	Aeronautical Services Advisory Memorandum (ASAM) Focal Point: GEN	ASAM No: 004 Issue 6 Date 27.09.19
Title	Guidance on the NSA/CA Audit Finding Corrective Action Process	

1. Introduction

The objective of this document is to provide guidance to audited organisations on the corrective action process to be followed in response to NSA/CA audit findings.

2. Scope

This guidance is applicable to the corrective action process used for audits conducted by the IAA Safety Regulation Division in its role as National Supervisory Authority (NSA) and Competent Authority for Ireland under the Single European Sky Legislation and under Regulation (EU) 2018/1139 and its implementing rules respectively.

3. Corrective Action Definition

EU Regulation 1034/2011 defines corrective action as “an action to eliminate the cause of a detected non-conformity”.

The focus on the cause of the non-conformity is also highlighted in the following extract from the Eurocontrol Guidance Document EAM1 / GUI 3:

“The term “Corrective Action” has a specific meaning that relates to the action taken to eliminate the cause of a problem or system weakness. It is not the term that should be used to refer to the action taken to eliminate the symptom.”

4. Corrective Action Requirements: Legislation

Commission Regulation (EU) No 1034/2011 and Commission Regulation (EU) 2015/340 identifies several legal requirements with respect to corrective actions.

5. Corrective Action Process

The objective of the corrective action process is to identify, and eliminate or mitigate the “root cause” of the problem. Figure 1 identifies the recommended corrective action process to be adopted in response to NSA/CA audit findings.

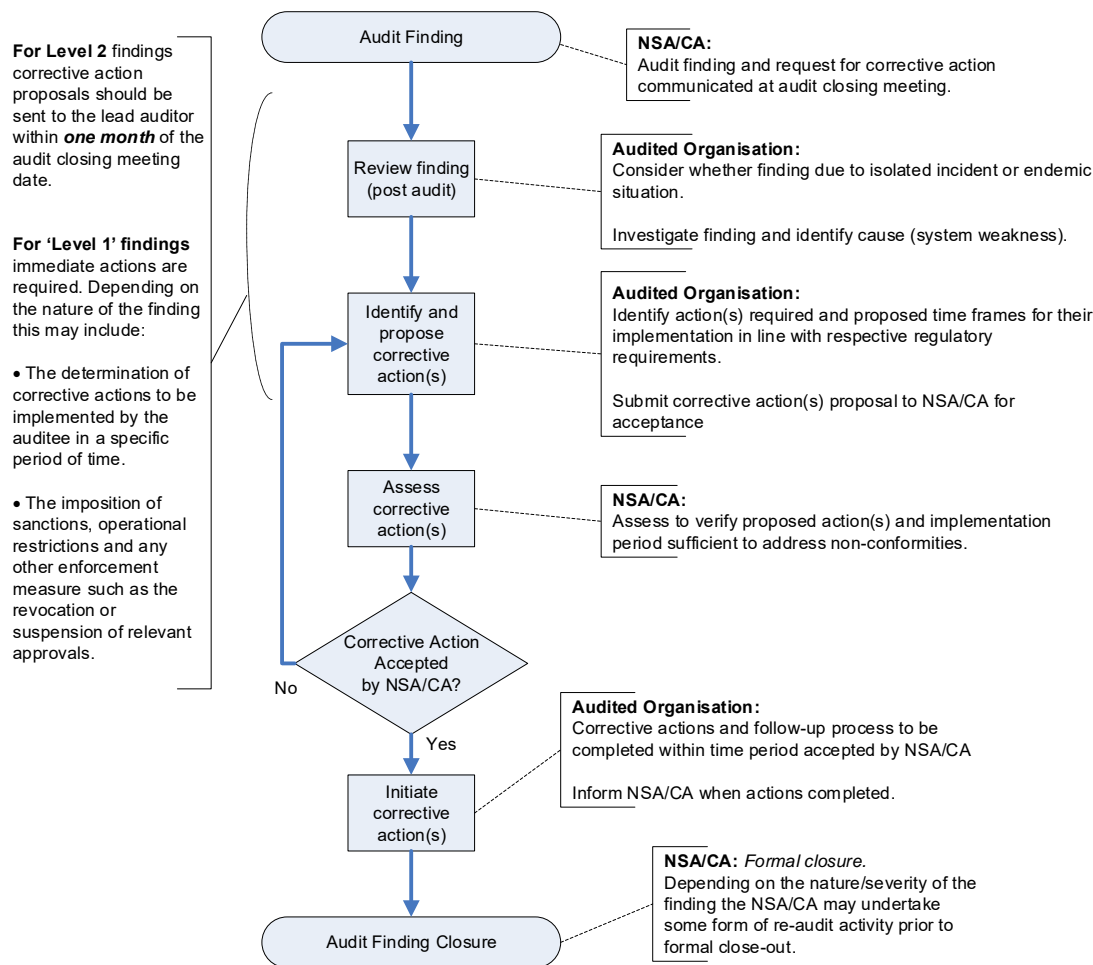


Figure 1: Corrective Action Process¹

Those corrective actions assessed as sufficient to address the root causes of non-conformities found in the audit will be accepted, while the organisation will be informed of any that are not considered appropriate and are, therefore, unacceptable. In order to understand the risk posed by the noncompliance, the NSA/CA will require evidence from the audited organisation in the form of a risk assessment, and/or any other relevant data.

In the case of level 2 findings, where the audited organisation fails to submit a corrective action plan that is acceptable to the NSA/CA, in light of the finding, then the finding may be raised to a level 1 finding.

The NSA /CA will review and notify acceptance, or otherwise, of the timetable proposed by the audited organisation for the implementation of the agreed corrective actions. It is the responsibility of the audited organisation to confirm to the NSA/CA satisfactory completion of agreed corrective actions within the accepted time period.

¹ Annex A defines the audit finding classification scheme employed by the Irish NSA.

The NSA/CA shall be notified where it becomes apparent to an audited organisation that the accepted time period for completion of the agreed corrective actions will not be met. The audited organisation may request an extension to the accepted time period citing the reason for not achieving the accepted timescales and the risk posed by continued noncompliance. In order to support its decision to grant an extension, the NSA/CA may require evidence in the form of a risk assessment, or any other relevant data.

In the case of level 2 findings where the audited organisation fails to perform the corrective action within the time period accepted or extended by the competent authority then the finding may be raised to a level 1 finding.

In the case of level 1 findings, the CA/NSA will take immediate and appropriate action, and may, if appropriate, limit, suspend or revoke in whole or in part the certificate while ensuring the continuity of services provided that safety is not compromised.

6. References

1. Commission Implementing Regulation (EU) No 1034/2011 of 17 October 2011 on safety oversight in air traffic management and air navigation services and amending Regulation (EU) No 691/2010
2. Eurocontrol, (2005), "EAM 1 / GUI 3 Guidelines for Safety Regulatory Auditing"
3. Commission Regulation (EU) 2015/340 ATCO Licensing and Training Organisations

7. Further Information

Requests for further information on the contents of this notice should be addressed to ansdinfo@iaa.ie

Annex A: Audit Findings Classification Scheme:

ANSPs (Reg (EU) 1034/2011)

A level 1 finding shall be issued by the competent authority when any serious non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139 and its implementing rules as well as Regulations (EC) No 549/2004, (EC) No 550/2004, (EC) No 551/2004, and (EC) No 552/2004 and their implementing rules, with the service provider's procedures and manuals, with the terms of conditions of certificate or certificate, with the designation act, if applicable, or with the content of a declaration which poses a significant risk to flight safety or otherwise calls into question the service provider's capability to continue operations.

Level 1 findings shall include but not be limited to:

1. promulgating operational procedures and/or providing a service in a way which introduces a significant risk to flight safety;
2. obtaining or maintaining the validity of the service provider's certificate by falsification of submitted documentary evidence;
3. evidence of malpractice or fraudulent use of the service provider's certificate;
4. the lack of an accountable manager.

A level 2 finding shall be issued by the competent authority when any other non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139 and its implementing rules as well as Regulations (EC) No 549/2004, (EC) No 550/2004, (EC) No 551/2004, and (EC) No 552/2004 and their implementing rules, with the service provider's procedures and manuals or with the terms of conditions or certificate, or with the content of a declaration.

For those cases not requiring level 1 and 2 findings, the competent authority may issue observations.

Annex B: Audit Findings Classification Scheme:

Training Organisations (Reg (EU) 2015/340)

When a finding is detected during oversight or by any other means, the ASD shall, without prejudice to any additional action required by Regulation (EC) 2018/1139 and Regulation (EU) 2015/340, communicate the finding to the training organisation in writing and request corrective action to address the non-compliance(s) identified.

1. In the case of level 1 findings the ASD shall take immediate and appropriate action to prohibit or limit activities, and if appropriate, it shall take action to revoke the certificate or to limit or suspend it in whole or in part, depending upon the extent of the finding, until successful corrective action has been taken by the training organisation.
2. In the case of level 2 findings the ASD shall:
 - (i) grant the training organisation a corrective action implementation period included in an action plan appropriate to the nature of the finding; and
 - (ii) assess the corrective action and implementation plan proposed by the training organisation and, if the assessment concludes that they are sufficient to address the non-compliance(s), accept these.
3. Where a training organisation fails to submit an acceptable corrective action plan, or to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding, and action shall be taken as laid down in point 1.

The ASD shall record all findings it has raised and, where applicable, the enforcement measures it has applied, as well as all corrective actions and the date of action closure for findings.

The corrective action implementation period included in an action plan granted by ASD initially should not exceed three months. At the end of this period, and subject to the nature of the finding, the ASD may extend the three-month period subject to a satisfactory corrective action plan agreed to by ASD.

For those cases not requiring level 1 and 2 findings, the competent authority may issue observations.