CIVIL AVIATION AUTHORITY
OF THE CAYMAN ISLANDS

State Safety Programme for the CAYMAN ISLANDS

Version 3

January 2016

Amendment Record

Issue	Date	Notes
V.1	31 December 2015	First draft
V.2	04 January 2016	Second draft
V.3	10 January 2016	Third draft – for consultation

Foreword

Annex 19 to the Chicago Convention (effective November 2013) sets the standards for a State Safety Programme (SSP), placing the responsibility on all contracting States to implement such a programme. For the purposes of the Convention, the Overseas Territories (OTs) are an integral part of the United Kingdom (UK). The UK has established legislation dealing with civil aviation in the OTs. Within the UK OTs the Governor is the appointed representative of the UK and has specific responsibilities for fulfilling the obligations of the UK as defined in the Convention on International Civil Aviation. In this regard the Air Navigation (Overseas Territory) Order 2013 has been published and sets out the provisions to enable the UK to comply with the Convention on International Civil Aviation (the Convention) and in particular the Annexes to that Convention in the OTs.

The Governor discharges his responsibilities either through the Director of Civil Aviation (DCA) or another person (usually Air Safety Support International (ASSI)) designated for implementation of all Annexes with the exception of Annex 9 – *Facilitation* - and Annex 13 – *Aircraft Accident and Incident Investigation*.

The nature of the civil aviation across the UK OTs varies in the type and scale of operations. Due to the differences geographically, there are many regional influences and relationships that differ from the UK and Europe. Notably the UK OTs are not part of the European Union and so do not adopt European Aviation Safety Agency (EASA) regulations. Therefore, although part of the overall UK SSP, it is more practicable for each Territory to devise an SSP to address the safety needs of their civil aviation. This document therefore describes the State[1] Safety Programme (SSP) for Cayman Islands to enable the implementation of Annex 19 SARPs within the UK's State Safety Programme.

The Civil Aviation Authority of the Cayman Islands is intent on evolving and building its SSP to fully meet the requirement of Annex 19; therefore, the co-operation and involvement of the industry which it regulates is crucial to the development of an effective SSP and I would welcome any comments on this document which should be sent, for my attention, to civil.aviation@caacayman.com

Richard Smith

Director-General

Civil Aviation

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[1] Overseas Territories of the UK are not ICAO Contracting States in their own right. The use of the term "State" in this paper reflects that the Cayman Islands is responsible for developing its own Safety programme as part of the UKSSP.

Content

Overview

0.1   ICAO describes a State Safety Programme (SSP) as "*an integrated set of regulations and activities aimed at improving safety*". The SSP exists to ensure the State achieves an Acceptable Level of Safety Performance (ALoSP). The level of the ALoSP and the means by which it is expressed remains at the discretion of the State. Safety Performance Indicators/Targets are currently evolving alongside service provider's safety management systems.

0.2   The requirement for an SSP recognises that States as well as service providers have safety responsibilities and provides a framework within which service providers are required to establish safety management systems (SMS).

0.3   Currently, ICAO standards for an SSP are contained in Annex 19 which became applicable on 14 November 2013.

0.4   ICAO standards also require that the ALoSP to be achieved is established by the State(s) concerned. The concept of establishing an ALoSP attempts to complement the current regulatory compliance approach to safety management with a performance based approach. Some guidance on what constitutes an ALoSP is provided by ICAO. In summary the ALoSP consists of 4 components, a start point, safety performance indicator (SPI), an in year safety performance target (SPT) and the safety requirements to achieve the target.

0.5   The Cayman Islands SSP has been developed using the material within ICAO Document 9859 i.e. the SSP framework and guidance material, including the SSP gap analysis. Where possible, the headings proposed by ICAO in its framework SSP document have been adopted in this document.

0.6   Following of the ICAO framework SSP document structure chapter 1 and the early sections of chapter 2 describe the State high level overview looking at the underpinning legal structures. Whereas, the latter sections of chapter 2, the following chapters 3, 4 and 5 focus more on the aviation regulatory work.

Glossary

AAIB	UK DfT Air Accidents Investigation Branch
ALoSP	Acceptable Level of Safety Performance
ANO	UK Air Navigation Order
AN(OT)O	UK Air Navigation (Overseas Territories) Order
ASSI	Air Safety Support International Limited
ATCO	Air Traffic Control Officer
CAA	UK Civil Aviation Authority
CD	UK Crown Dependency
CHIRP	UK Confidential Human Factors Incident Reporting Programme
DGCA	Director-General of Civil Aviation
DfT	UK Department for Transport
Doc	Document
EASA	European Aviation Safety Agency
ECCAIRS	European Coordination Centre for Accident and Incident Reporting System
FCO	Foreign and Commonwealth Office
ICAO	International Civil Aviation Organisation
HF	Human Factors
HM	Her Majesty
IATA	International Air Transport Association
IAW	In Accordance With
IBIS	ICAO Bird Strike Information System
IiC	Inspector in Charge
IT	Information Technology
MOR	Mandatory Occurrence Report
MoA	Memoranda of Agreement
MoU	Memoranda of Understanding
PoE	Pool of Experts
OTs[2]	UK Overseas Territories
OTAA	Overseas Territories Aviation Authorities
OTAC	Overseas Territories Aviation Circular
OTAR	Overseas Territories Aviation Requirement
OTSPC	Overseas Territories Safety Performance Council
QMS	Quality Management System
SAFA	Safety Assessment of Foreign Aircraft
SAR	Search and Rescue
SARPs	ICAO Standards, Recommended Practices and Procedures

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[2] References to OTs within this document are specifically to only the OTs of Bermuda, Cayman, Falklands, and Turks and Caicos.

SIRC	SSP Implementation and Review Committee
SMS	Safety Management System
SPI	Safety Performance Indicator
SPT	Safety Performance Target
SSP	State's Safety Programme
UK	United Kingdom
UKBSC	UK Birdstrike Committee
USOAP	ICAO Universal Safety Oversight Audit Programme

Chapter 1   UK OT State aviation regulatory system

1.1   Introduction

1.1.1   This chapter and document sets out the legislative structure which applies to the UK Overseas Territories (OT).

1.2.   The UK Overseas Territories

1.2.1   When the UK ratified the Convention on International Civil Aviation (signed at Chicago on 7th December 1944), it did so on behalf of the various colonies, protectorates and dependencies that existed at the time. Today, the UK's adherence to the Chicago Convention covers the United Kingdom of Great Britain and Northern Ireland (UK 'Main'), the UK's Overseas Territories (OT) and the Crown Dependencies (CD).
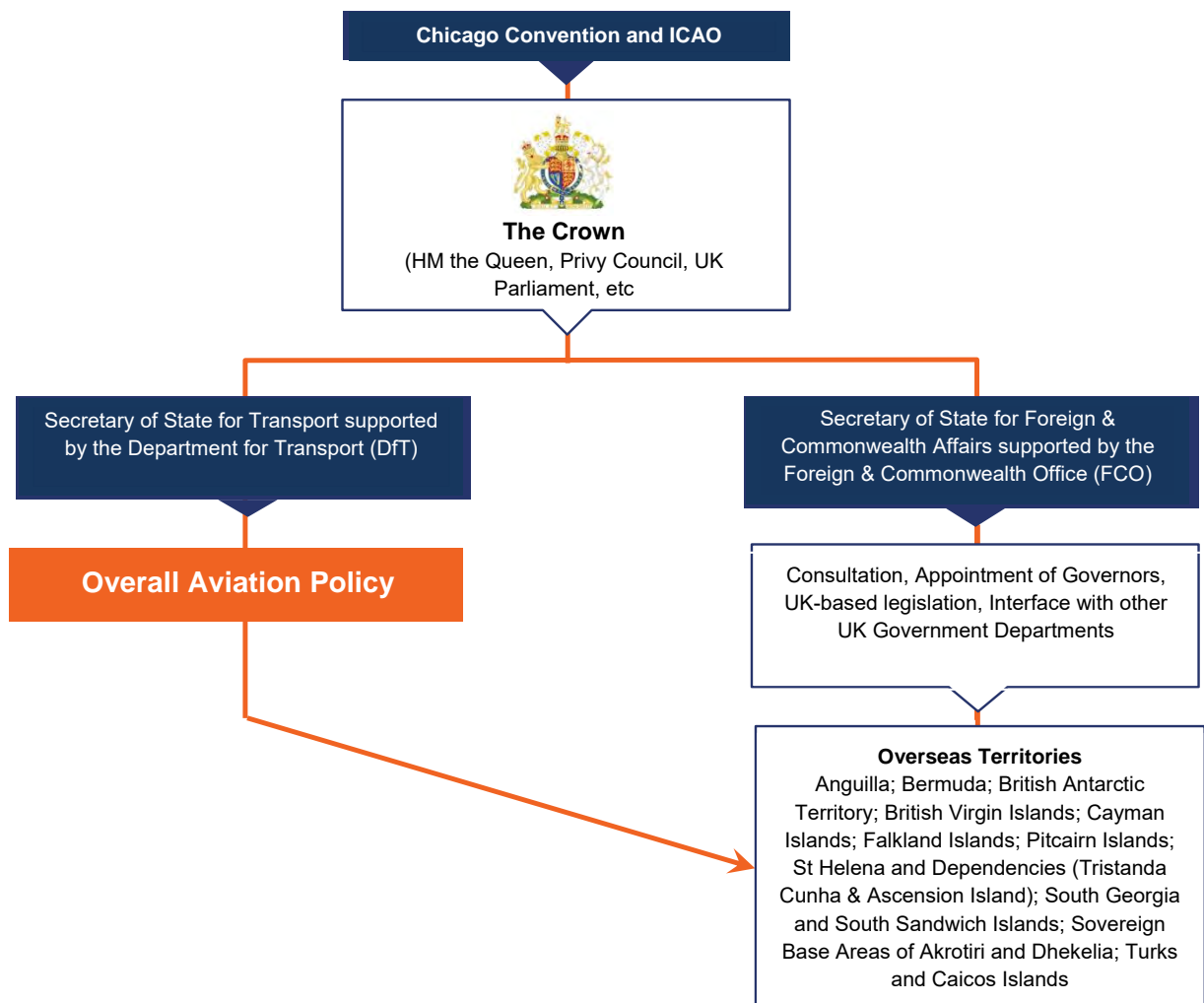

Figure 1- The UK as a Contracting State to ICAO (Simplified constitutional relationship between ICAO, UK and its OTs, note that not all have aviation activity)

1.2.2   The Privy Council, that meets approximately monthly, consists of all the members of the British Cabinet, former Cabinet ministers, and other distinguished persons appointed by the Sovereign including past and present leaders of the British opposition parties. Its functions include advising the Queen on Orders in Council, granting Royal Charters and, through its Judicial Committee, acting as the final court of appeal from courts in the OT. The British Cabinet remains formally a committee of the Privy Council.

1.2.3   Orders in Council are approved by the Queen at meetings of a small number of Privy Counsellors. Orders in Council establishing legal requirements are Statutory Instruments and are normally subject to UK Parliamentary scrutiny. The Order in Council is an important method of giving force of law to the more significant executive orders. Orders in Council are also used to extend civil aviation legislation to the OTs. The Office of Public Sector Information provides access to legislation of the UK; this is available online.

1.2.4   The UK DfT is the primary governmental body responsible for civil aviation in the UK and for upholding the UK's compliance with the Chicago Convention. As such, the DfT establishes overall aviation policy in cooperation with the FCO for the UK OTs. The UK CAA has no direct regulatory responsibility for safety oversight of aviation in the UK OTs.

1.2.5   There are fourteen UK territories, which are constitutionally separate from the UK. All have separate constitutions made by a UK Order in Council. The UK remains responsible, however, for discharging its obligations under the Chicago Convention in respect of civil aviation in the OTs.

1.2.6   Parts of the 1949 and elements of the 1971 and 1982 Civil Aviation Acts have been extended to the OTs by Orders in Council. The 1949 Act provides for a State to make an Air Navigation Order (ANO) to implement the Annexes to the Chicago Convention and to regulate air navigation generally. The Air Navigation (Overseas Territories) Order (AN(OT)O) gives the Governor of each of the OT powers and responsibilities in respect of aviation safety oversight.

1.2.7   The AN(OT)O 2013 requires the Governor to designate the majority of his powers to a person; in practice this is either a local Director of Civil Aviation (DCA) who is usually an employee of the OT's Government, or to Air Safety Support International (ASSI), a wholly owned subsidiary of the UK CAA. The Governor is required to consult ASSI before making (or revoking) any such designation. ASSI conducts routine assessment visits to the OT where a person has been designated by the Governor other than ASSI itself.

1.2.8   In the Civil Aviation Authority (Overseas Territories) Directions 2003, the Secretary of State directed the CAA to establish ASSI as a subsidiary company to oversee aviation safety regulation in the OTs and to ensure compliance with the requirements of the Convention.   The current Directions are the Civil Aviation Authority (Overseas Territories) Directions 2014 (as amended by the Civil Aviation Authority (Overseas Territories) (Variation) Directions 2015, a consolidated copy of which is available on the ASSI website.   These Directions extended ASSI's responsibilities to include aviation security oversight and regulation but exclude Annex 9 from ASSI's responsibilities. ASSI has been charged with developing and maintaining the AN(OT)O and producing Overseas Territories Aviation Requirements (OTARs) to support it.

1.2.9   The AN(OT)O also requires the Governor to publish the detailed requirements which applicants for certificates and licences will have to meet. Such requirements are primarily the OTARs developed by ASSI in conjunction with the OT DCAs.

1.2.10 ASSI is responsible for providing assistance, training and advice to the OTs' aviation authorities. In an OT where there is no local civil aviation regulator or where the regulator does not have the resources or the expertise to undertake the task itself, ASSI can be designated by the Governor to perform the civil aviation regulatory tasks. ASSI therefore performs the role of policy-maker, adviser/mentor, assessor of the efficacy of regulatory oversight where it is not the regulator and, depending on the situation in the Territory.

Chapter 2   UK OT State safety policy and objectives

State safety legislative framework
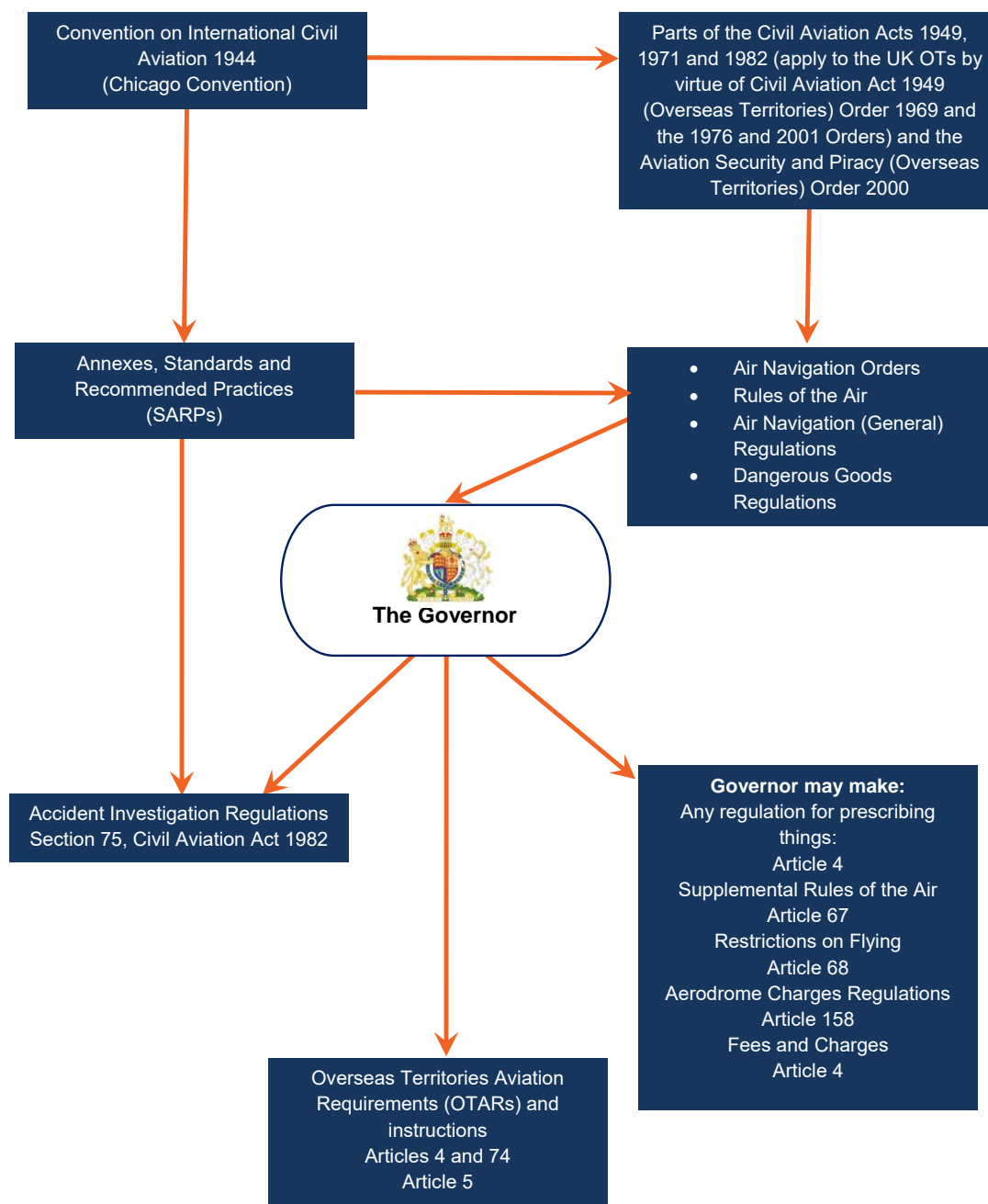
Figure 2 - UK Overseas Territories regulatory framework, note article refers to the provisions of the AN(OT)O 2013.

2.1   Primary legislation - Civil Aviation Act 1949 (Overseas Territories) Order 1969

2.1.1   The Civil Aviation Act 1949, as extended to the Overseas Territories by the Civil Aviation Act 1949 (Overseas Territories) Order 1969 is the primary legislation that

provides the authority to apply the provisions of the Convention and annexes by Order in Council and implement other statutory instruments in the area of civil aviation in the Overseas Territories.

2.1.2 This Act has been supplemented by the extension of section 62 of the Civil Aviation Act 1971 to the OTs:

- (by the Civil Aviation Act 1971 (Overseas Territories) Order 1976 - section 62 increased the penalties for breaches of an Air Navigation (Overseas Territories) Order) and by the extension of sections 61, 75 and 76(4) of the Civil Aviation Act 1982 to the Overseas Territories (by the Civil Aviation Act 1982 (Overseas Territories) Order and No.2 Order 2001.

- Section 61 increased the penalties for breach of an AN(OT)O.

- Section 75 enables the Governors to make air accident and investigation regulations.

- Section 76(4) amends section 40(2) of the 1949 Civil Aviation Act, so that where an aircraft is chartered or demised for more than 14 days, the lessee rather than the owner (lessor) is liable for any damage or injury caused to any property or person on the ground by the chartered or demised aircraft).

2.1.3 Certain parts of the Aviation Security Act 1982 (Parts 1 (offences against the security of aircraft etcetera) and 2 (protection of aircraft, aerodromes and air navigation installations against acts of violence) and Schedule 1 of the Act (provisions relating to compensation), along with sections 1 and 50 of the Aviation and Maritime Security Act 1990 (endangering safety at aerodromes and offences by bodies corporate), were extended to the Overseas Territories by the Aviation Security and Piracy (Overseas Territories) Order 2000.

2.1.4 Part 2, section 8 of the Civil Aviation Act 1949 (Overseas Territories) Order 1969, as amended by the Civil Aviation Act 1982 (Overseas Territories) Order 2001, makes provision for the creation and maintenance of the Air Navigation (Overseas Territories) Order to implement the Annexes of the Chicago Convention. Certain provisions of the 1971 and 1982 Civil Aviation Acts have also been extended to the Overseas Territories (see below).

2.2 Subsidiary legislation – Air Navigation (Overseas Territories) Order 2013

2.2.1 The AN(OT)O is secondary (i.e. subordinate) legislation to provide a sound legal framework for enabling the adoption of the Overseas Territories Aviation Requirements (OTARs) as a common cohesive package of requirements. The AN(OT)O enables, or gives power to, the requirements contained in the OTARs.

2.2.2 The latest revision is a complete re-write, simplifying and modernising the AN(OT)O to form a coherent unit with the OTARs - the OTARs being the principal regulatory instruments and the AN(OT)O providing mainly the necessary legal basis. The rebalanced and consolidated version, AN(OT)O 2013, became effective in January 2014 and reflects changes required as a result of the safety oversight audit carried out by ICAO in 2009. Three amendments have been made to date to the AN(OT)O 2013 – see the 2014 and 2015 amendment Orders.

2.2.3 The AN(OT)O gives the Governors a wide variety of discretionary powers which are exercised by the designated regulator to grant certificates, licences and approvals. An individual or organisation affected by certain decisions made by the regulator on behalf of a Governor is entitled to seek a review by the Governor of such decision in accordance with Article 13 of the AN(OT)O.

2.3 Operating regulation/ requirements – Overseas Territories Aviation Requirements (OTARs)

2.3.1 The OTARs comprise a package of requirements that forms a means of compliance with the ICAO SARPs and that is consistent with the legislation in force.

2.3.2 ASSI is required, under the directions from the Secretary of State, to produce the means of compliance to enable the Governors to be satisfied that applicants for, or holders of, licences, certificates and approvals meet their legal obligations. Governors are required under Article 5 of the AN(OT)O to publish these requirements. The OTARs do not constitute 'regulations' in legal terms. They do, however, conform to the wider ICAO definition of regulations used in ICAO Doc 9734 Safety Oversight Manual in relation to Critical Element 2 and were recognised as such by ICAO during the 2009 USOAP audit of the UK.

2.3.3 The OTARs set out, for the benefit of those regulated:

- the requirements for obtaining and holding a licence, certificate, authority or approval;

- the way in which the rights and privileges of licences, certificates, authorities or approvals are exercised;

- the way obligations which come with the privileges are to be discharged; and

- general instructions regarding the operation and equipment of aircraft.

2.4   Industry guidance material – Overseas Territories Aviation Circulars (OTACs)

2.4.1   There is also a need to promulgate additional information which is not appropriate for inclusion in the OTARs themselves. Such information and guidance is included in Overseas Territories Aviation Circulars (OTACs).

2.4.2   These include the following information:

- practical, detailed guidance on meeting the requirements;

- information of a temporary nature;

- administrative material;

- information published in advance of a formal amendment to OTARs;

- the means of ensuring that aspects of the State civil aviation system comply with ICAO SARPs where this is a State responsibility, e.g. SAR.

2.5   UK OT civil aviation framework and accountabilities
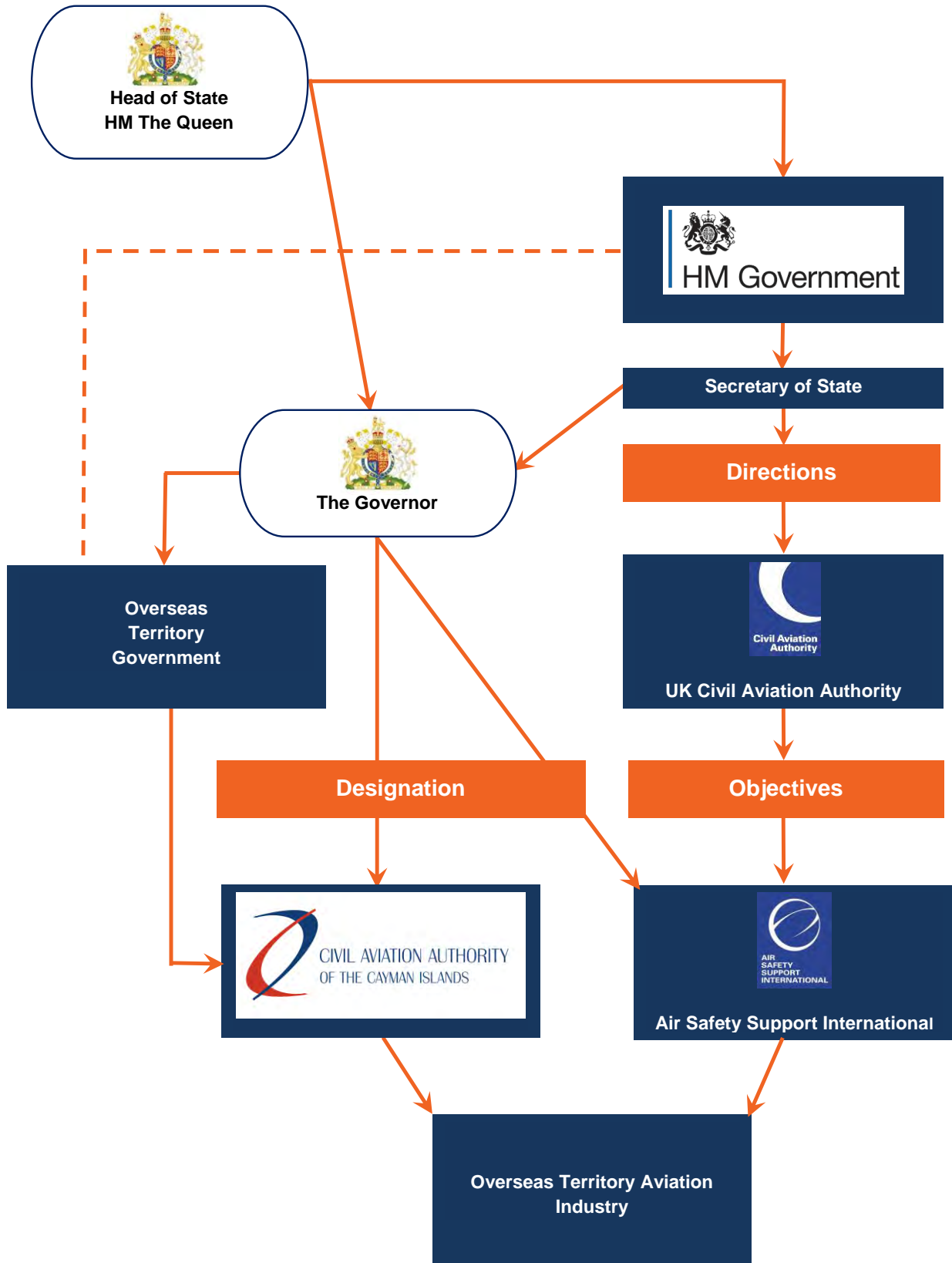
Figure 3 - UK Overseas Territories flow of authority

The UK Department for Transport responsibilities

2.5.1   The Department for Transport (DfT) is responsible for setting overall policy for the standards of safety and security in transport in the UK, including civil aviation. It is also responsible for the management of international affairs in the civil aviation context, which are reserved to the UK under the OTs' Constitutions. The Secretary of State has issued Directions for the UK CAA to establish ASSI and which set out ASSI's responsibilities. The Secretary of State's Directions require the UK CAA to set objectives for ASSI which the Secretary of State approves.

The UK OT's Governor's responsibilities

2.5.2   The Governor is the Queen's representative and acts on behalf of the UK Government in relation to the general governance of a Territory, within the scope of the respective Constitution, and in relation to international affairs which are reserved to the UK under the Constitution. Governors are accountable to the Foreign and Commonwealth Office (FCO).

2.5.3   As the Queen's representative the Governor is responsible for ensuring the adequacy of the civil aviation safety regulation within a UK OT. Within each OT the Governor appoints a Regulator to carry out most of the Governor's functions under the AN(OT)O.

The UK Civil Aviation Authority responsibilities

2.5.4   The UK CAA appoints the Board of ASSI, a wholly owned UK CAA subsidiary, along with enacting the Directions to establish ASSI and setting objectives for ASS subject to the Secretary of State's approval. The CAA is also required to audit annually the activities of ASSI. The UK CAA does not have any responsibility for aviation regulatory oversight of the UK OTs.

Air Safety Support International responsibilities

2.5.5   ASSI is responsible for the drafting of the AN(OT)O, OTARs and OTACs in order to implement the SARPs. ASSI is also responsible for undertaking regular assessments of OT Aviation Authorities on the standards of civil aviation safety regulation and the adequacy of the resources employed, to advise the Secretary of State and the Governor on whether the Territory is complying with the UK's obligations under the Chicago Convention and on whether any remedial measures may be necessary. This include advice and recommendations to the Governor on the designation of a regulator in the Territory.

2.5.6   ASSI is the designated regulator responsible for Annex 17 within all the UK OTs.

Civil Aviation Authority of the Cayman Islands (CAACI) responsibilities/designations

2.5.7 The CAACI is the designated regulator responsible for the majority of the functions identified in the AN(OT)O other than those reserved to the DfT (Annex 9), HE The Governor (Annex 13) and to ASSI (Annex 17). The table in Appendix E illustrates organisational structure and the ICAO Annex responsibilities of each body.

2.6 Framework/ regulations review

2.6.1 Regulations are regularly reviewed by ASSI. Such reviews may be triggered through:

- monitoring of ICAO State Letters
- safety issue feedback from the OTAAs via the Overseas Territories Safety Performance Council
- DCA conference call feedback
- ASSI/ OTAA Inspector webinars
- ASSI/ OTAA training events
- direct feedback from ASSI staff
- direct feedback from OTAA staff
- direct feedback from service providers.

2.7 State safety programme documentation and records

2.7.1 This SSP document will be subject to regular review. The background and method used to create the SSP implementation plans are outlined in the OT SSP Part 2. The OT SSP Part 3 is a live document that details each UK OT State Safety Plan. It is regularly updated and review by the Overseas Territories Safety Performance Council.

2.8 State Safety responsibilities and accountabilities

State safety programme development

2.8.1 The Overseas Territories Safety Performance Council, which comprises UK OT Directors of Civil Aviation, ASSI and UK OT representatives, conducted an ICAO Document 9859 Safety Management Manual SSP Gap Analysis in November 2013 (see appendix C). This gap analysis, for each OTAA, has formed the basis of a number of UK OT SSP implementation plans. Noting the size and resource of each OTAA, the initial focus of the work is to create and evolve the missing elements identified by the gap analysis. As these elements are completed the focus will move from implementation to continuous improvement.

2.9 State safety programme responsibilities and resources

2.9.1 The prime responsibility for the UK SSP rests with the DfT. However, each OT is responsible for providing its own, specific SSP for inclusion into the overall UK SSP unless ASSI has been designated to perform the safety oversight function by an OT

Governor. It therefore follows that the Cayman Islands is responsible for producing its own SSP and the Director-General of Civil Aviation (DGCA) is the Accountable Manager for this activity. The DGCA is responsible for providing the necessary resources to enable the SSP to be developed and sustained to meet the requirements of ICAO and the UK. In the Cayman Islands, the SSP Development Manager is responsible for the development of the SSP.

2.10   State safety programme coordination committee

2.10.1 This function is conducted as part of the CAACI's quarterly SSP Implementation and Review Committee (SIRC) meeting.

2.11   State safety policy

2.11.1 The Cayman Islands Safety Policy is regularly reviewed. It is available on then the CAACI Web Site and is contained at Appendix A to this document.

2.12   State acceptable level of safety

2.12.1 ICAO provisions call for the States to establish a safety programme in order to achieve an Acceptable Level of Safety Performance (ALoSP). The UK SSP sets these as follows:

a) Fatal accident rate 5 year rolling average is in the best 5% of States;

b) SPIs that track the frequency of operational events regarded as potential precursors to fatal accidents, and indicate continuous   improvement in reducing these risks; and

c) Compliance with ICAO Standards, Recommended Practices and Procedures (SARPS) of at least 90% with sound and considered rationale where differences have been filed.

2.12.2 At this stage of the implementation plan this has not been set. The UK SSP ALoSP indicators will not be adopted by the UK OTs however, appropriate indicators will be derived and implemented once an adequate statistical database hes been developed.

2.13   State safety programme improvement/ review

2.13.1 The OTSPC will review the progress of each OTAA's implementation plans at each meeting. As the implementation plans progress, a revised SSP gap analysis will be conducted at regular intervals.

2.14   State accident and incident investigation

2.14.1 In each OT the Governor has made accident investigation regulations under Section 75 of the Civil Aviation Act 1982, as extended to the OT by an Order in Council, which empowers the Governor to appoint investigators to investigate accidents and serious incidents.

2.14.2 Memoranda of Agreement (MoA) or Understandings (MoU) are in place between individual Territories and the UK Air Accidents Investigation Branch (AAIB). In the majority of the OTs a Letter of Appointment has been signed by the Governor of the OT, pursuant to the MoA/MoU, appointing the Chief Inspector of the AAIB as the Chief Inspector of Air Accidents for the OT. The Letter of Appointment empowers the Chief Inspector to appoint individual inspectors from within the AAIB for the purposes of undertaking any investigation required under the regulations and in accordance with such regulations.

2.14.3 Under the Letter of Appointment arrangements, once the Governor has notified the AAIB of an accident or serious incident, an Inspector in Charge (IiC) will be appointed by the Chief Inspector of the AAIB. The IiC will be a member of the AAIB, irrespective of whether the AAIB attends the scene of the accident or whether the investigation is conducted remotely, from the UK.

2.14.4 The Accident Investigation Manager is a locally appointed individual(s), whose role is to assist the AAIB in the conduct of its investigation.

2.15   State enforcement policy

2.15.1 Following the OTSPC gap analysis it was agreed by the OTAA DCAs and ASSI that a common enforcement policy would be adopted by all OTAAs. The policy is based on ICAO 9859 Safety Management Manual guidance. A copy of this policy is contained in appendix B.

2.15.2 The enforcement procedure that accompanies the policy recognises that enforcement covers a range of activities from usual everyday oversight, to powers that enable the prevention of flight, suspension, variation or revocation of a licence or certificate, offer of a right of review and finally prosecution. The procedure allows a consistent approach that takes into account the performance of the service provider's Safety Management System, voluntary reporting, and each case's circumstance. It is based on the overall aim of achieving compliance and safe operation.

2.15.3 Should it be required, a case that escalates to prosecution is handed over to the local OT criminal prosecution service. A failure to comply with the AN(OT)O and its related regulation may be a criminal offence. If requested, ASSI may be able to provide both legal advice and access to specialist investigation officers to assist with the mounting of an investigation. It is of note that in any such case it is important to ensure that

any safety issue is addressed without waiting for the prosecution to finish, as the prosecution process will not achieve this.

Chapter 3   UK OT safety risk management

3.1   Safety requirements for the service provider's SMS

3.1.1   Annex 19 identifies that a safety management system should be commensurate with the size of the service provider and the complexity of its aviation products or services. Some of the processes within a safety management system, as noted by ICAO 9859 Safety Management Manual, can be integrated into existing systems such as quality management or security management systems which may already be employed by service providers. The approach to fully implement SMS will be to evolve elements over time and, where possible, to integrate these into other established systems.

3.1.2   Regulatory oversight will review these elements with the initial focus being on Hazard logs, safety meetings and reporting are the initial focus elements.

3.1.3   The following OTARs require an SMS to be established appropriate to the size and complexity of the specified operation:

- OTAR 61   Pilot licences and ratings (Training organisation)
- OTAR 66   Aircraft maintenance personnel licensing (Training organisation)
- OTAR 119 Air operator's certificate
- OTAR 125 Complex GA (including corporate operations)
- OTAR 139 Certification of aerodromes
- OTAR 140 Rescue and fire-fighting requirements
- OTAR 145 Aircraft maintenance organisation approval
- OTAR 171 Aeronautical telecommunication service
- OTAR 172 Air traffic service organisation approval
- OTAR 176 Instrument flight procedure approval

3.1.4   ASSI has set an objective to update regulations as necessary and the Company will also assist the Territory in the production of related guidance and associated training for both regulatory and service provider staff to improve safety management.

3.2   Agreement of product or service provider's safety performance

3.2.1   The CAACI is evolving a system to collate and evaluate data derived from the organisations that are subject to its regulatory oversight. Although still in development it is anticipated that this will include pre and post audit oversight meetings across multi disciplines. It is anticipated that the SSP Development Manager, Departmental Heads and specialist managers will participate in these meetings to discuss and share information and data relevant to the service provider and its operating environment.

3.2.2   The CAACI has not yet to establish acceptable levels of safety for service providers. During oversight visits, CAACI inspectors conduct regular reviews of service provider's risk registers/hazard logs and the actions that they contain.

3.3   Periodic assessment of the product or service provider's SMS

3.3.1   As part of its audit process, the CAACI has commenced auditing the SMS, QMS and Human Factors (HF) of its service providers to establish a baseline for the assessment of the progress being made towards implementing SMS and SSP.

3.3.2   As new elements are introduced, the Authority will establish assessment criteria to be in future oversight activities.

Chapter 4   UK OT State safety assurance

4.1   Safety oversight

Certification approval and licensing system

4.1.1   There are a number of processes employed to issue certificates, approvals, permissions and licences. These are either issued by the CAACI or validated by the Authority based on the issue of such documents by another competent National Aviation Authority. These processes may include inspections and examinations. A number include time based re-certification and re-licensing criteria.

4.1.2   The following regulations cover certification approval and licensing:

- OTAR 21   Certification of Aircraft
- OTAR 36   Aircraft Environmental Standards
- OTAR 61   Pilot Licences and Ratings
- OTAR 63   Flight Engineer Licences and Ratings
- OTAR 65   Air Traffic Service Personnel Licences, Ratings and Training Organisations
- OTAR 66   Aircraft Maintenance Personnel Licensing
- OTAR 67   Medical Standards and Recognition of Medical Examiners
- OTAR 92   Carriage of Dangerous Goods
- OTAR 119   Air Operator Certificate
- OTAR 121   Commercial Air Transport Operations – Large Aeroplanes
- OTAR 135   Commercial Air Transport Operations – Helicopters and Small Aeroplanes
- OTAR 139   Certification of Aerodromes
- OTAR 140   Rescue and Fire Fighting Services (linked to aerodrome certificate)
- OTAR 145   Aircraft Maintenance Organisation Approval
- OTAR 171   Aeronautical Telecommunication Services
- OTAR 172   Air Traffic Service Organisation Requirements
- OTAR 173   Flight Checking Organisation Approval
- OTAR 174   Meteorological Services
- OTAR 175   Aeronautical Information Services
- OTAR 176   Instrument Flight Procedures Approval
- OTAR 178   Aviation Security (linked to aerodrome certificate or AOC)

4.1.3   Overseas Territories Aviation Circulars (OTACs) are issued to provide advice, guidance and information on standards, practices and procedures to support the OTAR. OTACs are not in themselves iaw, however, they do amplify the requirements of the OTARS and offer practical guidance on meeting a requirement. They may also contain

administrative material, information of a temporary nature or information published in advance of a formal amendment to OTARs.

4.2   Safety oversight of product and service providers

4.2.1   Regulatory oversight is conducted through inspections and audits, together with provision of advice and guidance, to ensure that industry meets the appropriate standards. Inspectors are specialists in the functional area which they regulate and regulatory competencies are defined for each role within the CAACI.

4.2.2   Within some areas, expertise is pooled across the UK OTs via the Pool of Experts (PoE) mechanism. The PoE can be used to provide additional resources and oversight where required. Each expert is sponsored by an OT Regulator with specified functions, records of competency, scope of expertise and any records of work.

4.2.3   Ramp checks of foreign aircraft, based upon the Safety Assessment of Foreign Aircraft (SAFA) process established by the European Civil Aviation Conference (ECAC), are conducted by airworthiness and flight operations. However, the results are not fed into the SAFA data base. In some Territories, the Governor has delegated limited functions to local officials to enable ramp checking of documentation carried on board by foreign operators.

4.2.4   Any regulatory shortcomings, whether identified through audit process or otherwise, are generally dealt with by the low end of the enforcement procedure. To facilitate advice, best practice and guidance, an audit may include observations where something may have the potential to develop into a non-compliance or issue.

The CAACI is currently considering introducing a grading system to classify audit outcomes. Subject to internal discussion audit outcomes may be identified as:

Level 1- an audit non-conformity identifying a hazard to flight safety requiring urgent attention with satisfactory corrective action within 7 days.

Level 2 - any non-conformity requiring satisfactory correction within 90 days.

Level 3 -   an observation of a potential problem not necessarily based on a regulatory non- conformance.

4.2.5   The enforcement process provides a structured escalation that includes the following:

- prevention of flight
- formal meetings
- warning letters
- 'on notice' status
- suspension or revocation of any approvals or certificates

In extreme circumstances, prosecution may be appropriate

A detailed explanation of the Enforcement Policy can be found at Appendix B to this document.

4.3   Internal SSP review/ quality assurance

4.3.1   Whilst the focus is currently on developing the SSP based on Annex 19 and the ICAO Doc 9859 Safety Management Manual, the gap analysis conducted to create the implementation plan will be the basis for our initial focus and will be periodically reviewed. This analysis, based on work conducted at the OTSPC, is shared with other members of the OTSPC. The aims and objectives derived from the plan are under regular review.

4.3.2   The CAACI is considering introducing an IT system to complement and improve the Quality Management System (QMS). This will affect the development of the SSP and will be monitored as part of the regular project reviews.

4.3.3   Performance indicators of both CAACI and its service providers' activities are still in development. This development step is captured in the SSP implementation plan.

4.4   External SSP review/ audit

4.4.1   The CAACI is subject to regular assessment by ASSI to assure the UK DfT that the Authority is adequately fulfilling its role. The Assessment examines many areas of the CAACI operation.   During the course of these Assessments, ASSI will examine the SSP and its component parts.

4.4.2   As identified previously, performance indicators that may provide a benchmark for SSP measurement are still in development. Data measuring service providers' levels of operation are collected and reviewed against the UK CAA data.   Occurrence reports are low in volume and effort is being expended to promote 'just culture' and encourage open reporting.   It is hoped that, in time, these sources of data will develop to provide the basis of a set of useful performance indicators.

4.5   Safety data collection, analysis and exchange

Occurrence reporting system

4.5.1   AN(OT)O article 174 establishes the requirement for mandatory occurrence reporting (MOR) and OTAR 13 and its OTAC provides further detail. The sole objective of occurrence reporting is the prevention of accidents and incidents and not to attribute liability or blame.

4.5.2 Mandatory Occurrence Reports (MORs) are currently entered into the CAACI's MOR data base and it is intended that, in due course, the information will be shared with the European Coordination Centre for Accident and Incident Reporting System(ECCAIRS). Software to enable this will be provided by the European Commission Joint Research Centre through the UKCAA to facilitate the cross State collection, sharing and analysis of safety data. The UK Air Accident Investigation Branch (AAIB) has full access to this UK data.

4.5.3 ECCAIRS will soon allow service providers to access data to conduct their own safety analysis. The relatively small number of MORs contributed from the UK OTs still provide potentially valuable data to the overall UK dataset and will allow the UK OT service providers access to a larger dataset. This provides many benefits for smaller scale service providers both within the UK OTs and UK. For example, both have small lifeline island service provider operations with similar aircraft types and challenges. These operations will be able to share safety data across their operations from all around the world.

4.5.4 The CAACI processes all MOR and tracks each item to a point where it can be closed . The relevant Inspector is alerted to each MOR and they are responsible for review and follow-up action where appropriate. The Authority also identifies high-risk occurrences and monitors trends to enable follow-up action with its industry partners.

4.5.5 The enforcement policy provides assurance that it is the intention of the CAACI to nurture and sustain effective safety reporting, allowing service providers and their employees to report safety deficiencies and hazards without the fear of punitive action in the cases of unintentional errors and mistakes.

4.5.6 The CAACI encourages voluntary reporting of incidents through the occurrence reporting process. The CAACI's system aligns with the UK CAA's for the processing, recording and disclosing of reports. It does not differentiate between mandatory and voluntary reports and meets the requirements of Annex 19, paragraph 5.1.2.

4.5.8 The CAACI has set an objective to improve reporting through revision of the reporting process, promotion of both a just culture and a positive safety culture (see appendix D).

4.5.9 In accordance with AN(OT)O Article 175 any pilot-in-command of an aircraft in a UK OT who believes that their aircraft has been in collision with a bird must report it. This may be achieved by submitting a MOR within the Territory or through the UK CAA bird strike reporting system. This data is notified to ASSI and the relevant reports are forwarded to ICAO annually for inclusion in the ICAO Bird Strike Information System (IBIS).

4.6   Voluntary/ confidential reporting system

UK Confidential Human-Factors Incident Reporting Programme (CHIRP)

4.6.1   CHIRP provides a further route for voluntary reporting. The aim of CHIRP is to contribute to the enhancement of aviation safety, by providing a totally independent, confidential (not anonymous) reporting system for all individuals employed in or associated with the aviation industry. The programme accepts reports from pilots, cabin crew, ATCOs, maintenance engineers and those involved in general aviation. This programme has been promoted within the CAACI sphere of influence.

4.6.2   CHIRP supplements other reporting systems. The submission of a CHIRP report does not fulfil the statutory obligations under the AN(OT)O for mandatory reporting.

4.7   Safety data-driven targeting of oversight areas of greater concern or need

4.7.1   To form a risk profile the CAACI will collate annually:

- service provider operational information
- general UK OT data
- foreign national aviation authority reports
- public media sourced information to add to a risk profile.

4.7.2   Additionally, audit reports, occurrence reports, audit visit intelligence feedback, service provider hazard log information and any general day to day oversight data is shared during the quarterly SIRC meetings. This information is used to target oversight across all the regulatory disciplines of the CAACI.

4.7.3   It is intended that this area of work will continue to develop and evolve over time. A current objective is to update and create processes to collect, share, analyse and monitor information that influences aviation safety to work towards developing a performance/ risk based approach (see appendix D).

4.7.4   The CAACI will review the annual reports issued by ICAO, IATA and UK safety data publications including the AAIB Report together with appropriate industry publications to ensure that it remains abreast of developments that can or could impact both positively or adversely on safety within its area of responsibility.

Chapter 5   UK OT State safety promotion

5.1   Internal training, communication and dissemination of safety information

Internal SSP, SMS and safety training

5.1.1   Each post within the CAACI has a well-defined job description and applicants for these posts are assessed to ensure that they possess the required levels of competency and knowledge. Where gaps in either competency or knowledge are identified they will be addressed by a bespoke training plan to ensure that the successful applicant will be able to carry out his/her duties effectively. Progress is regularly reassessed and addressed through staff development goals as part of the Performance Path staff appraisal scheme. The staff induction process covers an overview of all areas including the SSP. CAACI inspectors have all completed SMS training and are subject to periodic refresher training.

5.1.2   **Internal communication and dissemination of safety information**

Internal safety information can be communicated via many forums amongst the CAACI team. The quarterly SIRC meetings provide an opportunity to exchange such information as do the quarterly staff meetings which are scheduled to follow the SIRC meetings. Although there are a series of formally scheduled meetings each year the culture of the organisation is such that any member of CAACI staff is encouraged to raise any safety concerns either to his/her functional head or direct to the D-GCA if necessary.

5.1.3   The quarterly Staff Meetings provide opportunities to educate and update all staff in relation to the progress of and the outcomes from the SSP and SMS. The SSP implementation plan provides further opportunities to promote and discuss the CAACI Safety Policy, Enforcement, QMS/SMS and Safety promotion.

5.1.4   **External training, communication and dissemination of safety information**

External SMS and SSP training/ education facilitation

ASSI facilitates regular targeted training events and webinars for both UK OTAA staff and UK OT service providers. Many components of this training are SMS and SSP related. UK OTAAs provide some input to both the content and provision of this training. Training sessions are also conducted with OTAA DCA staff at the OTSPC meeting. The CAACI supports the regular training events and webinars provide by ASSI to the OTs and also participates in relevant regional training initiatives.

5.1.5   **External communication and dissemination of safety information**

UK OT service providers have access to the UK CAA MOR summaries. A quarterly ASSI Safety Bulletin is published with information on SSP/ SMS and safety related topics.   The CAACI website also provides information on safety related matters

including the SMS and the SSP.   The CAACI subscribes to the ASSI e-mail alert which offers both OTAAs and their service providers advice on new and updated information.   As part of its safety promotional programme, the Authority actively encourages industry to take advantage of this service.

Chapter 6   Summary

6.1   Summary

6.1.1   The CAACI is committed to continuously improving its State Safety Programme. Consequently, this document is a live document and will be periodically updated as the Programme evolves. Many of the deficiencies identified within the ICAO SSP Gap Analysis, conducted in 2013, have already been addressed (see appendix C); others are either underway, or are planned for the future.

6.1.2   This is a living document and will be subject to amendment and update as the CAACI itself and the service providers that it regulates develop and refine their respective processes in a continuous search for improvement.

6.1.3   The CAACI welcomes any questions, contributions or comments from industry or other regulatory bodies and these should be addressed to: civil.aviation@caacayman.com

6.1.4   For further information on the CAACI please visit our website at: www.caacayman.com

List of Appendicies

Appendix:

Appendix A   Safety policy

Appendix B   Enforcement policy

Appendix C   ICAO Document 9859 Edition 3 SSP gap analysis conducted
November 2013 OTSPC, updated: December 2015

Appendix D   State safety programme aims & objective

Appendix E   Cayman Islands Civil Aviation Authority's   Designations/Responsibilities

Appendix A

CAYMAN ISLANDS STATE SAFETY POLICY STATEMENT
DRAFT V0.2 Dated 11 November 2015 – To be reviewed 31ˢᵗ MAY 2016

The Civil Aviation Authority of the Cayman Islands (CAACI) promotes Safety Management Systems in its regulatory oversight of aviation industry sectors for which it is responsible. The Authority is committed to developing and implementing effective strategies, regulatory frameworks and processes to ensure that aviation activities under its oversight achieves the highest practicable level of safety.

To this end the CAACI shall:

1) Practice and implement standards of regulation that are consistent with the objective of Standards, Recommended Practices and Procedures of the International Civil Aviation Organisation;

2) Implement data driven performance-based regulation, that is visibly risk based, and also identifies safety trends with mitigations of concerns within aviation industry sectors;

3) Ensure the CAACI Safety Management procedures, and implemented regulation remains effective through continuous monitoring of key Safety performance indicators, safety initiatives, industry sector feedback, and from OTAA aviation Safety aggregates;

4) Collaborate and consult with aviation industry sectors to foster and promote Just Culture, to regularly address safety matters in partnerships with an aim to continuously enhance aviation safety;

5) Promote good safety practices and a positive organisation safety culture within the industry sectors based on sound safety management principles;

6) Encourage safety information collection, analysis and exchange amongst all industry sectors, relevant oganisations and service providers, with the intent that such information is to be used for safety management purposes only;

7) Foster a CAACI Corporate Culture based on Safety principals that encourages the promotion of Just Culture through equipping staff with proper skills, expertise, sufficient financial and human resources to discharge their safety oversight and management responsibilities competently.

Appendix B

Effective date of Implementation: 06/07/2015

ASSI File Reference: UK/X/J/86/02 – Policy Statements

Rationale:

Basic legislative enforcement provisions have in some cases been concerned with imposing penalties for violations within the service provider or by the regulator. In an SSP-SMS environment, it is intended that enforcement policies and procedures, of both the individual service provider and regulator, take account of the actual conditions and circumstances surrounding a violation or act of non-conformance. The intent is to ensure that a distinction is made between an unintentional error or mistake and a deliberate or gross violation.

Service providers are expected to have an acceptable process in place to manage their own routine safety and quality non-conformances. Regulatory intervention can be expected under certain conditions and circumstances in which the designated regulator will actively investigate a particular violation or non-conformance.

This enforcement policy is aimed at promoting compliance with aviation safety regulations and requirements through enforcement functions in an equitable manner designed to support the implementation of SMS. The policy and related procedures allow service providers to deal with, and resolve, certain events internally to the satisfaction of the regulator, within the context of a service provider's SMS. This approach aims to nurture and sustain effective safety reporting, whereby service providers' employees can report safety deficiencies and hazards without fear of punitive action. A service provider can therefore, without apportioning blame and without fear of enforcement action, analyse the event and the organisational or individual factors that may have led to it, in order to incorporate remedial measures that will best help prevent recurrence. Intentional contraventions of legislation and related Overseas Territories Aviation Requirements (OTARs) will be investigated and may be subject to conventional enforcement action where appropriate, with due consideration to distinguishing between unintentional errors or non-compliances and premeditated violations.

For the purposes of this policy, service providers are holders of certificates, approvals, permissions, authorisations or similar documents issued under the Order.

The policy statements are listed on the following (2) pages.

Policy Statements:

1. Information derived from safety data collection and processing systems established under an SMS relating to reports classified as confidential, voluntary or equivalent shall not normally be used as the basis for enforcement action.

2. When a service provider, operating under an SMS, unintentionally contravenes the requirements, the regulator will engage in dialogue with the organisation. The objective is to agree on proposed corrective measures and an action plan that adequately addresses the deficiencies that led to the contravention and to afford the service provider a reasonable time dependent on the risks to safety to implement them.

3. If the regulator considers the corrective measures proposed satisfactory, likely to prevent recurrence and foster future compliance, there will be no further enforcement action by the regulator. Where either the corrective measures or the systems in place are considered inappropriate, the regulator will continue to interact with the service provider to find a satisfactory resolution that would negate the need for enforcement action. However, in cases where the service provider refuses or is unable to engage with the regulator, to address the event and to provide effective corrective measures, the regulator will consider taking enforcement action as deemed appropriate.

4. Breaches of requirements may occur for many different reasons, ranging from a genuine misunderstanding of the regulations to disregard for aviation safety. Enforcement decisions must be proportional to the identified breaches and the underlying safety risks, based on the following principles:

    a) action will be taken against those who deliberately or consistently operate outside the requirements;

    b) the regulator will seek to educate and promote training or supervision of those who show commitment to resolving safety deficiencies; and

    c) the regulator will give due and equitable consideration to distinguish unintentional errors or non-compliances from premeditated violations.

5. Enforcement actions may include:

    a) counselling;

    b) remedial training;

    c) variation, suspension or revocation of a certificate, approval or authorisation;

d) prosecution as provided for in the applicable legislation.

6. Enforcement decisions must not be influenced by:

    a) personal conflict;

    b) personal gain;

    c) considerations such as gender, sexual orientation, race, religion, political views or affiliation; or

    d) personal, political or financial power of those involved.

7. Enforcement decisions must:

    a) be fair and follow due process;

    b) be transparent to those involved;

    c) take into account the circumstances of the case and the attitude and actions of the service provider or individual when considering action;

    d) be consistent actions or decisions for like or similar circumstances; and

    e) be subject to appropriate internal review.

Appendix C

ICAO Document 9859 Edition 3 SSP Gap Analysis – Updated December 2015

No.	Eg. ICAO Phase	Aspect to be analysed or question to be answered [ICAO 9859 Document ref]	Use of the term State (Context)	2013 Answer	2015 Answer	Status/ Justification
1.1-1	2	Has [State] promulgated a national safety legislative framework and specific regulations that define the management of safety in the State? [4.2.1, Element 1.1; 4.3.2; 4.4.4]	UK	Y	Y	CAP1180 Notes OTs structure
			ASSI	Y	Y	AN(OT)O 2013 SSP Document The Law & Regulation in the UK Overseas Territories Document (ASSI Website)
1.1-2	2	Are the legislative framework and specific regulations periodically reviewed to ensure that they remain relevant to the State? [4.2.1, Element 1.1; 4.4.4 b)]	UK	Y	Y	
			ASSI	Y	Y	These are reviewed via many trigger events such as when directed by the UK Department for Transport, on review of State letters, feedback from other UK Overseas Territory Aviation Authorities/ Service Provider staff and following training events.
1.2-1	1	Has [State] identified an SSP placeholder organization and an accountable executive for the implementation and coordination of the SSP? [4.2.1, Element 1.2; 4.4.3 a)]	UK			
			ASSI			
			CAACI	Y	Y	The accountable executive is the D-GCA
1.2-2	1	Has [State] established an SSP implementation team? [4.2.1, Element 1.2; 4.4.3 b)]	UK			
			ASSI			
			CAACI	N	Y	Yes – the SSP Implementation and Review Committee (SIRC).
1.2-3	1	Has [State] defined the State requirements, responsibilities and accountabilities regarding the establishment and maintenance of the SSP? [4.2.1, Element 1.2; 4.4.3]	UK			
			ASSI			
			CAACI	N	Y	This is within the CAACI business plan and job descriptions.
1.2-4	1	Does [State] have an SSP implementation plan in place, which includes a time frame for the implementation of actions and gaps as identified through the gap analysis? [4.3; 4.4.3 d)]	UK			
			ASSI			
			CAACI	P	Y	There is an implementation plan in place. A gap analysis was conducted in November 2013 based on the then new ICAO 9859 document gap analysis here. This was used as the basis for the plan.
1.2-5	1	Is there a documented statement about the provision of the necessary resources for the implementation and maintenance of the SSP?	UK			
			ASSI			
			CAACI	Y	Y	This is provided for in the CAACI Safety Policy signed by the D-GCA.

No.	Eg. ICAO Phase	Aspect to be analysed or question to be answered [ICAO 9859 Document ref]	Use of the term State (Context)	2013 Answer	2015 Answer	Status/ Justification
		[4.2.1, Element 1.2; Chapter 4, Appendix 1, Part 1, 1.1 d)]				
1.2-6	1	Does [State] SSP accountable executive have control of the necessary resources required for the implementation of the SSP? [4.4.3 a)]	UK			
			ASSI			
			CAACI	Y	Y	Yes - the budgeting process and the authority of the D-GCA support this commitment.
1.2-7	1	Has [State] defined the specific activities and accountabilities related to the management of safety in the State that each aviation regulatory organization under the SSP is accountable for? [4.4.5 a)]	UK	Y	Y	CAP1180
			CAACI	Y	Y	This is identified in the Cayman Islands SSP document.
1.2-8	1	Does [State] have a mechanism or platform for the coordination of SSP implementation and subsequent SSP continuous monitoring activities involving all State regulatory organizations? [4.4.3 e)]	UK			
			ASSI			
			CAACI	Y	Y	The CAACI is assessed by and works alongside ASSI. The SSP is under constant review by the SIRC. The implementation plan is peer reviewed at each meeting of the Overseas Territories Safety Performance Council.
1.2-9	1	Does [State] SSP accountable executive coordinate, as appropriate, the activities of the different State aviation organizations under the SSP? [4.2.1, Element 1.2; 4.4.3 a)]	UK	Y	Y	CAP1180
			ASSI	Y	Y	Yes, in conjunction and on behalf of the Governors.
			CAACI	P	Y	As above
1.2-10	1	Has [State] established a safety policy? [4.2.1, Element 1.2; 4.4.5 b)]	UK	Y		CAP1180
			CAACI	N	Y	Yes
1.2-11	1	Is [State] safety policy signed by the [State] SSP accountable executive or an appropriate authority within [State]? [Chapter 4, Appendix 1]	UK			
			CAACI	N	Y	Yes
1.2-12	1	Is [State] safety policy reviewed periodically? [4.4.15]	UK			
			CAACI	N	Y	Yes – every 6 months
1.2-13	1	Is [State] safety policy communicated to the employees in all [State] aviation organizations with the intent that they are made aware of their individual safety responsibilities? [4.4.5 b)]	UK			
			CAACI	N	Y	The policy has been sent to every member of staff for comment. It will be posted in the CAACI Offices and on the CAACI website.
1.2-14	1	Has [State] initiated a unified SSP document as part of the SSP implementation plan to	UK	Y	Y	UK CAP1180 & Safety Plan
			ASSI			
			CAACI	P	Y	This is identified in the Cayman Islands

No.	Eg. ICAO Phase	Aspect to be analysed or question to be answered [ICAO 9859 Document ref]	Use of the term State (Context)	2013 Answer	2015 Answer	Status/ Justification
		describe its SSP framework components and elements? [4.2.1, Element 1.2; 4.4.3 f); Appendix 8]				SSP document
1.2-15	1	Has the SSP document been completed, approved and signed by the SSP accountable executive and the document communicated or made accessible to all stakeholders upon full implementation of the SSP? [4.4.3 f)]	UK			
			ASSI			
			CAACI	P	Y	This is identified in the Cayman Islands SSP document. It will be circulated for comment and amendment and the final version will be posted on the CAACI web site.
1.2-16	1	Does [State] have a documentation system that ensures appropriate storage, archiving, protection and retrieval of all documents relating to SSP activities? [4.2.1, Element 1.2; 4.4.3 f)]	UK			
			CAACI	P	P	To be improved following QMS review and new IT system introduction.
1.2-17	1	Does [State] have a periodic internal review mechanism for assurance of continuing improvement and effectiveness of its SSP? [4.2.1, Element 3.1; 4.4.15]	UK			
			ASSI			
			CAACI	Y	Y	The CAACI is assessed by ASSI every two years. In addition, thr Overseas Territories Safety Performance Council reviews the SSP implementation plan. In time the plan will evolve from implementation measurement to active measurement of the SSP.
1.3-1	2	Has [State] established an independent accident and incident investigation process the sole objective of which is the prevention of accidents and incidents and not the apportioning of blame or liability? [4.2.1, Element 1.3; 4.4.6]	UK	Y	Y	UK DfT AAIB
			ASSI			
			CAACI	Y	Y	HM the Governor has created regulations under Section 75 of the Civil Aviation Act 1982 to appoint investigators. An MoA/MoU is in place to appoint the UK Chief Inspector of the Air Accident Investigation Board. The UK AAIB then fulfils this function.
1.3-2	2	Is the organization/authority for accident investigation functionally independent (see the *Manual of Aircraft Accident and Incident Investigation* (Doc 9756, Part I, 2.1)? [4.4.6 b)]	UK	Y	Y	UK DfT AAIB
			ASSI			
			CAACI	Y	Y	The UK AAIB is fully independent.
1.4-1	2	Has [State] promulgated an enforcement policy? [4.2.1, Element 1.4; 4.4.10; Appendices 10 and 11]	UK			
			ASSI			
			CAACI	P	Y	Yes, this has been produced iaw Annex 19 and ICAO document 9859. The Policy is contained in the CISSP and is posted on the CAACI website.

No.	Eg. ICAO Phase	Aspect to be analysed or question to be answered [ICAO 9859 Document ref]	Use of the term State (Context)	2013 Answer	2015 Answer	Status/ Justification
1.4-2	2	Does [State] primary aviation legislation provide for the enforcement of the applicable legislation and regulations? [4.4.7]	UK			
			CAACI	Y	Y	Yes, the Civil Aviation Act 1949 (Overseas Territories) Order 1969 Part 2 Section 8 makes provision for the creation and maintenance of the Air Navigation (Overseas Territories) Order.
1.4-3	3	Does the enforcement policy take into account that service providers are normally allowed to deal with, and resolve, routine safety or quality deviations internally within the scope of their approved SMS/QMS procedures? [4.4.10 a)]	UK			
			CAACI	P	Y	Yes, this is within the new enforcement policy 47, procedure and guidance papers 159/160. See Appendix B to CAACI SSP
1.4-4	3	Does the enforcement policy establish the conditions and circumstances under which the State may deal with safety deviations directly through its established investigation and enforcement procedures? [4.2.1, Element 1.4; 4.4.10 b)]	UK			
			CAACI	Y	Y	Yes, this is within the new enforcement policy 47, procedure and guidance papers 159/160. See Appendix B to CAACI SSP
1.4-5	3	Does the SSP enforcement policy include provisions to prevent the use or disclosure of safety data for purposes other than safety improvement? [4.2.1, Element 1.4; 4.4.10 c)]	UK			
			ASSI	P	Y	Yes
			CAACI	P	Y	As above
1.4-6	3	Does the SSP enforcement policy include provisions to protect the sources of information obtained from voluntary incident reporting systems? [4.4.10 d); Appendices 2 and 10]	UK			
			ASSI	P	Y	Yes
			CAACI	P	Y	As above
2.1-1	2	Has [State] promulgated harmonized regulations to require service providers to implement an SMS? 4.2.1, Element 2.1; 4.4.9; Appendix 9]	UK			
			ASSI	P	P	Some OTARs co-align, but not all. A standardised text is being established based on Annex 19. The regulations (OTARs) will each contain a common text, when agreed.
			CAACI	P	P	As above
2.1-2	3	Are these SMS requirements and related guidance material periodically reviewed to ensure they remain relevant and appropriate to the service providers?	UK			
			ASSI	Y	Y	As part of usual OTAR/ OTAC reviews. These are currently under review against Annex 19 and 9859 Edition 3.
			CAACI			

No.	Eg. ICAO Phase	Aspect to be analysed or question to be answered [ICAO 9859 Document ref]	Use of the term State (Context)	2013 Answer	2015 Answer	Status/ Justification
		[4.2.1, Element 2.1; 4.4.14 a)]				
2.2-1	4	Has [State] individually agreed/accepted the service provider's safety performance indicators and their respective alert/target levels? [4.2.1, Element 2.2; 4.4.13]	UK			
			ASSI			
			CAACI	R	R	Not yet, to be developed within a more mature system*
2.2-2	4	Are the agreed/accepted safety performance indicators commensurate with the scope/complexity of the individual service provider's specific operational context? [4.4.13]	UK			
			ASSI			
			CAACI	R	R	Not yet, to be developed within a more mature system*
2.2-3	4	Are the agreed safety performance indicators periodically reviewed by [State] to ensure they remain relevant and appropriate to the service provider? [4.4.14 b)]	UK			
			ASSI			
			CAACI	R	R	Not yet, to be developed within a more mature system*
3.1-1	2	Has [State] established a formal surveillance programme to ensure satisfactory compliance by service providers with State safety regulations and requirements? [4.2.1, Element 3.1]	UK			
			ASSI			
			CAACI	Y	Y	Yes, currently by an audit and approval process.
3.1-2	4	Has [State] established a process for the initial review and acceptance of an individual service provider's SMS? [4.2.1, Element 2.2; 4.4.11 b)]	UK			
			ASSI			
			CAACI	P	P	Through audit process, most Service Providers have had a gap analysis conducted on SMS alongside QMS and HF. This has provided the basis for the Authority's implementation strategy that is ongoing.
3.1-3	4	Has [State] established procedures for the review of individual service provider's safety performance indicators and their relevant alert/target levels? [4.2.1, Element 2.2; 4.4.13]	UK			
			ASSI			
			CAACI	R	R	Not yet, to be developed within a more mature system. Implementation markers have been set with numbers of safety meetings, hazard log reviews and increased reporting for 2014.
3.1-4	4	Does [State] safety oversight programme include periodic assessment of an individual service provider's SMS? [4.2.1, Element 3.1; 4.4.14]	UK			
			ASSI			
			CAACI	P	P	The current SMS implementation performance indicators involve a review of these as an integral part of each regulatory oversight visit. In time this will evolve into integrating SMS into the usual regulatory

No.	Eg. ICAO Phase	Aspect to be analysed or question to be answered [ICAO 9859 Document ref]	Use of the term State (Context)	2013 Answer	2015 Answer	Status/ Justification
						oversight tasks.
3.1-5	4	Does [State] periodic SMS surveillance programme include assessment of the service provider's hazard identification and safety risk management processes? [4.4.14 c)]	UK			
			ASSI			
			CAACI	P	Y	Within current audit process, requires modifications, target for this year. Training carried out last year on this area. Each audit reviews a Service Provider's hazard log and processes. This is still evolving.
3.1-6	4	Does [State] periodic SMS surveillance programme include assessment of the service provider's safety performance indicators and their relevant alert/target levels? [4.4.14 b)]	UK			
			ASSI			
			CAACI			Not yet, to be developed within a more mature system* Currently oversight only reviews the implementation performance indicators.
3.1-7	4	Does [State] have a periodic internal review mechanism for assurance of effective compliance of the SSP and its related safety oversight functions? [4.4.15]	UK			
			ASSI			
			CAACI			Not yet, to be developed within a more mature system* This is to be via a review by the Overseas Territories Safety Performance Council review, staff performance and business plan reviews.
3.2-1	3	Has [State] established mechanisms to ensure the mandatory reporting, evaluation and processing of accidents and serious incident data at the aggregate State level? [4.2.1, Element 3.2; 4.4.12]	UK	Y	Y	Current UK ECCAIRs
			ASSI	Y	Y	As above
			CAACI	Y	Y	This is via UK ECCAIRS and it is part of the UK state data. ASSI also review UK Overseas Territories data.
3.2-2	3	Has [State] established a voluntary reporting system to facilitate the collection of data on hazards and associated safety risks that may not be captured by a mandatory incident reporting system? [4.4.16 a)]	UK	Y	Y	Both mandatory and voluntary systems the same, UK ECCAIRS. CHIRP has been promoted.
			ASSI	Y	Y	As above
			CAACI	Y	Y	As above
3.2-3	3	Has [State] established mechanisms to develop information from the stored data and to promote the exchange of safety information with service providers and/or other States as appropriate? [4.2.1, Element 3.2; 4.4.16]	UK			
			ASSI			
			CAACI		P	The information is shared throughout the UK State and elsewhere via ECCAIRS. Service Provider bulletin just commenced to share data. Service Provider ECCAIRS access to be developed with UK CAA.
3.2-4	4	Has [State] established an acceptable level of safety performance (ALoSP) as defined by selected safety	UK			
			ASSI			
			CAACI			Not yet, to be developed within a more mature system*

No.	Eg. ICAO Phase	Aspect to be analysed or question to be answered [ICAO 9859 Document ref]	Use of the term State (Context)	2013 Answer	2015 Answer	Status/ Justification
		indicators with corresponding target and alert levels as appropriate? [4.4.12 b); 4.4.16 b)]				
3.2-5	4	Are the ALoSP safety indicators appropriate and relevant to the scope and complexity of the aviation activities? [4.4.12 b); 4.4.16 b)]	UK			
			ASSI			
			CAACI			Not yet, to be developed within a more mature system*
3.2-6	4	Does [State] have a mechanism for periodic monitoring of the SSP safety indicators to assure that corrective or follow-up actions are taken for any undesirable trends, alert level breaches or non-achievement of improvement targets? [4.4.12 b); 4.4.16 b)]	UK			
			ASSI			
			CAACI			Not yet, to be developed within a more mature system*
3.3-1	4	Has [State] developed procedures to prioritize inspections, audits and surveys towards those areas of greater safety concern or need? [4.2.1, Element 3.3; 4.4.17]	UK			
			ASSI			
			CAACI	P	P	Not in the full SMS sense, risk pictures to be developed to enable this
3.3-2	4	Is the prioritization of inspections and audits associated with the analysis of relevant internal/external safety or quality data? [4.2.1, Element 3.3; 4.4.17]	UK			
			ASSI			
			CAACI		P	Not yet, to be developed within a more mature system* Data is now sourced and analysed prior to audit.
4.1-1	1 2 3 4	Is there a process to identify safety-management-related training requirements, including SSP and SMS training, for relevant personnel of the regulatory/administrative organizations? [4.4.18]	UK			
			ASSI			
			CAACI	P	Y	The current staff competency and development process reviews this. Staff currently attend the UK CAA SMS training and some have attended the UK CAA enhanced safety performance training.
4.1-2	1 2 3 4	Are there records to show that personnel involved in SSP implementation and its operation have undergone appropriate SSP/SMS training or familiarization? [4.2.1, Element 4.1; 4.4.18]	UK			
			ASSI			
			CAACI	P	Y	Requirements are within competencies and recorded in training records.

No.	Eg. ICAO Phase	Aspect to be analysed or question to be answered [ICAO 9859 Document ref]	Use of the term State (Context)	2013 Answer	2015 Answer	Status/ Justification
4.1-3	1 2 3 4	Does [State] maintain a mechanism for the consolidation, communication and sharing of safety information amongst its regulatory and administrative organizations involved in the SSP? [4.4.18 d)]	UK			
			ASSI	Y	Y	This is conducted through the Overseas Territories Safety Performance Council, its sub-committee, ASSI Board, Functional Managers meetings and Staff meetings. Plus regular conference call set up. There are also training sessions, webinars and a safety bulletin.
			CAACI	Y	Y	The CAACI participates in the Overseas Territories Safety Performance Council and is a member of its sub-committee. It also takes part in the regular ASSI training sessions, webinars and conference calls. Internally, the CAACI collects, collates and communicates safety data and reviews developments and trends during the regular SIRC meetings
4.1-4	1 2 3 4	Does the internal safety information/data sharing include occurrence, investigation and hazard reports from all of the State's aviation sectors? [4.4.16 c)]	UK			
			ASSI	P	Y	Reporting data is shared among staff, hazard reports and safety information are also shared during procedure 25 meetings of Inspection and Policy staff. This is still evolving.
			CAACI	P	Y	As above.
4.2-1	1 2 3 4	Does [State] facilitate the continuing education, communication and sharing of safety information with and amongst its service providers? [4.2.1, Element 4.2; 4.4.19]	UK			
			ASSI	P	Y	Service Providers have access to UK CAA safety data reports through their contributions. Regular training is provided for Service Providers and through oversight visits. Service Providers have access to the ASSI Safety Development Manager and the Safety/ MOR Bulletins both of which facilitates the exchange of safety data. The Safety Development Manager also sits on the high risk event analysis team in the UK CAA enabling any safety information exchange with Service Providers where applicable.
			CAACI	P	Y	As above.
4.2-2	1 2 3 4	Do [State] regulatory organizations participate in regional and global aviation safety information sharing and exchange and facilitate the participation of their respective service providers in the same? [4.4.19 d)]	UK			
			ASSI	P	P	This is conducted mainly through the UK as a State. ASSI actively works with ICAO in any relevant regional activities local to the UK OTs and is working with neighbouring aviation authorities to share safety data. This certainly could be improved and coordinated. There are issues with region locations and UK one signature that require resolution.
			CAACI	P	P	As above
4.2-3	1 2 3 4	Is there a formal process for the external dissemination of regulatory documents and information to service providers and a means of assuring the effectiveness of this process? [4.4.19 a)]	UK			
			ASSI	P	P	First part Yes, but the assurance of effectiveness No. There is a process to externally disseminate regulatory document and information. The new management system aims to improve the monitoring of effectiveness, although this will take time to establish.
			CAACI	P	P	As above
4.2-4	1 2	Is [State] SSP document and its associated safety policy, enforcement policy and	UK			
			ASSI			
			CAACI	(red)	P	SSP document contains this information,

No.	Eg. ICAO Phase	Aspect to be analysed or question to be answered [ICAO 9859 Document ref]	Use of the term State (Context)	2013 Answer	2015 Answer	Status/ Justification
	3 4	aggregate safety indicators included in the State's safety information communication and sharing process? [4.4.19 a)]				although safety indicators are not yet developed.

Answer: Y = Yes   N = No   P = Partial

UK – UK State, answered where applicable

ASSI – Air Safety Support International, answered where applicable

Not yet, to be developed within a more mature system, this refers to the outlined Annex 19 system.

Appendix D

Cayman Islands State safety programme aims & objective

Aim: To enhance the effectiveness of its safety regulation by developing an SSP that is compliant with ICAO SARPS. In doing so, the Authority will address the complex requirements in a methodical and structured manner to ensure that the safety benefits delivered by the SSP can be identified and embraced by its staff wherever they may be assigned.

Much work has been done is during 2015 with all of the objectives having been addressed to some degree. However, the four initial objectives have still to be fully completed but it is anticipated that they will be completed/implemented by 30th June 2016. In the meantime, three more objectives have been added for 2016. The full list of objectives for 2015/2016 is listed below:

Objective 1

To develop and communicate a Safety Policy – partially complete

Objective 2

To establish Safety Accountabilities and Responsibilities – partially complete

Objective 3

To develop an SSP Implementation Process – partially complete

Objective 4

To develop and communicate an SSP Document – partially complete

Objective 5

To Improve Reporting Processes – addition for 2016

Objective 6

To develop a documented system for the control of SSP documentation – addition for 2016

Objective 7

To explore with industry the empirical data required to establish *S*PIs – addition for 2016

Appendix E

Cayman Islands Civil Aviation Authority's Designations and Responsibilities