CHIRP
Air Transport FEEDBACK

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EDITORIAL

In FEEDBACK Edition 113 we printed an extract from EASA Flight Time Limitations (FTLs) and the use of Commander's Discretion. I am grateful to one of our readers for commenting that we should have mentioned that not all AOC-holders will be required to comply. For clarification, from 18 February 2016 Commercial Air Transport operators of aeroplanes will need to have transitioned to EASA Subpart FTL. The regulations apply to Commercial Air Transport aeroplane operators but the following groups are currently exempt from the regulations:

- Air taxi operators of aeroplanes of 19 seats or less
- Emergency Medical Services (EMS)
- Single pilot operations
- Helicopter operations

For more detail see the CAA website

CHIRP Reports regularly refer to the disruption of sleep patterns and fatigue associated with roster changes. The changes are sometimes the downstream effects of operational disruptions resulting in callouts from standby. Whatever the causes, excessive roster changes can indicate an organisation that is under-resourced or poorly managed. A critical question is, "what constitutes excessive disruption?" It may be that there is no set measure and that it depends on the size of the organisation and the nature of the operation. However, the good news is that in its guidance to operators on compliance with EASA FTLs, the CAA is recommending the development of roster stability metrics to demonstrate, amongst other things, the disruption visited on flight crew and cabin crew. It will then be for the CAA to determine whether the metrics are valid and the rosters are being managed to an acceptable level of stability. A step in the right direction!

This edition of FEEDBACK contains 2 reports about helicopter operations over London. The second of these reports on some of the effects of the implementation of Standardised European Rules of the Air (SERA). The UK Rules of the Air are reviewed periodically and the latest update came into force on 30 Apr 2015: The Rules of the Air Regulations 2015 are the law and everyone needs to comply with them.

Ian Dugmore - Chief Executive

ENGINEERING INTRODUCTION

The recent engineering reports raised through CHIRP, all show a worrying trend that appears to be gaining some ground in the industry. We are all aware that pressure and stress play a large part in errors and in forcing people to make poor decisions within the large commercial airlines. More recently there is a trend of pressures being applied or standards being eroded in the light and general aviation sectors. Many engineers operating in the GA field have full time jobs elsewhere but enjoy the hands on experience that is gained from working on light aircraft. Often the equipment being fitted is state of the art and more modern than they are exposed to in the commercial world. There is nothing wrong with gaining this experience while helping someone out.

Irrespective of the size of the aircraft, the implications for qualified engineers or inspectors are exactly the same. It is unreasonable to expect engineers or safety and quality staff to cut corners. It is also imperative for individuals working in any field of aviation engineering to apply the same standards of professionalism and vigilance as they would if operating on commercial aircraft. Direct contact with owners can put maintenance staff under undue pressure to sign for work done by others who are not certified, licensed or who lack the appropriate experience level. As in any part of aviation, the rule must always be - If you have

not done the work make sure you check thoroughly before signing the aircraft as serviceable to fly: someone's life and your license may be at risk.

Bruce Hunter - Deputy Director (Engineering)

ENGINEERING REPORTS

MEMS MEDA REPORT

Incident Summary - The Aircraft had been parked up, unpowered and sealed. The aircrew and engineer arrived at the aircraft at the same time. On entering the cockpit the Captain noticed a Tech Log entry stating "Covers and Pins removed", this had already been signed off as completed by the engineer. The airline uses a control column placard system and this was in place stating "Covers and Pins Installed" although the pitot head covers were not on the tubes or in the storage pouch. The engineer was engaged in removing the engine covers and did eventually arrive in the flight deck to stow the pitot covers. The Captain informed the engineer that his actions had caused confusion particularly signing off the task before it was fully completed, which is unacceptable. The engineer stated that he was trying to avoid delays and this was his rationale for signing the technical log before completing the task.

Training - The engineer while holding a B1 license had only been issued a lower level A license approval by the company, this is normal policy for a new staff member during probationary periods. Normally as a new staff member he would have been subject to additional supervision from the station B1 engineer. This was overlooked due to the fact he held a B1 license and it was assumed, by the supervisor that he knew what he was doing. Both of the B1 engineers have since undergone refresher training on technical procedures.

Analysis

Individual Error – The engineer felt he was alleviating pressure to prevent a delay by completing the technical paperwork prior to accomplishing the task. Clearly this is unacceptable.

Organisational Factors - The company felt strongly enough about this issue that they issued a Quality Notice to all staff to alert them to the importance of completing the technical log only after all work has been accomplished.

***CHIRP* Comment:** This is a particularly dangerous trap when under pressure to prevent delays and while trying to get aircraft away on time. Clearly the organisation took the issue seriously and has taken steps to ensure all engineers are reminded of this important lesson. It is a cornerstone principle of continued airworthiness that work is only signed off after it has been completed; the signoff should then be done promptly to minimise the opportunity for other errors to occur.

FLIGHT CREW REPORTS

HECTORING ATC

Report Text: A crew recently missed a high-speed turn off after landing, presumably after an overnight, transatlantic flight, causing the aircraft behind to be sent around. The crew apologised but the controller said, and I quote "not very impressed with your vacation there [call sign], call ground [frequency]". On another occasion, when the high-speed exit lights were u/s, I landed and after missing our usual exit in the dark was told to expedite next left. After vacating the controller asked if "we had a problem?" After having rolled approximately another 300m, the aircraft behind was still at 2.5 miles so there was no risk of a forced GA. Controllers are experts at their own airfield, they know which turn off each type can normally make, which airline parks where, so can factor that in to their expectations. Pilots, except at home base, are not masters of any particular airfield and have other considerations over and above ATC's expectations of runway vacation points. Notwithstanding the point that pretty much every airfield in W. Europe/USA promulgates itself as HIRO, the [non-standard RT] detracts from what is otherwise an excellent service and can be a source of distraction on the taxi-in.

***CHIRP* Comment:** Requests to pilots to turn off at specific exits should be made as early as possible during the final approach. Pilots will routinely seek to comply with these requests if it is safe to do so. Where they do not comply, hectoring and sarcasm are unacceptable but controllers are encouraged to inquire early about potential problems in order to manage go-arounds and/or call the emergency services. Controllers might become used to the performance of different aircraft types and different operators but there can always be variations: individual pilots may be unfamiliar with the airport, or an inexperienced pilot might flare excessively and land long, or an operator's encouragement to manage brake wear may result in longer rollouts. Given that pilots and controllers may have different perceptions of situations and that controllers

may need to seek reassurance that all is well, it is essential that everyone should be professional at all times on the RT.

INFORMATION ON COMPANY WEBSITE

Report Text: The following note was posted on the front page of the company internal website: "After t /off E&E door warning. QRH complete. Pressurisation normal. Inexplicable and completely unnecessary air turn back causing significant travel disruption to our customers and crew." I spoke to the Captain involved who said Engineering and Operations were consulted before returning and it was agreed that a return to base would be the best option, in order to avoid getting grounded at the destination, in case the fault would persist, and since the destination was not known to have engineering cover.

A few days later the Captain was called by the Flight Safety Officer who questioned the decision to turn back, referring to the QRH which stated to continue normal operation if pressurisation was normal. I find it deeply concerning that the Flight Safety Officer would question a Captain's decision to choose a safe option in this manner. It is equally concerning that notices like the one above are posted on [the company intranet], which is used to check-in before duty.

In my opinion, it is possible that this could have a negative effect on crews' decision making processes should they face a similar problem. This is also not an isolated event. Similar notices are published regularly, normally in a similar fashion: Very short description of events, possibly without all relevant facts stated, not allowing the reader to form his own picture of the event.

Lessons Learned: [The company] should not post notices on [the intranet] in order to drive across a point from management. Instead all details of relevant incidents should be shared with crews in order for everyone to learn from the events. The Flight Safety Officer should support crews in making safety related decisions. He should not question a Captain for making a safe decision only because of its commercial implications.

Operator's Comment: The full Report and its two principle issues have been reviewed through the company SMS. The review established that the crew did not follow the QRH. That fact was what made it worthy of promulgation. We take on board the reporter's comments regarding the manner in which the incident was reported on our internal website; however, there was no reference to crew names, crew base, flight number or day of occurrence. There was no requirement from a safety or operational perspective for this air turn back.

***CHIRP* Comment:** Investigations by operators into the circumstances of events and incidents should not be restricted in scope. Sometimes investigations will determine that the correct actions were taken and sometimes otherwise. Whatever the findings, they should be presented factually and non-judgementally such that everyone can learn the appropriate lessons.

SVFR OVER LONDON

Report Text: Details of the Charter were to pick up from London [ ] Heliport on the Monday returning the passengers back on Tuesday evening. Weather over London throughout the period was poor with low cloud forecast to be routinely overcast at 1000'. We opted to utilise the Northolt ILS on Monday and from there were able to use the Heli Lanes to reach the Heliport. Both members of the crew commented on the height of several new cranes immediately adjacent to the Heliport that were assessed as being 500' agl. The rest of the day was unremarkable.

On the Tuesday afternoon the crew reported to the aircraft 1:30 prior to the scheduled departure time in order to complete the necessary maintenance and preparation. Owing to the remote location this meant the crew had no access to flight planning data (no 3G) prior to the aircraft departing (1 hour later than planned). The flight crew were able to call [the Heliport] to check the latest weather just prior to lift and were informed that cloud was scattered at 1100' with broken cloud at 2500'. The TAFs for the day indicated that this was commensurate with expected conditions and that conditions at Heathrow were not likely to deteriorate further. Departing in VFR the weather conditions closer to London deteriorated, as expected, but a Radar service was requested from Farnborough and we descended close to the OCK VOR in order to achieve VFR flight below what we believed to be scattered cloud at 1100' and broken cloud at 2500'. It was soon apparent that there was no break in the cloud and I, as the PNF, opted to call [Destination] Tower on the second VHF box to update the latest weather. [ ] informed us that they were open with some cloud at 400' but reasonably clear above that. Given our experience of the cranes on the proceeding day we decided that conditions around [the Heliport] were likely to be hazardous even if we managed to achieve VFR. Farnborough then gave an excellent service and we descended on their ILS clearing cloud at around 200' in 1500 metres visibility. Stunned at the poor weather we quickly decided to rapidly organise ground

transportation, via the handlers, for our passengers as to have waited for a VFR clearance seemed extremely optimistic. The passengers subsequently filed a request via their broker for more information as to why we had failed to get them to their destination intimating that as [the Heliport] had been open they were upset not to have arrived there.

Lessons Learned: No one can control weather and it is a vagary of the industry that these things should happen. However, there is a plethora of very high cranes over London, particularly close to the Thames, many in excess of 400'. With [the Heliport] still open and with some cloud reported at 400' aircrew are left in a difficult position. The SVFR that is necessary to negotiate the airspace in these conditions still requires 500' separation and given the height of many of the cranes it is a tall order to achieve. Passengers feel rightly aggrieved not to have arrived at their chosen destination when they subsequently find out that the destination is still open. In conclusion. I am fortunate to work for a company that is able to back its aircrew up when they make a decision for safety, even when it results in financial loss. My fear is that others in this situation may feel compelled to continue beyond the appropriate safeguards in order to achieve the task and not lose precious income. In addition the current framework supporting the excellent provision of landing so close to Central London seems open to interpretation. Aircrew, often under intense financial pressure, seem to be almost invited to assess for themselves what weather constitutes VFR. I believe that when there is any weather below the 600' limit set [the Heliport] ought to be closed to prevent bolder aircrew from 'having a go'. I also strongly believe that 600' is too low a limit given the height of many of London's latest cranes.

Heliport Operator's Comment: All of the ATCOs at this unit are accredited CAA Meteorology Observers and have experience of the London Weather. Although the pilot checked the nearby airport TAF and METAR, the weather at the heliport is affected by the warmth of the city and can be significantly different to that of surrounding airports. We do not receive a TAF from the Met Office for our aerodrome but, as accredited Met observers, we are able to give an accurate observation. The Heliport has no approach aids, ATM and only basic Met equipment that does not record a historical trend. Decisions due to weather are properly made by the pilot not the controller. Controllers cannot refuse flights and there appears to be pressure on pilots to launch into poor weather. The decision to introduce an entry into our MATS Pt 2, ENR 1.2 (Visual Flights) is to take the pressure from the pilot. When the weather deteriorates to broken or overcast below 600ft cloud ceiling and or visibility falls below 1000 metres, the Heliport is closed. Of note, at the time of this reported flight the heliport was in Class A airspace and the pilots flew by a SVFR clearance that required separation. Since then the airspace has become Class D airspace which puts even more pressure on the pilots, as VFR/VFR flights don't require separation even in poor weather conditions.

***CHIRP* Comment:** **CHIRP agrees with the reporter's Lessons Learned. (S) VFR flights over London at night and in bad weather are demanding enough, all the more so when there is pressure on flight crew to meet commercial imperatives. It is vital that operators follow the good example set by this one and support their crews despite the potential financial implications. The declaration of a destination being open could add to the pressure on pilots as it takes a high level of moral courage to stand up to the expectations of demanding passengers. However, 'open' is the default state and pilots are routinely required to make weather decisions. The declaration of 'closed' removes any pressure to press on to reach, or to launch from, this particularly demanding destination and is considered, on balance, to enhance safety. It would be helpful to have better weather reporting in the London Control Zone since some of the routes are long and the weather conditions could vary along the length. The reporter behaved entirely correctly in the conditions they encountered. With the reporter's agreement, the report has been passed to the CAA for consideration of their comments and recommendations.**

HELICOPTER ROUTE HAZARD

Report Text: For many years the most commonly used VFR/SVFR routeing for twin-engine helicopters approaching London Heliport from the north has been BNN 133 Radial - Brent - Battersea. This is a safe route, over relatively open ground and with only a 15 degree turn at Brent before entering the Battersea ATZ. It allows aircraft to be flown at 1300 feet QNH. I have personally been flying this route since 2001. To my knowledge, there has never been any form of incident/accident involving the use of this routeing.

However, it was of great concern to learn, with less than 24 hours' notice, that this routeing was withdrawn completely and now reinstated for day use only, due to the introduction of part SERA regulations regarding obstacle clearance limits. The offending obstacle in question is Wembley Stadium Arch, which lies 1.25 miles off the northern part of the route.

Bizarrely, the alternative 'safe and legal' route now being mandated is via the London City zone, from Alexander Palace - London Eye - H4 - Battersea. This route is less safe from a practical point of view because

it puts aircraft far closer to obstacles, some of which are as tall, or taller, than the Wembley Arch. These obstacles include the BT Tower, the London Eye itself and the Shard.

Most worryingly of all. The southbound track points almost directly at St George's Tower, which lies just 155 metres to the south east of the centre of the river, adjacent to the reporting point at Vauxhall Bridge which helicopters must fly over on H4. This was the location of the very well-publicised fatal helicopter accident in January 2013. Even before that accident, I had occasionally refused to accept this clearance by day because I felt it unsafe (although perfectly legal) in the prevailing weather conditions. With regard to compliance with the 500ft rule along the H4, the position of St George's Tower gives a lateral margin of just 11 feet.

Blind adherence to European regulations and a lack of buildings control with regard to existing and long established helicopter routes has created a dangerous situation. I suggest that the CAA review the routing situation most urgently, before another helicopter accident involving an obstacle occurs in this area.

***CHIRP* Comment:** The reporter is correct in citing the introduction of SERA regulations for the daylight only restriction on the BNN 133 Radial - Brent - Battersea route. Their disidentified report has been passed to the CAA.

AUGMENTED CREW

Report Text: I have a UK ATPL and operate on an EU AOC. We fly augmented crew worldwide more frequently than previously (13 hr. range if we are careful) and an aspect has crept into this to which I cannot find reference in our OM nor EU Ops etc.

On a couple of occasions when augmented crew have been required for an 18 hour, 2-3 sector day, the third crew member has joined for the second and possibly third sectors. E.g. aircraft at [UK airfield 1], 2 crew position it to [UK airfield 2], pax and 3rd pilot join for flight to [e.g. South America].

My question to the company was 'what is our planned duty period when starting from [UK airfield 1]?' Response was that nothing written down against extending duty in this manner so it is OK to do it. Not sure about that, so even if this is a non UK operator, EASA rules should be interpreted the same way and any clarification you can offer would be appreciated.

***CHIRP* Comment:** The situation described is not addressed under EU OPS Subpart Q regulations. However, EASA regulations do cover the issue. CS FTL 1.205(c) (7) states that "A crew member does not start a positioning sector to become part of the operating crew on the same flight." Although this may not seem like a definitive statement about the issue, the intent is that all the crew are on the same FDP starting at the same point. There is more detail in the CAA guide to EASA FTLs; the regulation above is on page 34.

STANDBY COVER – OR IS IT?

Report Text: : In a vast change from the last few years there have been a multitude of roster changes for pretty much everybody at my home base. I can only assume this is a similar story at the other company bases. In one instance a colleague showed me that his entire rostered week had completely changed, not one of the original duties remained. Other crew have been subject to many last minute changes.

For instance, a late-to-early change for the next day leaving just over minimum rest. Notwithstanding the fact that we are unable to plan a life in such instances, the disruptive pattern is not conducive to good rest. The number of fatigue reports that I have filed this year is a multitude of times more than I've filed in the previous decade.

Another point to make is that a rostered standby that has been subject to a roster change, up to four weeks in advance, has been shown on the roster as a standby callout, i.e. called from standby on the day and NOT a roster change, which it actually is. Other instances of being called from an early standby to operate a late duty only to be told by the other crew members that you have been on their roster since publication, i.e. weeks. The company is showing us as on standby despite being effectively rostered a duty.

We believe that the company is rostering and manipulating the rosters in this way to show the regulator that they are running at the correct crewing level and maintaining the correct amount of standby cover. The company is purposefully running light on crew in an effort to save money. That much is obvious. The number of requests to work on days off has shot through the roof. They're even tempting crew with double day off payments, they are that desperate. This deceptive rostering practice and constant roster changes, depending on the actually change, can be fatiguing, stressful, distracting and annoying. In short, effects that can be detrimental to flight safety and all unnecessary if we had the correct number of crew.

***CHIRP* Comment:** While it is good to read that the reporter fills out fatigue reports, it is disturbing to read that this is necessary with increasing frequency. Roster instability can be an indicator of lack of resources

and distributed aircraft basing with small numbers of aircraft at each outstation will require a higher crew-to-aircraft ratio to provide resilience against excessive roster disruption. CHIRP will make this point to the CAA and recommend that the metrics for roster stability referred to in the Editorial are assessed for each base and outstation separately rather than aggregated across the entire operation.

Turning to the issue of standby, there is no requirement for the company to have any standby cover. It seems odd that the operator would not tell the crew as soon as they allocate the duty as by calling them on the day they are using up more duty hours. As long as the company changes the duty before the minimum rest period prior to the standby there is no requirement to record any element of standby. The records need to reflect what actually happened.

It is a reality that there is disruption and that crew work on previously rostered days off for overtime payments. Operators should have specific sets of rules around how this is done where the call doesn't impact on any other rostered duty or any limitation in an already operated roster. An operator can attempt to call a crew member on a day off to see if they would be fit to operate but the crew member is under no obligation to take the call or the duty.

USING CONTACTABLE DUTIES AS FLEXIBLE STANDBY COVER

Report Text: Over the last year, I have seen an increase to the amount of contactable duties on my roster that are changed to a standby duty. Those often get changed to a flight duty just a few hours after acknowledging the first amendment. This practice is becoming more common due to tight crewing levels and both my flight deck and cabin crew colleagues tell me, they are experiencing similar practices with regards to a contactable duty.

In my case, on a few occasions, I have gone to check-out after a flight, only to discover that my contactable duty the following day is now a flight and often, close to minimum rest. On querying this with the crewing team, we are told, "well, it's legal". I have gone into the CAP 371 for clarification and unfortunately, I believe that my airline are exploiting the fact that the CAA has not provided any clear ruling on how much notice should be given to change a contactable period. I understand that some airlines set a guideline of at least 24 - 48 hours' notice and only use this in extreme circumstances. My concern is that the airline is instead using a contactable period as a flexible standby and this is not in the spirit of what the CAP 371 intended. I have noticed that a contactable day tends to appear at the end of a run of flights or standby duties. That way, should I have some 'spare duty hours' remaining, I am available to carry out another standby or flight.

I am interested to learn what the CAA's view on this is and also, how as crew, we are supposed to plan our rest properly, knowing that a contactable day is now just a 'lucky dip duty day'! As my airline look to introduce the new EASA FTLs into their manuals, can we as crew expect the authority to take a serious stance on those airlines that use the maximum FTLs available as a roster target as opposed to a limit? Especially, as the example given above, is just one area of the currently poor scheduling practices adopted at my airline.

***CHIRP* Comment:** Contactable days are designed to be moved up to a standby duty and then a duty or, alternatively, even straight to a duty or FDP. The minimum notification for any change of duty is only the minimum rest requirement before the planned duty and the change must ensure that minimum rest is achieved prior to report. It is normal for operators to plan in the sequence of FDP, standby, contactable and move crew up the line as required. Some operator's industrial agreements set additional requirements around changes of duties as quoted by the reporter but that is not a CAP 371 requirement. Operators will be required to demonstrate that they meet the requirements under the Operator Responsibilities in the new EASA Subpart-FTL regulations. As noted in the editorial, the CAA has provided operators with guidance in how to meet these requirements and roster stability is one metric that operators will be expected to maintain.

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