

CHIRP FEEDBACK

Issue No: 101

1/2012

COMMENTS

EXCESSIVE CABIN TEMPERATURE (FB98)

Report Text: As a Captain for a major UK airline I was somewhat dismayed with your response to 'Excessive Cabin Temperature - CHIRP 98'.

I recently attended an in-house safety training day where just such a situation was explored, i.e. a long delay with passengers onboard, high cabin temperature, no air conditioning, no steps available.

These situations do occur from time to time, especially down-route where ground support is often limited. As the Captain, the responsibility for your passengers' care & safety falls squarely upon your shoulders. Furthermore, failure to exercise your duty of care will leave you open to legal proceedings from those passengers. As undesirable as it is to crack open a door without steps in place, the risk of someone falling out & injuring themselves has to be balanced against the risks to the passengers of a lengthy exposure to high temperatures. If a risk assessment has been carried out and all reasonable precautions to prevent such an incident occurring have been put in place then the Captain should be supported in his decision. None of this seems to have been considered in your response.

It is very easy to point to a set of rules & procedures & accuse someone of breaching them but rules cannot be written for every eventuality. I think you have to ask the question 'Did the Captain negligently breach the rules covering the opening of an aircraft door, or did he do so after careful consideration of the risks & benefits in this particular situation?'

Whilst I believe CRM between flight crew & cabin crew is invaluable, I do think there is danger of people forgetting that the Captain is ultimately responsible for the safety & welfare of his passengers & crew & that attempts to undermine his authority are not helpful. If we are so averse to risk perhaps it would be better to prevent passengers flying at all. And while we are at it we should also dissuade them from the drive to the airport.

CHIRP Comment: The above comments about the balance of risks and the aircraft commander's responsibilities are understandable and acknowledged.

It was not our intention to call into question the authority of the aircraft commander but to highlight the potential risks in carrying out an 'on the spot' risk assessment. Unanticipated situations present every aircraft commander with a dilemma as to whether his/her actions, well-intentioned as they might appear at the time, will be endorsed subsequently. In the event of an untoward outcome involving serious injury /

loss of life, the commander's decision could expose both himself/herself and the company to litigation.

Whilst it is accepted that external steps might not be available at some airport locations/remote stands, the necessity to disembark/board passengers without the availability of air conditioning is a predictable occurrence at some time in an airline operation. Some operators acknowledge that occasionally in high ambient temperatures, appropriate ground equipment might not be available in such an event, and provide guidance to crews on the basis of a prior company risk assessment. Also, safety nets may be provisioned for cabin/service door exits on some aircraft types to permit them to remain fully open in such circumstances.

We have received a number of further reports/comments following the publication of the report 'Rosters and Leave Entitlement' in FEEDBACK Issue 100. The following provide two different perspectives on the recruitment and training of First Officers:

MORE ON ROSTERS & LEAVE ENTITLEMENT (1)

Report Text: Sir, I had more or less given up on CHIRP as it seems to have become a forum for whingeing about security. However I believe I work for the same company as the correspondent under the heading as above and felt I must participate as I believe he is so wrong about this matter.

I have been flying over forty years and the job is tiring and I believe most junior First Officers are just discovering what the lifestyle is like. I fly with experienced agency pilots on the same flexible rosters without complaint; I myself have been on a flexible pattern for nearly a year and the workload is not a lot different from that experienced in my previous company. I think it unwise to use the fatigue issue as a political card and I am getting complaints from junior First Officers about lack of work.

The manner in which they are paid is a matter that occupies their mind and should be addressed. The only complaint I have received about being fatigued was from an individual who disliked the company, and with his inexperience had scant regard for SOPs or for fuel savings initiatives. If the company failed to offer a permanent contract he would probably declare it was because he had gone 'fatigue' (and word would spread) rather than other issues which were more important to the company.

I find the present bunch of junior First Officers very keen and motivated but sadly woefully undertrained. They have been taught to master the Flight Management System but not taught the basics of flying or landing the aeroplane. The company are aware of their shortcomings and are patching up the Ops Manual to take account of it, such as reading the wind on the NAV

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display on approach and confirming whether a tailwind is present (in an effort to avoid unstable approaches), banning junior First Officers from reduced flap landings or tailwind landings.

Coupled with a new bunch of inexperienced Captains, the company finds itself on a bit of a tightrope where safety is concerned.

(2)

Report Text: I have read your report in FEEDBACK 4/2011 regarding rosters and leave entitlement. I believe this report may be related to the company I work for. I agree with everything written in the report. However, I have to comment on the CAA response.

The First Officers (FOs) are worked to the bone and I have come across higher than normal fatigue rates amongst these pilots. This has led me to recommend that they go fatigued and to actually say to them that if they show up for a subsequent duty with me I will off-load them. I don't take this action lightly and only as a last resort but safety is the priority.

When I ask these FOs why they don't go fatigued there are several reasons, including the fact that they feel if they go fatigued when they come up for an interview with the company for a permanent position, this will be held against them along with any sick days they have had. Also, some FOs are only paid by the hours which they fly and, as they are already in so much debt, they choose to fly. It has been suggested that operating the roster pattern that these FOs are flying isn't fatiguing and this is backed up with the evidence that there are very few fatigue reports. But there are so few fatigue reports because of the above reasons.

So, the CAA stating in their reply that they are not seeing any higher fatigue levels is true but not for the right reasons. As for leave some of these First Officers are not having any for months or even more than a year. This can't be and isn't safe but the company don't seem to be perturbed by it. The only time any leave is allocated is when the FO's hours become so high that they can't fly; then they are forced to take leave. Some of the First Officers are on agency contracts for 18 months or more and have very little leave. But they are reluctant to complain for the reasons above.

Both these issues are cause for frustration within the pilot community but the company is reluctant to do anything about it and the junior FOs feel they can't or they won't be offered an employment contract.

It's not a good combination and is I believe a safety issue.

CHIRP Comment: It is important to emphasise that similar methods of recruitment to those described in the above and previous reports are used by several UK AOC Holders.

Also, in the previous issue we described the processes that one operator has in place to monitor individual performance and we noted a recent review of some aspects of the third-party contract arrangements for junior First Officers, which resulted in additional safeguards relating to leave entitlement.

The reporter's comments above relating to the CAA's oversight role prompted this further response on behalf of CAA (SRG) Flight Operations Policy:

"All mobile workers in civil aviation must have four weeks of leave as per the Civil Aviation (Working Time) Regulations. Issues surrounding leave are dealt with by Employment Tribunal not the CAA. Where an operator uses contract pilots then they have a responsibility to audit them to ensure that the organisations they use can demonstrate compliance with all legal requirements.

Crew members and operators must comply with the requirements of the ANO and must not fly if they are unfit or believe they would become unfit to do so. The CAA expects airlines to be able to demonstrate an understanding of the type of flying that it operates and be able to demonstrate how they manage their specific operational risks (one of which could be the use of cadet pilots). This would be an organisational responsibility that the CAA would expect to see demonstrated. The CAA is aware that the lack of reporting can indicate that there is a problem and reviews the different operational reporting processes to ensure that there is an active and open safety reporting system for all its crew members."

Whilst noting that it should not be assumed that all contract schemes for junior First Officers give rise to concerns such as those reported, the Air Transport Advisory Board concluded that it is relevant to highlight the concerns expressed by some experienced line and training captains regarding experience levels, competence and fitness to undertake a duty.

ATC REPORTS

No ATC reports are available for publication in this issue but ATCOs might be interested in the ATC related aspects of the Flight Crew reports on Pages 3,4 & 5.

ENGINEER REPORTS

INSPECTIONS BY QUALIFIED STAFF

Report Text: As a B1 Licensed Aircraft Engineer (LAE) working as a contractor with a European Maintenance and Repair Organisation, I was aware that another B1 LAE had asked a contract mechanic to carry out a crown skin inspection, which was then certified by the LAE. I was informed of this by the mechanic.

I advised the mechanic that under no circumstances should they have done this as crown skin inspections are very important; the Aloha B737, which lost a large part of the crown skin, was highlighted as an example why such detailed inspections are critical and must be carried out by suitably qualified staff.

CHIRP Comment: Inspections at every level must always be carried out by competent staff with specific training to develop their skills.

With regard to EASA requirements for base maintenance, it appears to be common among several EU maintenance/repair organisations (MROs) to allow 'competent' mechanics, who have received specific training and are subsequently authorised to carry out inspections, to conduct the task which is then 'certified' on a work card to support the final CRS release.

However, it was right for the individual in this case to question whether the individual tasked to undertake the inspection was competent and appropriately qualified.

ENGINEER QUALIFICATIONS

Report Text: After 40 years as a licensed engineer I have seen a huge improvement with technology and reliability in aircraft. Over the last several years there have been a lot of school leavers being trained as engineers. Unfortunately the standard of qualification is not keeping up with the improvements on the aircraft. Trainee engineers decide when they think they are qualified. Some are qualified as soon as they have all the boxes ticked, so they can earn more money. Some will wait until they feel confident and experienced enough. With more and more electronics in flying and engine controls, more engineers are becoming both B1 and B2 qualified. I liken this to a pilot being qualified to fly fixed wing and helicopters, or a vet practicing as a doctor, or a professional golfer playing professional football. I wonder how pilots and passengers would feel if they knew that this is how the aircraft they are in have been certified.

Lessons Learned: Trainees would feel a lot more confident and be much better prepared if they passed a final test as we did with the CAA oral exam. After passing all the modules and completing their experience they could sit a written exam, answering questions on the qualification they are applying for.

CHIRP Comment: When the JAR66 licence was introduced, the majority of EU member States made it clear that the oral exam would not be part of the system. This called into question the value of the oral exam if it was not to be universally adopted; therefore the UK withdrew that part of the licence process. Under JAR 66, certification for work was provided by a company authorisation, not under the authority of a licence. Consequently, it was decided that the company, not the NAA, was best placed to carry out assessments on the individual's knowledge and competency to hold a CRS qualification.

This is reflected in the current requirements in Part 145; however, as EASA Part 66 now applies to all aircraft, above and below 5700kgs, individuals who apply for smaller types to be added to their licence will be subject to a type oral exam.

The CAA recognises that there are differences between companies in their approach to 'authorisation assessments', and if an issue is identified during the audit process this is usually raised individually with the organisation concerned.

With regard to gaining the desired breadth of experience, it should be considered as a 'duty of care' on the part of the company issuing authorisations and experienced engineers employed by the company that younger engineers are appropriately mentored in safe ways of working to reduce the risk of error. It should also be remembered that regardless of the licence holder being 'new or old' unintentional mistakes can still be made at any time.

RESTRICTING AUTHORISATION SCOPE

Report Text: I arrived at a maintenance, repair and overhaul company for a contract position as a B1 engineer. After an intensive and very hurried quality board where any hesitation was seen as a weakness in skills I was offered a reduced approval. The company authorisation they offered covered cabin, cargo bay and air conditioning packs only. My colleague was offered an approval on the airframe only with no engine cover.

As licence type ratings are offered as an airframe plus engine combination, are these reduced company authorisations legal? My concern is that with these limitations there would be no clear boundaries to my work and that I could find myself in a position where I was forced to sign work as completed that was not in the scope of my authorisation.

Lessons Learned: As I was not sure about the boundaries of this reduced authorisation I felt it better that I refused the offer and did not take up the position.

CHIRP Comment: It is within the right of an Approved Maintenance Organisation to restrict the scope of an authorisation and the requirements provide for this. A company issued authorisation is overriding and can be more restrictive than the coverage of a licence, either in terms of basic scope or that related to type. By limiting an authorisation, a company is demonstrating proactive risk management. An assessment which reduces the potential exposure of both the organisation and the individual must be considered a good application of a progressive SMS.

It should also be noted that a company has to determine the scope of competence of an engineer prior to issuing an authorisation which, in the case of temporary contracting engineers, can be more difficult to assess until some knowledge of the individual's performance is gained. However, the reported 'intensive and very hurried' nature of the quality board, requiring the individual to respond quickly, calls into question the company commitment for ensuring a safe system.

If there are any doubts about the scope of company approvals, the authorisation process should be detailed in the company Quality procedures, which are listed in the Continuing Airworthiness Maintenance Exposition (CAME). Individuals should acquaint themselves with them before accepting a company authorisation.

FLIGHT CREW REPORTS

CONDITIONAL CLEARANCE

Report Text: Cleared to hold at the holding point for the active runway. Called, 'Fully ready'. Instructed to 'Line-up and wait after landing light aircraft'. Readback verbatim, light aircraft continually in sight. Entered runway after the 'condition' had been satisfied (Light aircraft close to turning-off) and stopped on centre-line for Take-off clearance.

ATC gently admonished me for crossing a red Runway Entry Stop-bar before it had been turned off. I said that I had been cleared to 'Line-up and wait after...', and the

controller politely affirmed that a red Stop-bar overrides everything.

I admitted my mistake, and the whole exchange was most courteous, but I remain very uneasy about the use of a conditional take-off clearance with a red Stop-bar. The use of the two together contains a hidden, and unmentioned, constraint - there was no urgency to depart a stream of waiting aircraft (the intended purpose of a conditional clearance, surely), and I suggest that it would have been much safer to simply clear me to enter and take-off when the runway had been vacated, as I was already waiting clear at the holding point. Many years of operating heavy jets out of a major UK airport where Stop-bars tend to hold sway only at night or in LVPs, together with the need to get onto the R/W the instant the 'lander' has gone by, ready for an immediate brake-release the instant it has cleared, may have conditioned me. That stated, there's a real trap here - if I can do it after more than forty years of commercial flying, couldn't anyone?

Lessons Learned:

1. Anyone, whatever their experience, can make a mistake - this is my only R/W incursion in 45 years of flying, 20 years of it as a Training Cpt.
2. Greet a courteous reprimand in like manner - an active runway is no place for a heated technical discussion, though a simple misunderstanding may be resolved.
3. Controllers should only use a conditional take-off (T-O) clearance when really needed - i.e. the requirement to depart a large number of aircraft in a short time-frame. If a red Stop-bar is in use, the controller should not issue a conditional T-O clearance.
4. Never cross any red Stop-bar at any time of the day or night, whatever the visibility, and regardless of the clearance given. Cross only if escorted by an authorised vehicle.

CHIRP Comment: In 2008, as part of the Eurocontrol Runway Incursion Prevention Strategy, the UK CAA undertook a study comparing the use of Stop-bars in all conditions with the ICAO recommendation on their use at that time. The study concluded that the use of Stop-bars at all times was perceived by all users to be a significant safety benefit and improved situational awareness. One of the key enablers was a clear Stop-bar policy - 'Never cross (instruct others to cross) a red stop bar'.

This policy is reflected in CAP493 Manual of Air Traffic Services (MATS) Part 1; Section 2; Chapter 1; Para. 9.3.4 which states:

"Controllers are not to instruct aircraft or vehicles to cross illuminated red stop-bars used at runway and intermediate taxiway holding positions....."

MATS Part 1 does provide for the case where a Stop-bar cannot be suppressed or by-passed but specific conditions apply (Para. 9.3.5)

As the reporter emphasises, the safe option is never to cross a red Stop-bar unless you are in no doubt that the particular Stop-bar is inoperable and appropriate mitigating measures are being applied by ATC.

The use of a conditional clearance by ATC when Stop-bars are in operation merits a review.

AMENDED CLEARANCE (1)

Report Text: We visit XXX (A major European Airport) approximately once a month. As a corporate aircraft we were parked on the GA apron.

We contacted Clearance Delivery to get our clearance; Delivery advised us of the wind and asked if we were able to take a southwesterly runway departure. The wind was north westerly and a bit gusty as there were a few showers about but within limits and we advised Delivery that we could use the southwesterly runway. We were then cleared to destination on the Standard Instrument Departure (SID) and cleared for engine start.

We requested taxi and were cleared to taxi to the Holding Point and to call the Tower. As we approached the Holding Point we contacted Tower advising them of our location. Tower cleared us to line up and wait and to expect a few minutes delay as there were other departures on another runway. This is not unusual and both the Captain and I had experienced this before.

The Tower controller then transmitted "####06 cleared take off runway ## stay with me to 2,000ft." I read back what I thought our clearance was "####06 cleared take off runway ##, stay with you until passing 2,000ft". It's worth noting here that the Jeppesen plates and the AIP for XXX contain the following, and we had briefed and reminded ourselves of this procedure prior to departure. *'Pilots of departing aircraft shall remain on TWR channel until passing 2000 ft AMSL. Contact XXX Departure as indicated below when passing 2000 ft AMSL and report altitude in order to verify SSR mode C..... Pilots shall select the proper departure channel (based on the SID route to the TMA boundary)*

The captain queried whether the Tower had just cleared us to altitude 2,000ft (the SID has a clearance limit of FL60). I asked the Tower to confirm our departure was still the SID to FL60. His response was "Negative, climb straight ahead to 2,000ft".

Clearly I had misheard the original clearance and what I thought was "Cleared take off runway ##, stay with me to 2,000ft" was actually "Cleared take off runway ## straight ahead to 2,000ft".

Lessons Learned: I learnt a lot from this and was glad that the Captain had caught my error. In hindsight I obviously didn't hear the instruction as it was given; I was in a mindset and 'heard' what I was expecting to hear. However, I believe that there were two contributing factors which should be considered:

1. The words "amendment to your clearance" or something similar would have made the change much clearer.
2. To give both a take-off clearance and an amended departure clearance in one transmission is unwise during what is a relatively busy period for the crew.

CHIRP Comment: In the UK, a take-off clearance must be issued separately from any other clearance message. If an aircraft is lined up and a revised clearance or post departure instructions need to be passed, the revised instructions must be prefixed with

an instruction to hold. (MATS Part 1, Section 2: Chapter 1; Para. 12.4 refers).

This report is a reminder that extra vigilance is required in other States, where similar ATC procedures might not be in operation.

(2)

Report Text: London ATC initially cleared us to descend to FL150 to be level by BEXIL. (With RWY 08R in use, this can lead to the aircraft being low on the ideal descent profile). Next sector cleared us direct to TIMBA. When the routing was entered into the Flight Guidance Computer, the restriction at BEXIL was automatically removed.

I understand that this subsequent clearance officially negates the need to make the altitude restriction abeam BEXIL (as the level requirement was not repeated) but local LGW knowledge dictates that the restriction still applies.

As it happens, neither of us noticed that we weren't going to make FL150 abeam BEXIL (and being LGW based knew this "unwritten rule") and were descending at a low rate to intercept the idle-power descent profile from below but ATC questioned (too late) as to whether we were going to make the level.

The light traffic level at our time of arrival meant that it wasn't a major problem but had we not been LGW based we wouldn't have known the implied (but silent) clearance. A subsequent flight involved a similar scenario (albeit to 26L) but this was queried and we were told that the restriction still applied. A continuous idle descent on this runway leaves the aircraft naturally lower than FL150 abeam BEXIL.

Lessons Learned: Check with ATC that restriction still applies. Perhaps this could be written on the STAR plate or in the LGW pre-amble?

CHIRP Comment: The Manual of Air Traffic Services - Part 1; Chapter 4; Para 7.1 is quite explicit on amendments to ATC clearances; it states:

"When an amendment is made to a clearance the new clearance shall be read in full to the pilot and shall automatically cancel any previous clearances. Controllers must be aware, therefore, that if the original clearance included a restriction e.g. "cross ABC FL150 or below" then the issue of a revised clearance automatically cancels the earlier restriction unless it is reiterated with the revised clearance."

Some Standard Arrival Charts (STARs), including that referenced in this report, state that pilots should plan for possible descent clearance as detailed on the chart, but emphasise that "Actual descent clearance will be as directed by ATC". If the Terminal Controller had required the flight crew to continue to comply with the BEXIL restriction; this should have been restated.

It is understood that some pilots plan their descent to achieve the recommended STAR restrictions irrespective of whether an ATC instruction continues to apply. If a new clearance does not include it, there is no ATC obligation to do so.

UNEXPECTED AIRFIELD CLOSURE

Report Text: Having obtained a PPR clearance by telephone I positioned at XXX (a UK licensed airfield) in order to pick up the aircraft owner to transport him later in the day to join an international flight. On arrival we were met by a handling agent who requested our expected departure time; this was noted by the handling agent without question.

As we were beginning to prepare for the flight approximately 45 min prior to our planned departure time, the handling agent informed us that ATC had advised that the airfield would be closed in fifteen minutes for approximately 1hr 30mins and had requested that we depart prior to the closure. I stated that we would be unable to depart because we were not ready and, as they were aware, our passenger had not yet arrived and that was our sole reason for being there.

It was suggested that I should speak to ATC, which I did by phone. They advised that the airfield would not be closed to us if we could depart from the helipad rather than the runway. I replied that we could do that and that I would attempt to bring forward our departure time, subject to being able to contact the owner and asking him to get to the airfield a.s.a.p. This was accepted and it was agreed that I would phone ATC again to give them five minute's notice before calling for start.

As soon as my passenger arrived we walked straight out to the aircraft and I asked the handling agent to phone ATC as requested while we embarked. We requested start clearance, only to be told in a very abrupt manner "Negative". I requested the reason for this, mentioning the earlier phone call and the agreement made by telephone. After a short exchange of calls I was told in no uncertain terms "This is a PPR airfield - cease transmitting or you will be reported - Acknowledge!" I refrained from replying, for obvious reasons, although in my opinion our flight had been correctly notified and agreed by the earlier PPR clearance.

There appeared to be only one other aircraft on the Tower frequency at that time, holding a short distance away from the airfield. Having vacated the cockpit we saw a race car driving up and down the main runway at high speed. Shortly afterwards we saw the aircraft that had been holding being repeatedly flown over the car at low level and then carrying out tight repositioning circuits. At no time whilst chasing the car down the runway at an estimated height of 150-200FT AGL did the aircraft lower its undercarriage. I was surprised that this activity and especially the airfield closure had not been NOTAMed. I went back inside the terminal and obtained a further printout of airfield NOTAMs, which confirmed it hadn't. I also learned that this activity had been known about for at least a week.

The handling agent then confirmed that the airfield was definitely to remain closed until the time my passenger should have been departing on his international flight. Understandably, he was extremely upset by this. After a further delay I received permission to depart the airfield. We lifted off with a very angry passenger on board.

The final irony was that our departure clearance included the words "noise abatement" which, in view of the previous activity of a race car being repeatedly

chased by a low flying jet down the runway, seemed a final insult.

I was very aware that the incident had caused a very real flight safety issue, namely that of considerable stress and distraction to both my co-pilot and me immediately prior to our flight. Thankfully we were able to overcome our negative feelings and completed our onward flight in a safe manner. However, a less experienced crew may have been distracted into making a serious error.

In my opinion, XXX acted in a very unprofessional manner in their dealings with us. Proper communication between the airfield management, ATC, the handling staff and their customers (and a simple NOTAM) would have prevented this issue entirely.

Lessons Learned:

1. Had I been made aware of this activity when phoning for my PPR clearance I would certainly not have gone to XXX. Planned airfield closures and unusual air activity such as this should be NOTAMed well in advance.
2. ATCOs and airfield managers should be reminded of the proven dangers of causing undue stress to aircrew prior to flight. Lessons learned for me? Don't use XXX again.

CHIRP Comment: The reporter's experience was discussed with the CAA. The CAA confirmed that a NOTAM should have been filed by the Airport Authority if the airfield was closed within the promulgated hours of operation. No NOTAM had been filed for the date of the reported closure.

Furthermore, the low level flypasts witnessed by the reporter, as described, would have required an exemption to CAP 393 Section 2 - The Rules of the Air; Section 3; Rule 5 (3) (b) which states:

"Except with the written permission of the CAA, an aircraft shall not be flown closer than 500 feet to any person, vessel, vehicle or structure."

A summary of the report has been submitted to the CAA for follow-up.

DOWNWIND TAKE OFF

Report Text: A colleague (another Captain) and I were parked at ### facing the active runway. We were completing our pre-flight preparations with the TWR frequency on speaker. We both looked up at the same time, noticing the relative movement in our fields of view, to see a UK registered twin-engine jet taking off on the southwesterly runway. Both the other Captain and I were pretty sure at the time that the wind given by TWR for the twin jet's departure was northeasterly/20kt. (i.e. the aircraft had departed with a 20kt tailwind). I don't think the wind had been reported as below 17kts whilst we were on frequency, and certainly when we departed approx 30 minutes later the wind was 030 gusting 28.

The other Captain and I thought that the incident that we had witnessed was potentially dangerous and discussed it at length. I am not familiar with the aircraft type's limitations but I would be surprised if it was certified to take off in a 20kt tailwind. I realise the

driver for electing to use the southwesterly runway is the take off performance limiting mass due to the terrain for a northeasterly departure; however, to do this outside aircraft limitations is an accident waiting to happen.

I have reported this to you as I don't really know of an appropriate channel to report it through - perhaps you could let me know if you feel there's a more appropriate way to do this. Somebody suggested phoning the operator's Flight Operations Inspector (FOI); however I'm not sure that this is what the FOI is for.

Perhaps you could put something in a future Chirp issue about how to report concerns about other airlines' operations.

CHIRP Comment: There is a view among some pilots that the requirement to take account of 150% of the tailwind component in take-off performance calculations provides a safety margin in a case such as that reported. The factor is added to cover variations in the actual wind from that forecast and also variations in the wind along the runway from that issued by ATC which may be measured some distance from the runway.

Whilst the effect of an increased tailwind may not appear to be significant in the all-engine take-off case in a modern twin engine type, its effect on the engine-out take-off distance or the accel/stop distance is significant, as a glance at the take-off performance charts/data will readily show.

As regards reporting, if a UK registered aircraft is involved a report can be made directly to the CAA. Details of how to report can be found on the CAA website at www.caa.co.uk; click on "Reporting, Information, Requests and Appeals" and then click on "Making a Report to the CAA". The methods available include the submission of a Mandatory Occurrence Report directly to the CAA, a Confidential MOR or submitting a report under the CAA 'Whistleblower' scheme. If your preference is not to report the matter directly, then this Programme can represent your concern in the first instance; however, for reasons that will be obvious in a case such that described, direct contact with the CAA will be subsequently required. One further point, if the CAA should elect to investigate an incident, there is a limited time window for the retention of radar/ATC tapes/airfield met information; this is normally thirty days.

EMERGENCY DESCENT PROCEDURE

Report Text: As part of our six-monthly simulator refresher programme, a scenario requiring an emergency descent has been introduced, based on what ATC expects an aircraft to do in the event of an emergency descent in UK airspace; this is what is now being trained in our airline.

There appears to be an anomaly between what we are now doing and what is written in the Europe Flight Supplement booklet produced by our chart manufacturer. We have now been briefed that in the UK ATC expect an aircraft to REMAIN on its assigned route or track before commencing an emergency descent. But this is different from what is written in the Flight Supplement which states that "an aircraft shall, if able:

initiate a TURN away from the assigned route or track before commencing the emergency descent."

When presented with this seeming dichotomy, the response from the Training department has not been to seek to reconcile the difference, but to ignore it. As far as can be seen, the UK has not opted out of the standard recommended practices and procedure in the relevant ICAO Annexes and documents for this scenario.

The concern for line pilots is that they will do what the Training department want in the simulator but what is in the Flight Supplement booklet should this scenario occur for real, which surely is not the way of doing things!

Would you care to comment on the authoritative source for guidance on what is expected of aircraft undertaking an emergency descent in UK airspace?

CHIRP Comment: The training described is correct for the UK. The emergency descent procedure referenced in this report is filed as a UK Difference from ICAO Standards, Recommended Practices and Procedures and is promulgated in the UK AIP Gen 1-7 Differences from ICAO Standards, Recommended Practices and Procedures. The specific reference is GEN 1-7-47 dated 5 May 11, which states:

"UK controlled airspace is complex and congested; traffic is often orientated on the airway in certain directions or flows. Therefore, if able, aircraft executing an emergency descent should remain on the assigned track whilst carrying out the descent, unless to do otherwise would endanger the aircraft."

From a Human Factors perspective, having two different procedures for the same emergency condition is undesirable. The justification for the UK procedure is mitigating the risk, as far as may be possible, of a mid-air collision during an emergency descent procedure in the UK FIR.

CABIN CREW REPORTS

REQUEST FOR MEDICAL ASSISTANCE DENIED

Report Text: A passenger asked for sick bags during boarding, as they were feeling unwell due to a reaction to an insect bite.

After take off and once the seatbelt signs had been switched off, the passenger was moved to an empty row so they could rest. The passenger became violently sick and was unable to move to get to the toilet. The passenger continued to vomit for around 30 minutes, was very pale, shaking and appeared very weak.

The SCCM spoke to the Captain and it was decided to make a PA for any medically qualified person onboard. A nurse responded and advised that no diversion was necessary as the passenger had now stopped vomiting but as they were still very weak further medical assistance should be provided on the ground. Accordingly, this was requested by the Captain 30 minutes prior to landing [UK regional airport].

After we landed and parked on stand the aircraft was met by the ground staff and the Fire Safety Duty

Manager who advised that no ambulance would be sent as the medical situation was not of a high enough priority. The nurse advised that the passenger needed further medical assistance; the request was ignored by the Manager who insisted that the situation was not serious enough. The nurse again reiterated that the passenger should be seen by a medically qualified person.

The Captain was informed of the situation and insisted that an ambulance be sent. The Manager was adamant that there would be no ambulance but eventually a call was made to the Control Centre and a medic finally arrived, approx 30 minutes after landing. The paramedics advised that the passenger should be taken to A&E to be seen by a doctor.

CHIRP Comment: [Amended post-publication]

Both the flight crew and cabin crew involved should be complimented for the way that they handled this situation.

There are no regulations applicable to Airport Authorities for medical incidents of the type described above. The Health and Safety (First-Aid) Regulations 1981 place a duty on employers to provide adequate first aid equipment, facilities and personnel to their employees, but this obligation does not extend to non-employees, including members of the public. However, in its guidance, HSE strongly recommends that employers include non-employees in their first aid assessment and make provision for them. Following a review of the regulations in 2005, the Health and Safety Commission agreed with HSE's recommendation to continue this voluntary approach. CAP 168 refers to the additional guidance on the provision of medical equipment and services found in the ICAO Airport Services Manual Part 7 Airport Emergency Planning Appendix 3 (Airport Medical Services).

It is normal practice at some UK airports for a representative of the Airport Fire Service, trained in first aid, to attend medical incidents at the airport, hence the Fire Safety Duty Manager's attendance in the case above. Whilst a passenger is on board an aircraft, he/she is the responsibility of the aircraft commander as EU-OPS 1.085 (f) (1) clearly states:

"The commander shall be responsible for the safety of all crew members, passengers and cargo on board, as soon as he/she arrives on board, until he/she leaves the aeroplane at the end of the flight."

Cabin crew are trained in first aid and if the crew determine that a casualty requires medical attention, the airport authority should make arrangements for the casualty to be assessed by a health professional, either at the airport or at a suitable local medical facility. In this particular incident, it was regrettable that the additional professional advice of the nurse was also ignored; the Captain's request for medical assistance should have been complied with.

The incident has been referred to the airport authority concerned.

MINIMUM DOOR COVER

Report Text: Due to a technical issue an aircraft change was required. The plan was to send cabin crew from the current aircraft to the new aircraft to carry out the security checks and then board the passengers via buses onto the new aircraft. Once the last bus had left the 'old' aircraft, the other cabin crew and both pilots would come to the 'new' aircraft. The SCCM would remain on board and the next most senior cabin crew member was asked to go with two other cabin crew members to get this started. The question of whether an SCCM should be present on the aircraft when passengers were on board arose, especially as no pilots would arrive until the end of boarding, and the cabin crew were told to get on with it so as to avoid any further delay.

Pax were boarded without the SEP checks being done or the cabin or galleys being security checked due to time pressure and too few cabin crew. At one point over 215 pax were on board, only 3 cabin crew and no pilots.

CHIRP Comment: EU-OPS permits a reduction in the number of cabin crew members normally required in accordance with OPS 1.990 when an aircraft is at a parking space under certain conditions. The requirements are set out in OPS 1.311 and are as follows:

"(a) When the aeroplane is on the ground at a parking place, the number of cabin crew present in the passenger cabin may be reduced below the number determined by OPS 1.990. The minimum number of cabin crew required in these circumstances shall be one per pair of floor-level emergency exits on each passenger deck, or one for every 50, or fraction of 50, passengers present on board, whichever is greater, provided that:

1. the operator has established a procedure for the evacuation of passengers with this reduced number of cabin crew that has been accepted by the Authority as providing equivalent safety; and
2. no refuelling/de-fuelling is taking place; and
3. the senior cabin crew member has performed the pre-boarding safety briefing to the Cabin Crew; and
4. the senior cabin crew member is present in the passenger cabin; and
5. the pre-boarding cabin checks have been completed."

As the number of crew members quoted in the report did not appear to comply with the requirements, the matter was referred to both the operator and the CAA; the matter was followed up and acted upon in accordance with the operator's internal procedures

PUSH BACK 'WITH CARE'

Report Text: The dispatcher was rushing to close the door in order to meet punctuality targets and as soon as the door closed we started to push back off stand. I had advised the flight crew that we were OK for baggage space but it was clear the pax were still standing, bags still had to be stowed and lockers were open when the flight deck door shut from the inside.

I called the Captain when push back had started to tell him of the situation and his reply was that push back would continue 'with care'.

I had always assumed push back was undertaken 'with care' as a matter of course.

CHIRP Comment: EU-OPS 1.320 (b) (1) places a legal obligation on the aircraft commander regarding the safety of passengers and states as follows:

"Before take-off and landing, and during taxiing, and whenever deemed necessary in the interest of safety, the commander shall ensure that each passenger on board occupies a seat or berth with his/her safety belt, or harness where provided, properly secured."

As regards the Captain's alleged comment that push back would continue 'with care', this cannot always be guaranteed, particularly during the time that the aircraft is under the control of a tug driver. Whoever is in control of the aircraft during taxiing cannot guarantee that an unforeseen event involving ramp personnel, a ground vehicle or another aircraft might require the tug driver or pilot to brake without warning. In such a situation, the risk of injury to passengers who are still standing or from items falling from lockers that are still open is obvious.

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