

ORDER AAIA 18-01

2-17-20

SUBJECT: AAIA SAFETY RECOMMENDATION PROGRAM

1. **PURPOSE** - This order establishes and defines procedures for the development, issuance, followup, and closing of Aircraft Accident Investigation Authority (AAIA) safety recommendations. It also establishes the required documentation and coordination of this process.
2. **POLICY** - Safety Recommendations are issued by the AAIA in accordance with Subpart I, Subdivision III: Safety Recommendations of the Aircraft Accident Investigation Authority Regulations, 2019, Section 1.400. Safety recommendations are fully justified and adequately supported by the findings of investigations of accidents, the review of accident trends, or conclusions reached as a result of safety studies. Certain safety recommendations may be classified by the AAIA as “**Urgent.**”

Draft safety recommendations are presented to the Chief Investigator for consideration by the Investigator-in-charge (IIC). After the Chief Investigator’s approval, each safety recommendation is tracked from the date of issuance until the closing of the file. Safety recommendations receive some form of followup activity at least once each six months. A computerized permanent record of all safety recommendations (open and closed) is kept. Further, all correspondence related to safety recommendations is permanently maintained.

Safety recommendations are closed only by the Chief Investigator after consultation with the IIC and Aviation Safety Analyst. A copy of the letter or memo indicating a closed status or action taken in the adoption of accident reports, safety studies, letters of recommendation, and other official correspondence signed by the Chief Investigator is retained and filed. Safety recommendations issued by the AAIA, related responses, and followup letters are available to the public.

The AAIA does not conduct formal studies to determine the costs and benefits that may be realized as a result of its safety recommendations.

3. DEFINITIONS

- a. **Safety Recommendation** – A suggested course of action that has been adopted by the AAIA and transmitted by letter to appropriate recipients to correct an identified aviation safety deficiency. This course of action may have been developed through the safety proposal process or in conjunction with the AAIA’s accident investigation reports, safety studies, or special investigations. If the AAIA determines that the course of action requires immediate attention to avoid imminent loss due to a similar accident, the safety recommendation is designated “**Urgent.**” Typically, Urgent recommendations should be implemented within six months.
- b. **Safety Recommendation Response** – Any correspondence from the recipient of a safety recommendation discussing the recommendation but, more specifically, indicating intent to do the following;
 - 1) adopt the recommendation in full, pursuant to a proposed timetable, a copy of which is included;

- 2) adopt the recommendation in part, pursuant to a proposed timetable, a copy of which is included. The response sets forth in detail the reasons for the decision not to implement the remainder of the recommended action;
- 3) not to adopt the recommendation. The response sets forth in detail the reasons for the decision not to adopt; or
- 4) any part or combination of 1, 2, or 3.

An Acknowledgement of the receipt of a safety recommendation does not constitute a response.

- c. **Response Evaluation Form** – A document prepared by the Aviation Safety Analyst as a result of a critical review of a safety recommendation response. The evaluation form contains the text of the safety recommendation under review, a synopsis of the response, an evaluation of the response, and a proposed status assignment. The document contains signature lines for the evaluator as well as the Chief Investigator. If the Chief Investigator does not concur with the proposed status assignment, a disagreement will be noted and a suggested revised evaluation and status will be documented.
- d. **Safety Recommendation Status** – A classification to track the response to a given safety recommendation and / or to describe the quality of the response and / or the action taken by the recommendation recipient. The following are approved status assignments:
 - 1) **Open – Await Response** – When a safety recommendation is issued, the status “Open – Await Response” automatically assigned. In the case of a recommendation that supersedes an existing recommendation, the AAIA may decide to carry over the status of the superseded recommendation to the new recommendation.
 - 2) **Open – Response Received** – Response has been received from recipient, but staff evaluation of the response has not been approved by the Chief Investigator. See d (1) above for recommendation that supersedes an existing recommendation.
 - 3) **Open – Acceptable Response** – Response by recipient indicates a planned action that would comply with the safety recommendation when completed.
 - 4) **Open – Acceptable Alternate Response** – Response by recipient indicates an alternate plan or implementation program that would satisfy the objective of the safety recommendation when implemented.
 - 5) **Open – Unacceptable Response**- Response by recipient expresses disagreement with the need outlined in the recommendation or attempts to convince the AAIA (unsuccessfully) that an alternative course of action is acceptable. The AAIA believes, however that there is enough supporting evidence to ask the recipient to reconsider its position. This status can also be used when the AAIA believes that action is not being taken in a timely manner.
 - 6) **Closed – Exceeds Recommended Action** – Response by recipient indicates action on the safety recommendation has been completed. The action taken surpasses what the AAIA envisioned.
 - 7) **Closed – Acceptable Action** – Response by recipient indicates action on the safety recommendation has been completed. The action complies with the safety recommendation.
 - 8) **Closed – Acceptable Alternate Action** – Response by recipient indicates an alternate course of action has been completed that meets the objective of the safety recommendation.

- 9) Closed – Unacceptable Action – Response by recipient expresses disagreement with the need outlined in the recommendation. There is no further evidence to offer, and the AAIA concludes that further correspondence on, or discussion of, the matter would not change the recipient’s position. This status can also be used when the timeframe goals outlined in this order have not been met.
 - 10) Closed – Unacceptable Action / No Response Received – No response to the recommendation was ever received.
 - 11) Closed – No Longer Applicable – The recommended action has been overtaken by events; for example, if technology and/or regulatory action has eliminated the reason for the recommendation or if a company has gone out of business or merged.
 - 12) Closed – Reconsidered – Recipient rejects the safety recommendation and supports this rejection with a rationale with which the AAIA concurs. Reasons for this “Reconsidered” status would include situations where the recipient is able to convince the AAIA that the proposed action would not be effective or that it might create other problems. This status is also assigned when the recipient of a recommendation was in compliance before the recommendation was issued or when the recipient was incorrectly chosen and cannot perform the recommended action.
 - 13) Closed – Acceptable / Acceptable Alternate / Unacceptable Action Superseded – Applied to recommendations held in an open status when a new, more appropriate safety recommendation is issued that includes the necessary elements of the recommendation to be closed. The AAIA determines the Acceptable/Acceptable Alternate/Inacceptable status based on the criteria defined above prior to superseding the recommendation.
- e. Safety Recommendation Information System (SRIS) – The SRIS is a database of all relevant information pertaining to safety recommendations and responses. The SRIS is accessible through individual computers on the AAIA network and safety recommendations are available on the AAIA website at <https://www.baaaid.org/safety-recommendations>. The responsibility for maintaining the complete, hardcopy records and documentation related to safety recommendations rests with the Aviation Safety Analyst. Safety recommendations developed as a result of accident reports and safety studies are given a log number by the Aviation Safety Analyst and are placed in the SRIS when the safety recommendation letter is issued.
4. **ADMINISTRATION** - This order is administered by the Aviation Safety Analyst of the AAIA.
- a. Safety Recommendation Letters – Safety recommendations are always issued to the recipient in the form of a letter that provides pertinent facts and analysis to justify the recommended action. With the exception of recommendations designated by the AAIA as Urgent, safety recommendations have no classification or internal priority. The issue date is the date the Chief Investigator signs the letter. The Aviation Safety Analyst assigns the recommendation number.

All safety recommendation letters issued to recipients shall have the following lead paragraphs:

The Aircraft Accident Investigation Authority is an independent accident investigation authority charged by the Government of the Bahamas with investigating aviation accidents and incidents and determining their probable cause, and making recommendations to prevent similar accidents or incidents from occurring. We are providing the following information to urge your organization to take action on the safety recommendations in this letter. The AAIA is interested in any action taken on these recommendations because they are designed to prevent accidents and save lives.

These recommendations address (*list issues as shown in report summary*). The recommendations are derived from the AAIA's investigation of the (*list date, location, such as January 17, 2018, Lynden Pindling Int'l Airport, Nassau, Bahamas* [give title of special investigation or study]) and are supported by the evidence we found and the analysis we performed. As a result of this investigation, the AAIA has issued (*number*) safety recommendations, (*number*) of which are address to (*current addressee*). Information supporting the recommendations is discussed below. The AAIA would appreciate a response from you within (30days [if the recommendation is classified "Urgent"] or 90 days [all other recommendations]) addressing the actions you have taken or intend to take to implement our recommendations.

In addition, all safety recommendation letters issued to recipients shall have the following inserted as the next-to-last paragraph.

The AAIA also issued safety recommendations to the (*list recipients of other recommendations*). In your response to the recommendations in this letter, please refer to safety recommendations (XX-XX through XX). If you need additional information you may call 397-5513 or 397-5509.

- b. **Safety Recommendation Followup** – The following is provided as general guidance to AAIA staff in performing followup. It is recognized that there will be circumstances that may require followup activity different from the normal routine described below (see 2 below for guidance in performing followup on Urgent recommendations).

(1) All Recommendations

- a. The AAIA replies to all responses to safety recommendations with a full evaluation of the proposed action. The reply to the recipient of the recommendation will include a discussion of what further action is necessary to close the recommendation with an acceptable status should the first response not contain a description of a completed action.
- b. Safety recommendation followup must be documented. Letters on official AAIA letterhead and or official letterhead stationary of the recipient are the best and most desired documentation. However, in the interest of simplicity, telephone, personal visit, and fax or email communications will be accepted as documentation of contact if they are placed in the mail control system (relevant recommendation file or CASORT). Meetings between AAIA staff and recommendation recipients in which substantive information on recommendation is discussed will be reflected in meeting minutes and in the database.
- c. In those rare cases where AAIA staff cannot determine whether action is acceptable or not based on a recipient's letter, staff will obtain (through a meeting, email, facsimile, or telephone call) the additional information necessary to classify the action. The evaluation form will summarize the content of the additional information and will reflect how it was obtained and the source of the information.

(2) Urgent Recommendations

- a. If no formal response is received within 30 calendar days of issuance, staff informally contacts the recipient asking for a written response.
- b. If no formal response is received within 90 calendar days of issuance, the AAIA will send the recipient a letter re-emphasizing the need for prompt action.

- c. At the end of 1 year, if all action to satisfy the Urgent recommendation is not completed or completion is not imminent and the AAIA believes the recommendation qualifies as an Urgent recommendation, it will be classified Closed – Unacceptable Action. If, after a review at the 1-year period, the AAIA believes the recommendation no longer requires immediate and Urgent action, the AAIA may decide to keep the recommendation open and remove the Urgent classification. Followup will continue as stated under (1) above.
- (3) Non-Urgent Recommendations (not addressed to the State).
- a. If no response is received within 90 calendar days of issuance, AAIA staff will contact the recipient urging a report on actions considered or taken. The Chief Investigator will sign followup letters to agencies, associations, carriers, and industry organizations.
- b. If a response is received after the 90-day contact, that response is evaluated as described in b(1)(a) above.
- c. If no response is received within 1 calendar year of issuance, despite followup efforts, the recommendation will be classified Closed – Unacceptable Action/No Response Received.
- d. For recommendation in an open status, if 12 months have passed without some form of followup activity by the recipient, AAIA staff will send a request for a status report. The Chief Investigator will sign followup letters to State agencies, associations, carriers and industry organizations.
- e. Final action on recommendation should be completed in the 1 to 3 year range. If the AAIA based on staff's recommendation, determines that the action could have been completed within the 3 year period, the recommendation will be classified Closed – Unacceptable Action. Safety recommendations should be carried past the 3-year time frame only in rare instances. If the AAIA, based upon staff's recommendation, determines that a 3 year-old recommendation can be successfully completed with additional time, or the issue has significant safety implications, the recommendation will be kept in an open status.
- c. Changing Safety Recommendations Status –
1. Only the AAIA has the authority to change status of a safety recommendation.
 2. For record-keeping purposes, the following guidelines apply;
 - a. For a single recommendation sent to multiple recipients, the overall recommendation status recorded in the database will be based on the majority status of the various respondents.
 - b. Followup on a single recommendation sent to multiple recipients will be treated the same as followup for a single-recipient recommendation. However, the recommendation should be submitted to the AAIA for classification of the overall status as closed when the recommendation has been closed for 80 percent or more of the recipients.
 - c. Periodically, the AAIA will compute the "Acceptance Rate" of the recommendations in the SRIS. This number is a percentage calculated by dividing the sum of all [Closed – Acceptable + Closed – Acceptable Alternate + Closed – Exceeds Recommended Action + Open – Acceptable + Open Acceptable Alternate] by the Total Recommendations issued, less the sum of [Closed – Reconsidered + Closed Superseded + Closed No Longer Applicable +

Open – Await Response + Open – Response Received]. This “Acceptance Rate” is used to measure the responsiveness of recipients to the AAIA’s safety recommendations.

d. When the recipient of a safety recommendation has ceased to exist because of a takeover, merger, or for some other reason, the AAIA will normally reclassify the recommendation as Closed – No Longer Applicable. However, the AAIA may recommend that the successor organization be requested to implement the recommendation.

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