



**Aeronautical Services
Advisory Memorandum
(ASAM)
Focal Point: ANSP/TO**

**ASAM
No: 48
Issue 1.0
Date 07.07.23**

Title

Advisory on the Competent Authority (CA) process for conducting interviews of ATM/ANS service provider and ATCO training organisation personnel, as part of CA safety oversight activities.

1. Introduction

The Air Navigation Services Division (ANSD) of the Irish Aviation Authority (IAA) has been designated as the competent authority (CA) and national supervisory authority (NSA) for the certification & oversight of European Union regulatory requirements in respect to ATM/ANS service providers and ATCO training organisations, and the licensing of ATCOs. Part of the CA/NSA function is to conduct oversight of organisations in the form of audits (Annual/Ad-Hoc/Special), reviews and inspections.

Commission Regulation (EU) 2017/373 part ATM/ANS.AR.C.005 (a) states
“Within the framework of point ATM/ANS.AR.B.001(a)(1), the competent authority shall establish a process in order to verify:

(3) continued compliance with the applicable requirements of the service providers under its oversight;

(b) The process referred to in point (a) shall:

(4) be based on audits, reviews and inspections conducted by the competent authority;”

Commission Regulation (EU) 2015/340 part ATCO.AR.A.005 states

“(b) Personnel authorised by the competent authority to carry out certification and/or oversight tasks shall be empowered to perform as a minimum the following tasks:

(3) ask for an explanation;

(5) perform audits and inspections, including unannounced inspections;”

“audit means a systematic, independent, and documented process for obtaining evidence and evaluating it objectively to determine the extent to which requirements are complied with” [Reg 373 Annex I Part- Definitions (31)].

From time to time as part of an audit and inspections, interviews of organisational personnel will take place to confirm information given to it by their organisation or other persons.

At other times, the CA may conduct interviews of licence holders when issues arise pertaining to their licence obligations or during occurrence investigations.

1.1. Scope

This ASAM applies to all ATM/ANS service providers, ATCO Training organisations, ATCO licence holders, ATSEPs and other employees who come within the scope of Regulation (EU) 2018/1139 of the European Parliament and of the Council and Commission Implementing Regulations (EU) 2017/373 and (EU) 2015/340.

1.2. Responsibilities

The Irish Aviation Authority (IAA) is the Competent Authority for Ireland regarding Regulation (EU) 2018/1139, and Commission Implementing Regulations (EU) 2017/373 and (EU) 2015/340.

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The IAA, is also the national civil aviation regulatory authority for the ICAO Annex 1 Standards and Recommended Practices. The ANSD has overall responsibility for the certification and oversight activities of the aforementioned EU Regulations and ICAO Standards and Recommended Practices. The Manager ANSD has overall responsibility for this advisory material.

2. References

- Regulation (EU) 2018/1139
- Commission Regulation (EU) 2017/373.
- Commission Regulation (EU) 2015/340.
- ICAO Annex 1.

3. Guidance on the Conduct of CA interviews

Overview

When ANSD audit, review or inspect an organisation, the service provider is legally required to provide evidence of compliance with the applicable European and National regulations, and where applicable, the ICAO Standards & Recommended Practices.

An ANSD audit/review/inspection, to varying degrees, entails reviewing documentation, visiting locations, and interviewing personnel. From time-to-time ANSD request to speak to managers (various levels), ATCOs, engineers, instructors, data assistants, admin staff, met officers, FPD personnel etc., to gain their view and feedback on their organisations processes and procedures. The main purpose of this is to gain an insight into how procedures and regulations are interpreted, applied and impact on day-to-day operations. The information gathered from interviews can be added to other information gathered during or in follow up audits, reviews, inspections, further questions to management and if appropriate visits to other locations. ANSD considers all information gathered under its various processes to verify compliance, and to determine the extent to which regulations are complied with.

Interview scheduling

The exact scheduling of interviews can be finalised at an audit opening meeting but should be in line with the allocated time in the audit timetable. Alternatively, where interviews are conducted outside of an audit, the CA will propose a time, date, and location to the person(s) to be interviewed.

Where an audit timetable includes interviews, those selected should be pre-briefed or directed to this ASAM by their management. Where the CA directly request an individual to attend for an interview, they will attach this notice to the invitation or direct the person to the ASAM on the CA website. All participants should be afforded a break before and after their interview in line with fatigue, stress, and roster policies if required.



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Interview process

The process of interview will be conducted in an environment of a just and safe culture. Interviewees will be treated in a polite, courteous, professional manner and the same behaviour is expected by the interviewee to the interviewers.

Interviews are generally to last no more than 45-60 minutes but may be shorter or on occasion may last longer. If, after approximately 45 minutes has elapsed, it is estimated the interview will continue then the person being interviewed should be afforded the opportunity to take an appropriate break before continuing.

ANSD may interview an individual or a group of 2 or more people at one time. For individual interviews it is at the discretion of the person being interviewed if they wish to be interviewed alone or to have someone accompany them. The accompanying person will not be asked questions, nor will they be allowed to partake in the interview. By their presence they act in a supporting role and as observers of the interview process. The CA for the record will take note of a person in a supporting role. They will also take note as to whether the supporting person was asked to be there by the interviewee, or was appointed by the SP/TO. It is important that the SP/TO respects the right of the interviewee to choose to be interviewed alone, or if they so wish, nominate an individual at their discretion to accompany them in the interview, without any SP/TO interference.

Normally there will be two ANSD inspectors present, the interview lead inspector assisted by a second inspector. At the time of the interview and before the interview commences, the interviewee will be pre-briefed on the interview process (intros, reason, scope, note taking, early exit procedure, duration, what is done with the information received, etc).

All interviews should be held in private, ideally in an office or other suitable venue. In the interests of promoting a safe and comfortable environment, in so far as is practicable, the room layout will be such that the interviewee will be seated in a place where they have adequate personal space, and an unobstructed path to the exit door. It is advisable to use a table such that it provides a natural spacing barrier that both parties can sit across from each other. The room should be brightly lit, and the interviewee should be welcomed and asked if they are comfortable with the arrangements before the formalities commence. Where there is an issue, the interviewer will rectify the problem or suspend the interview until the interviewee is satisfied with the arrangements. The lead interviewer will record any issue raised and the resolution of same.

If the interviewee wishes to leave before the interview has been formally concluded, they will be asked to provide a reason so that it may be recorded. This is to ensure all parties are aware why the interview terminated early.

If the interviewee wishes not to provide a reason at that time, they are encouraged to advise the CA and / or their management as soon as practicable after they leave the



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room. The CA will note the time and the fact no reason was given and may report to their management the reason they believe the interviewee left.

4. Complaint & Feedback procedure

If the interviewee wishes to make a complaint regarding the conduct of the interview they may do so through the following mechanisms

- at the time of the interview which will be recorded and reported back to IAA management
- to the manger ANSD (email will be given at time of interview)
- to the IAA through the voluntary reporting scheme on the IAA website.
- to their own management.

After interview, feedback on the process is welcomed to help with improvements. Feedback can be made to the CA at ansdinfo@iaa.ie, or through SP/TO management.

5. Record keeping

Although notes are taken during the interview, no details of the interviews are documented in an audit, review, or inspection report. Inspector interview notes will not be shared with SP personnel including management or anyone within the IAA who are not an authorised officer. The information gathered will be stored in line with IAA confidentiality and record keeping process requirements.

6. Further Information

For any questions or further enquiries please email 'To whom it concerns' at ansdinfo@iaa.ie