

UK reg (EU) 2017/373, ATM/ANS.OR.A.065 Occurrence Reporting Proposed Changes Annex A

The text of the amendment is arranged to show deleted text, new or amended text as shown below:

- (a) ~~Text to be deleted is shown struck through;~~
- (b) **New text is highlighted in grey;**
- (c) ~~Text to be deleted is shown struck through~~ **followed by the replacement text which is highlighted in grey**

ATM/ANS.OR.A.065 Occurrence reporting

(a) A service provider shall report to the competent authority, and to any other organisation required by the competent authority, any accident, serious incident and occurrence as defined in Regulation (EU) No 996/2010 of the European Parliament and of the Council and Regulation (EU) No 376/2014.

(b) Without prejudice to point (a), the service provider shall report to the competent authority and to the organisation responsible for the design of system and constituents, if different from the service provider, any malfunction, technical defect, exceeding of technical limitations, occurrence, or other irregular circumstance that has or may have endangered the safety of services and that has not resulted in an accident or serious incident.

(c) Without prejudice to Regulations (EU) No 996/2010 and (EU) No 376/2014, the reports referred to in points (a) and (b) shall be made in a form and manner established by the competent authority and contain all the pertinent information about the event known to the service provider.

(d) Reports shall be made as soon as possible and in any case within 72 hours of the service provider identifying the details of the event to which the report relates unless exceptional circumstances prevent this.

(e) Without prejudice to Regulation (EU) No 376/2014, where relevant, the service provider shall produce a follow-up report to provide details of actions it intends to take to prevent similar occurrences in the future, as soon as these actions have been identified. This report shall be produced in a form and manner established by the competent authority.

AMC1 ATM/ANS.OR.A.065 Occurrence reporting

REPORTING PROCEDURES

The service provider should establish procedures to be used for reporting to the competent authority and any other organisation required which include:

- (a) description of the applicable requirements for reporting;
- (b) description of the reporting mechanism, including reporting forms, means and deadlines;

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(c) personnel responsible for reporting; and

(d) description of mechanism and personnel responsibilities for identifying root causes, and the actions that may be needed to be taken to prevent similar occurrences in the future, as appropriate.

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GENERAL

The reporting to the organisations defined in the ATM/ANS.OR.A.065 does not affect the need to report to other organisations with which the service provider interfaces, and which might be involved in or be affected by the reported event (e.g. other service providers involved in an occurrence, aerodrome operators, etc.).

Occurrence and Investigation reports should contain input from both an air traffic controller (ATCO) and an ATSEP when Air Traffic Service equipment or an ATSEP was a contributory factor to the occurrence.

A report from either the ATCO or the ATSEP is acceptable either in circumstances where the ATCO and ATSEP were physically together at the time of the occurrence or, if the ATCO and ATSEP were not physically together, in circumstances where an ATSEP was maintaining a constant watch by utilising System Monitoring and Control type systems.

AMC1 ATM/ANS.OR.A.065(a) Occurrence reporting

GENERAL

(a) The service provider should submit all reportable occurrences as defined in Regulation (EU) No 2015/1018~~3~~.

(b) In addition to the reports required by (a), the service provider should report volcanic ash clouds, encountered by aircraft operators, which it has become aware of.

(c) In addition to reporting to the competent authority, a service provider should report to the organisation responsible for the design of systems and constituents (the Design Organisation, (DO)), and to any other organisation that has a service reliant on those systems and constituents.

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AMC1 ATM/ANS.OR.A.065(b) Occurrence reporting

UK legislation does not set out a clearly defined or exhaustive list of the failures of systems and constituents that service providers must report. It is therefore the responsibility of the service provider to determine, with the approval of the competent authority, which failures of systems and constituents must be reported.

GM1 ATM/ANS.OR.A.065(b) Occurrence reporting

SYSTEMS AND CONSTITUENTS

(a) When determining which failures of systems and constituents are to be reported, a degree of practicality is required as it is not intended that every failure is reported. Only those that have or may have an impact on the safety of the provision of services are reported.

~~(b) When nothing is defined in European Union or national legislation, the determination of the failures of systems and constituents that need to be reported is done by the service provider and needs to be approved by the competent authority. This determination can be done as a result of an assessment of the installations or changes to the systems and constituents.~~ When determining which failures must be reported, the service provider should consider the following:

1. The determination can be done as a result of an assessment of the installations or changes to the systems and constituents.
2. The following failures should be deemed reportable:
 - (i) Instrument landing system category reduced, change to separation standard, or similar effect;
 - (ii) Increase in controller workload, i.e., non-seamless loss of frequency leading to selection of alternative frequency;
 - (iii) Complete failure of facility that did not lead to increase in pilot or ATCO workload, but that in normal operational conditions would have led to an increase in workload. Examples: failure happening outside operational hours; failure during maintenance activity.
3. Where the engineering function is carried out by a third party the service provider is responsible for determining what must be reported.
4. Where a failure occurs in a delegated air traffic services (ATS) area as defined in Schedule 1, paragraph 2 of the Air Traffic Services Licence for NATS (EN ROUTE) PLC, the service

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provider responsible for reporting the failure is the ANSP certified to provide services in that ATS area.

(c) The organisation responsible for the design of the systems and constituents may no longer exist or may no longer support the design. In this case, the service provider will have made arrangements to ensure that the safety of the systems and constituents can be assured by appropriate and practical means. In many cases, this means that the service provider has taken over the design responsibilities.

~~(d) Within the application of Regulation UK (EC) No 552/2004, the organisation responsible for the design of the constituent will be the entity that signs the Declaration of Conformity or Suitability for use. For systems and constituents which existed before the applicability date of Regulation UK (EC) No 552/2004, the service provider should identify the responsible organisation, otherwise the service provider should make appropriate arrangements.~~ The service provider should identify the organisation responsible for the design of the systems and constituents in accordance with CAP 670 Part B, APP 05, as set out in Annex A to Supplementary Amendment 2023/01.

GM2 ATM/ANS.OR.A.065(b) Occurrence reporting

A service provider should report failures as described in ATM/ANS.OR.A.065(b) to the DO even where they have not endangered safety, and are unlikely to have done so, to enable the DO to collect failure data and do trend analysis. The service provider should apply a degree of practicality when deciding whether to report a failure in this context, for example, by reporting only once the nature of the fault is known or when the service provider's capabilities are exhausted and external assistance is required. Minor failures such as bulbs, fuses and power recycling are not required to be reported.