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Agenda Item 15: Audit Programmes – Continuous Monitoring Approach

USOAP PROTOCOL QUESTIONS TO INCLUDE FLIGHT DISPATCH

(Presented by the International Federation of Airline Dispatchers Associations)

EXECUTIVE SUMMARY

This information paper presents IFALDA's recommendations to review the function of flight dispatchers as defined under ICAO Annex 6, Part I and its implications on the ICAO Universal Safety Oversight Audit Programme (USOAP) Continuous Monitoring Approach (CMA) operations.

[[BJ1]]

<i>Strategic Objectives:</i>	This information paper relates to Strategic Objectives of Safety, of Air Navigation Capacity and Efficiency and of Security and Facilitation.
<i>Financial implications:</i>	Without any financial implications.
<i>References:</i>	<p>A41-WP7, <i>Implementation of the ICAO Continuous Monitoring Approach (CMA) Audit Programmes</i></p> <p>Annex 6, <i>Operation of Aircraft – Part I International Commercial Air Transport – Aeroplanes</i></p> <p>Annex 1, <i>Personnel Licensing</i></p> <p>Doc 8335, <i>Manual of Procedures for Operations Inspection, Certification and Continued Surveillance</i></p> <p>Doc 9807, <i>Universal Security Audit Programme Continuous Monitoring Manual</i></p> <p>Doc 9735, <i>Universal Safety Oversight Audit Programme Continuous Monitoring Manual</i></p> <p>A40-WP/11, <i>Report on the Evolution of the Universal Safety Oversight Audit Programme (USOAP) Continuous Monitoring Approach (CMA)</i></p> <p>A40-WP/32, <i>Report on the Review of the Scope and Methodology of the Universal Security Audit Programme – Continuous Monitoring Approach (USAP-CMA)</i></p>

1. INTRODUCTION

1.1 The International Federation of Airline Dispatchers Associations (IFALDA), formed in 1961, is a global professional Standards, non-labour association. IFALDA represents the professional and technical roles and responsibilities of flight dispatchers (FDs) and flight operations officers (FOOs) worldwide and in doing so, stand recognized by ICAO as an International Organization. As a global industry stakeholder, IFALDA continuously strives to promote evolving provisions for standards, procedures and guidance with respect to the function of FDs and FOOs worldwide, to the extent that they pertain to flight safety and efficiency. Specifically, IFALDA promotes the critical qualifications required under Annex 1, Chapter 4.6 and the function of FDs and FOOs as defined by ICAO Annex 6, Part I, Chapter 1.

1.2 There are several Member States today that have incorporated the role and titles of a FD into their State aeronautical information publication (AIP) requirements. Unfortunately, the reality today is that almost all ICAO Member States have included the term “flight dispatcher” as a work-task (namely, European Union Aviation Safety Agency (EASA) guidance material (GM) 1 part ORO.GEN uses the term “employs”), albeit, rather loosely in their State regulations with little or no regard to the functions under the ICAO definition mentioned above. Further, air operator certificates (AOCs) are issued by States predicated on their air operators to have a qualification and training program in place with qualified instructors and where specific subjects are covered (general and operator specific), whether the State chooses to issue licenses or not. In other words, the duties and functions of FDs as outlined under ICAO Annex 6, Part I have not been fully transposed on to their State regulations.

1.3 Moreover, there are air operators who deliberately choose to disregard the ICAO requirement to engage in the control and supervision of flight operations in a manner such that they support, brief and/or assist the pilot-in-command in the safe conduct of the flight. The unfortunate reality today is that there are operators designated “flight dispatchers”, especially in Europe, who perform clerical tasks by nature and could (each) release somewhere in the order of 400 daily flights by relying on flight plan route generating software automation to read and interpret NOTAMS, weather and several other safety determinants as described later in this paper under paragraph 2.6. Moreover, FD training and qualifications as covered under ICAO Annex 6, Part I, Chapter 10, and ICAO Annex 1 go completely ignored.

1.4 In the case of Europe, some State regulatory authorities have given their operators an option to designate the function of exercising operational control to a FD/FOO. This being the case, EASA ED Decision 2022/005/R further requires that operators provide training to their personnel based on ICAO Annex 1 as well as Doc 10106 and Doc 9868 and in doing so, promulgate such requirements in the operations manual.

1.5 Based on the experience and success of FDs in their role as defined under Annex 6, Part I, ICAO Member States such as the United States and Canada additionally prescribe the need to exercise operational control under Federal Aviation Administration (FAA) regulations Part 121 Subpart U and CAR703 respectively. IFALDA believes that the relevance of the ICAO Standards and Recommended Practices (SARPs), particularly the Standards in Annex 6, Part 1, Chapters 3.1.3, 3.1.4 and 3.1.5 relating to the air operator’s responsibility for operational control and Chapter 10 relating to the requirement of a FD/FOO in conjunction with an approved method of control and supervision of flight operations should be broadly recognized and promoted further by ICAO Member States in the interests of flight safety.

1.6 This paper thus seeks to draw the attention of ICAO Member States to four main dispatcher related concerns:

1.6.1 The core intent and purpose of the ICAO definition of FD in ICAO Annex 6, Part I, Chapter 1 has been eroded to the extent that their functions, roles and responsibilities have been diluted so that the individual designated by the air operator under a method of control and supervision of flight operations where the operator “uses¹” such individuals as a clerical function to conduct the duties as flight dispatcher and exercise operational control over the assigned flights.

1.6.2 In the case of EASA States, *GMI ORO.GEN.110 (c)* does not conform to the ICAO definition of flight dispatcher under Annex 6, Part I since the qualifications referred to in paragraph 2.6 in this paper are not met. EASA quite simply stipulates a training requirement as the sole means of achieving compliance with the SARPs in disregard to the qualifications prescribed under Annex 1, paragraph 4.6.

1.6.3 In many States, especially in Europe, ICAO defined dispatcher functions are no longer being performed by a human but through flight planning automation software systems. Automation can only provide value as a result of its programming. Automation is currently incapable of synthesizing information and data to develop solutions unless it has been programmed to do so. Automation cannot “think outside of the box”, by definition. Duties of a flight dispatcher as envisaged under Annex 6, Part I, paragraph 4.6 are therefore no longer being complied with.

1.6.4 The USOAP methodology under the Continuous Monitoring Approach (CMA) relies on an evidence-based approach to determine the effective implementation of a safety oversight system. ^[BJ2]
^[BJ3]

2. DISCUSSION

2.1 IFALDA believes that delegation of the responsibility for exercise of operational control of a flight solely to the pilot-in-command (PIC) exposes the danger of a single point of failure in the event that air-to-ground (A/G) communication is lost. Further, the pilot remains reliant (on the same means of communication) for updates with changing and evolving flight critical data such as surface and airspace significant weather, NOTAM and other safety-critical inflight updates.

2.2 ICAO provisions require dispatchers to be suitably qualified and to adequately synthesize a plethora of flight related safety information that is both complex and dynamic. All safety related aspects must be integrated, *inter-alia*, using the skills, experience and human factors abilities (including threat-error management) in order to exercise their broader judgement at planning as well as inflight as they relate to:

- evaluation of all safety related information, including NOTAMS;
- monitoring of all flights;
- analysis of weather forecasts and trends;
- evaluation of wide area weather conditions and their specific operational risks (tropical storm, blizzard, volcanic ash); identification of available and acceptable approach procedures or

¹ EASA GM1 ORO.GEN.110© Operator responsibilities

- categories in use at all destination, and alternate airports within the network, including the respective operating minima;
- assessment of the technical information related to the aircraft operated which could have an impact on the aircraft's performance and on the planned operations (including dangerous goods);
 - consideration of the flight and duty time limitations related to the flight crew;
 - consideration of the operator's fuel policy when determining the minimum fuel needed for the planned operations;
 - consideration of ground handling procedures;
 - consideration of mass and balance limitations; and
 - air traffic control (ATC) flight plan and slot management process.

2.3 ICAO Annex 6, Part I, paragraph 4.6 clearly includes dispatcher support to the flight crew during the flight preparation and in-flight, and initiation of emergency procedures in the event of an emergency according to the procedures of the operator's operations manual. While ICAO Annex 6 is not prescriptive on the dispatcher licensing requirement, it does prescribe to States to ensure that dispatchers be suitably qualified in accordance with Annex 1, to support, brief and/or assist the pilot-in-command in the safe conduct of the flight.

2.4 While a State-issued license adds a level of safety through accountability to the State for the actions of the individual in the public interest, a proof of qualifications does not thus add a level of accountability. These standards offer States two clear options:

- exercising a licensing option as prescribed under Annex 1; or
- accepting proof of qualification as outlined in Appendix A of this paper.

2.5 In consideration of the events relating to the disappearance of MH370 and the downing of MH17, the role of the FD/FOO has become even more critical and demanding. ICAO provisions for normal tracking (November 2018) and the global aeronautical distress and safety system (GADDS) (January 2023) specifically call on aircraft operators to support a method for flight dispatch and those engaged in the control and supervision of flights under a given and established/published company procedure of system operational control to:

- In Normal Operations: furnish the pilot-in-command while in flight, by appropriate means, with information which may be necessary for the safe conduct of the flight; and
- In Emergencies: a) initiate such procedures as outlined in the operations manual while avoiding taking any action that would conflict with ATC procedures; and b) convey safety-related information to the PIC that may be necessary for the safe conduct of the flight, including information related to any amendments to the flight plan that become necessary in the course of the flight.

2.6 Today's reality in Europe and several other ICAO Member States is that operators continue to "use"² FOO/FDs to engage in the control and supervision of flight operations but without explicitly ensuring that these FOOs/FDs are compliant with the definition of flight dispatchers as

² GMI ORO.GEN.110© Operator responsibilities (b) applicable from 30 October 2022- ED Decision 2022/005/R

contained in Annex 6, Part I. In other words, that they are suitably qualified in accordance with Annex 1. These qualifications are stipulated in Annex 1, paragraph 4.6.

2.7 Turning to the USOAP CMA, IFALDA outlines below some of the key provisions of Annex 6, Part I that would merit definitive inclusions of dispatcher roles and functions within the critical elements (CEs) and protocol questions (PQs) of a USOAP audit by ICAO, which would significantly improve the level of maturity and increase the effectiveness of a State safety oversight system:

- Annex 6, Part I, Chapter 3.1.4 and 4.2.1.3; and
- Appendix 2.4.3, Attachment D 3.3 v), Chapter 10.1 and 10.3.

3. CONCLUSION

3.1 The direct or indirect roles and responsibilities of dispatchers are already prevalent and actively being engaged by the vast majority of operators, ostensibly under State regulatory oversight in many parts of the world today. IFALDA strongly feels that it therefore urgently merits regulatory review and rule-making in the function of support to the flight crew and in the complementary levels of training and qualification requirements to serve this role (see paragraph 2.6 above).

3.2 IFALDA urges ICAO to ensure that the USOAP PQs are updated to reflect relevant [BJ4]SARPs in ICAO Annex 1 and ICAO Annex 6, Part I as they pertain to FDs and update the aircraft operations (OPS) sections of the PQs accordingly. The inclusion of dispatcher related CMA PQs will in turn ensure that each operator has a training program with qualified instructors and specific subjects need to be covered (general and operator specific), whether the State chooses to issue licenses or not.

3.3 [BJ5]IFALDA would consider it an honour to provide appropriate subject matter experts to pursue the resolution of the issues noted above.

3.4 In light of the above, IFALDA invites the Assembly to note:

- a) IFALDA's interpretation for the ICAO definition of flight dispatchers vide Annex 6, Part I;
- b) IFALDA's call that ICAO USOAP PQs are updated to reflect relevant [BJ6] SARPs relating to flight dispatch and update OPS sections accordingly; and
- c) IFALDA's call to consider instituting an acceptable method of exercising operational control by enabling one of the two options as stated in paragraph 2.4 above.

— END —