdf \(ico.org.uk\)](#)

[Freedom of Information Act 2000 \(Section 50\) \(ico.org.uk\)](#)

IC-276676-X3

For further information on Section 44 (prohibitions on disclosure) exemption under the terms of the Freedom of Information Act please visit the independent regulators, the Information Commissioners Office, website: [Section 44 guidance notes](#).

Disclosure of information for the purpose of maintaining or improving aviation safety

However, if you consider that you require the information for the purpose of maintaining or improving aviation safety, you are able to make an application to the CAA on that basis using the form at www.caa.co.uk/srg1605.

Available statistics

You may also be interested in the following published information:

Statistics - Airspace Safety

Birdstrike data | Civil Aviation Authority (caa.co.uk)

<https://www.caa.co.uk/publication/download/23012>

