

FC5309/FC5319

Posted on 15.04.2024 by Steve Forward

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

Report Title Unticking MOR boxes in ASRs

Initial Report

FC5309 Report text: There are strong rumours that the company is 'unticking' the MOR box used by pilots in flight safety reports. When questioned, the answer is that the company works closely with the CAA and has a special relationship.

FC5319 Report text: Over many years, it can be common for Flight Ops managers to ask reporters of ASR's to remove the MOR tick, even though the Pilot thinks it should be ticked. Can organisations be reminded that they should not be asking authors of reports to change their minds, and let the CAA make up their own minds.

Comment

Companies 'unticking' MORs is something that we have raised with companies and the CAA before, and so it would be disappointing to see it being done again without justification. That being said, there are circumstances where company/CAA interaction does occur and the box can be unticked by mutual agreement for minor issues but it shouldn't be an habitual action, especially not to hide data, and the boundary between what is mandatory and what is not can be opaque to those who are not familiar with the distinctions.

The CAA receives in the region of 30,000 MORs each year, and many of these are simply logged; they do not have enough resources to investigate them all in detail and so only the specifics of those that represent significant risk are passed on to the investigators and surveyors for further action; the rest are used for statistical analysis and trend identification. For this reason, it is primarily for the companies themselves to deal with the issues raised in ASRs and MORs, ensuring that those that are formally serious incidents or accidents are notified to the CAA. To set the context, UK(EU) Regulation 376/2014 specifies what occurrences are deemed 'significant risk' (see below) and which must be reported to the CAA.

So, the bottom line is that it depends on what is being reported whether the company needs to pass it on to the CAA. Anything that has a safety risk should be considered, but it's for the company, in association with the CAA, to determine which are 'significant risk' and classed as MORs. But it's *CHIRP's* opinion that there ought to be an open record of how many ASRs have had their

MOR boxes unticked by a company so that there is transparency in the reporting process within both the companies and the CAA; at the moment, we understand that there is no such record and so the CAA don't know what they don't know, nor the scale of how many ASRs are being unticked.

Ultimately, if you feel strongly that an issue should be reported to the CAA but your company does not and they untick the MOR box then it's always possible to report issues directly to the CAA, bypassing the company. This can be done either as a VOR (Voluntary Occurrence Report) through the ECCAIRS portal (which can be accessed via the [CAA Occurrence Reporting webpage](#) but is somewhat user-unfriendly), or by whistleblowing via the [CAA whistleblowing facility](#). Although doing so after having previously submitted an ASR may be another unwelcome burden, if you feel strongly that your concerns are not being listened to or presented to the regulator when you think they should be, then these methods at least provide an avenue for direct reports.

Associated reporting regulations

- [UK Regulation \(EU\) 376/2104](#) Article 4 Mandatory reporting:

1. Occurrences which may represent a significant risk to aviation safety and which fall into the following categories shall be reported by the persons listed in paragraph 6 through the mandatory occurrence reporting systems pursuant to this Article:

(a) occurrences related to the operation of the aircraft, such as:

- (i) collision-related occurrences;
- (ii) take-off and landing-related occurrences;
- (iii) fuel-related occurrences;
- (iv) in-flight occurrences;
- (v) communication-related occurrences;
- (vi) occurrences related to injury, emergencies and other critical situations;
- (vii) crew incapacitation and other crew-related occurrences;
- (viii) meteorological conditions or security-related occurrences;

(b) occurrences related to technical conditions, maintenance and repair of aircraft, such as:

- (i) structural defects;
- (ii) system malfunctions;
- (iii) maintenance and repair problems;

(iv) propulsion problems (including engines, propellers and rotor systems) and auxiliary power unit problems;

(c) occurrences related to air navigation services and facilities, such as:

(i) collisions, near collisions or potential for collisions;

(ii) specific occurrences of air traffic management and air navigation services (ATM/ANS);

(iii) ATM/ANS operational occurrences;

(d) occurrences related to aerodromes and ground services, such as:

(i) occurrences related to aerodrome activities and facilities;

(ii) occurrences related to handling of passengers, baggage, mail and cargo;

(iii) occurrences related to aircraft ground handling and related services.

- Annexes I-V of [UK Regulation \(EU\) 2015/1018](#) go on to amplify this with specific topics for reporting.
- More usefully, [AMC & GM for Reg \(EU\) 376/2014](#) Section 3 talks about which occurrence information organisations should send to the CAA (as the competent authority). Within para 3.1 it says: "*Regulation 376/2014 requires the collection, analysis and follow-up by organisations, as well as the transfer of certain occurrences to their competent authority.*" The document goes on to state at Para 3.7 that only those occurrences that fall within the Mandatory Occurrence Report set (as noted above) must be passed on to the CAA. Those that are not within the MOR list (i.e. Voluntary Occurrence Reports (VOR)) do not need to be passed on to the CAA unless they involve a 'safety risk' and so the operator, by inference, has the option to 'untick' the MOR box in these cases. The associated Diagram 3 shown is from para 3.7.

Diagram 3. Information flow related to the occurrence initial notification

Note: for the purpose of simplification, the scheme indicates that the reporting by individuals is made to the organisation while it is recognised by Regulation 376/2014 that individuals may report directly to the competent authority. See Section 2.8 for more information on the various reporting channels.

Key principle

Organisations are required to report to their competent authority (Article 4(8) and (9)) all mandatory reportable occurrences they have collected i.e. those contained in Regulation 2015/1018 when reported by a person listed in Article 4(6) (see Sections 2.2 and 2.3).

Occurrences collected under VORS are not all reportable to the competent authority. Indeed, only those that may involve an actual or potential aviation safety risk (Article 5(5) and (6)) shall be reported to the competent authority.

The prose within Para 3.7 goes on to say that:

"It is understood that organisations shall discuss with their competent authorities to determine what types of occurrences are considered involving an actual or potential aviation safety risk. This should ensure an alignment between the occurrences that the organisation intends to transfer from the VORS and the ones that the competent authority expects to receive. It should also ensure harmonisation among all organisations reporting to the same competent authority.

Regulation 376/2014 gives Member States the possibility to request their organisations to transfer them all occurrences they have collected under their VORS (Article 5(6)).

It is also understood that when an occurrence is reported to an organisation, this organisation might need to assess whether or not it falls under MOR or VOR and therefore what the applicable notification obligations are. In a situation where a reporter has transferred the report under VORS, the organisation may reclassify it into MOR and vice-versa."



