

# FC5219

*Posted on 26.10.2022 by Steve Forward*

**Category:** [Flight Crew \(Commercial\)](#)

**Report Title** CRM issues

## Initial Report

I was a First Officer for a duty that was for a planned FDP of 11hrs 5mins. The day already started delayed because our aircraft arrived late from the previous flight (at the time that we should have departed). Disembarking from that flight also took more than 30mins due to airport delays. So, before we took off for our first sector, it was obvious that we would go into discretion. As this was not unforeseen, the cabin crew Number 1 asked the Captain if they would give Ops a heads-up so that they could maybe organize another crew on standby for the last sector. This was completely ignored by the Captain, who denied that we would go into discretion.

On the second sector, more delays accumulated so that there was no doubt anymore of going into discretion. The cabin crew consulted me and asked what to do and why we were not informing Ops. I tried to talk to the Captain about that issue, but the Captain just blocked any conversations about it. A very high gradient of authority was unfortunately present so talking about such issues wasn't easy. Between the second and third sector the Number 2 approached us in the cockpit after asking the Number 1 for permission. They also wanted to know why the Captain didn't want to talk about the obvious fact that we would have to go into discretion on the last sector and why they were not asking any of the crew whether they had any flight safety concerns or were not feeling fine to do the last sector. The Captain's answer was only that it was their sole decision to go into discretion or not, and that they did not have to talk to any of the crew about it. A loud discussion between the Captain and the Number 2 started and, after showing the Captain the associated company memo regarding discretion, the Captain then just ignored them.

The next sector was uneventful although the atmosphere deteriorated after that discussion. After the passengers disembarked, the Captain then approached the cabin crew whilst the passengers for the next sector were already waiting at the L1 door in the airbridge. The Captain initially informed everyone that it was his decision to go into discretion or not. The crew then informed him that the proper way would have been to talk to everyone individually to evaluate if they were still fit to fly or if safety was in question because we, as a crew, were one team. The Captain responded that they couldn't just go to the back of the aircraft to talk to everyone, and that this would be ridiculous. Whilst that discussion also got louder, the Number 4 started to cry silently in their seat. The Captain then said that if anyone wanted to offload themselves they should feel free but that

they would have to consider the 173 passengers who want to go back home. This put an unfair pressure on the crew not to tell the Captain if they felt fatigued. So, in the end, everyone said that they would do the last sector but only because they didn't want to be the one responsible for the whole crew staying overnight. On the last sector, due to exhaustion, we made a number of mistakes. On line up we recognised that the flight directors were not engaged; after take-off while doing the 'after take-off checklist' I recognised that the autobrake had never been in RTO; and in-flight due to turbulence with cost index 100 and being at Mach 0.8, the speed increased to 1 knot below the overspeed warning. When I mentioned this I got rudely told by the Captain that they knew that and that I didn't have to mention it as long as the overspeed warning was not activating. I feel I should have spoken up more forcefully to defend the cabin crews' wishes.

## Comment

Aside from the debate about the use of discretion, this report represents some of the worst aspects of poor CRM that we have come across in recent years. That someone could be so un-empathetic to their crew beggars belief and seems a real throwback to the dark ages before enlightened Just Culture and modern safety management. Although the reporter's comment that they should have been more forceful is pertinent, we should not underestimate the cockpit gradient that was evident and so speaking out in such circumstances can take real courage.

With regard to the use of discretion, [AMC1 ORO.FTL.205\(f\) Flight Duty Period \(FDP\)](#) for UK Regulation (EU) 965/2012 comments on the "...*shared responsibility of management, flight and cabin crew...*" and that consideration should be taken of "*individual conditions of affected crew members...*". Regulation does not state how the Captain should consult their crew or whether this should be conducted face-to-face, individually or as a whole crew. Ultimately, the decision to go into discretion is not made collectively as some sort of 'committee meeting'; the crew make their representations to the Captain but, in the end, it is the Captain who decides whether to use discretion or not, most usually in discussion with the Senior Cabin Crew Member, having consulted with all the other crew members to note their personal circumstances and ensure that the flight can be made safely. In this later respect, it is the responsibility of each crew member to know the maximum FDP that they can operate and they should ensure that the Captain is aware if they think they will exceed this. Also, if any members of the crew have been called from standby to operate the duty, this information should be relayed to the Captain because this also might affect whether they can continue the duty into discretion.



