

Measurement of the safety key performance indicator and safety performance indicators in the SES Performance and Charging Scheme

Material for the implementation and measurement of the safety key performance indicator (SKPI) and safety performance indicators (SPIs) for the Fourth Reference Period (RP4) of the SES Performance and Charging Scheme (Commission Implementing Regulation (EU) 2019/317)

EASA RP4 S(K)PI Drafting Group – Guidance Material

EXECUTIVE SUMMARY

The objective of this Draft RP4 S(K)PI Guidance Material is to provide technical material regarding the implementation and measurement of the SKPI at the level of air navigation service providers (ANSPs) and Network Manager (NM) and the SPIs at both the State and ANSP level.

The GM and the indicators referred to above are linked to Commission Implementing Regulation (EU) 2019/317 laying down a performance and charging scheme in the Single European Sky.

This document proposes Guidance Material appropriate to the requirements of the SKPI of RP4 of the SES Performance and Charging Scheme as provided for under Commission Implementing Regulation (EU) 2019/317.

The proposed amendments are expected to provide new definition for the associated Guidance Material when compared with the Guidance Material for RP3 of the SES Performance and Charging Scheme as provided for under Commission Implementing Regulation (EU) No 390/2013. Further, the amendments are expected to facilitate stakeholders in complying with the safety performance requirements of the above-mentioned Commission Implementing Regulation. The SKPI reporting is restricted to ANSPs and, wherever possible, the SPIs will be calculated using occurrence data that has been reported to the European Central Repository under Regulation (EU) No 376/2014.

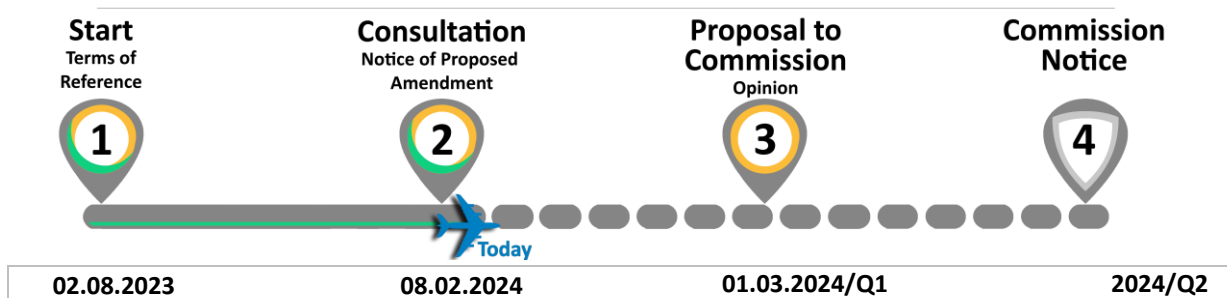
Once consulted upon, the final material will be provided to the European Commission. The material will then be made available by the Commission Services and will be accessible through the Single European Sky portal. As such, the material will not be published as AMC and GM through an EASA ED Decision nor as an Opinion.

Please note that the material is comprised of three sub-parts:

- Draft RP4 S(K)PI Guidance Material (A): the Explanatory Note;
- Draft RP4 S(K)PI Guidance Material (B): the Annex to the Explanatory Note, which further describes the SKPI and SPIs, as defined in Commission Implementing Regulation (EU) 2019/317;
- Draft RP4 S(K)PI Guidance Material (C): Appendices 1 and 2 to the Annex, providing the questionnaires and associated verification guidance for the Effectiveness of Safety Management (EoSM) SKPI – ANSP level (Appendix 1) and the Effectiveness of Safety Management (EoSM) SKPI – Network Manager level (Appendix 2).

Action area:	Safety; systemic enablers; safety management		
Related rules:	Commission Implementing Regulation (EU) 2019/317		
Affected stakeholders:	ANSPs; Member States (MSs), Network Manager (NM)		
Driver:	Efficiency/proportionality	Rulemaking group:	Yes
Impact assessment:	None	Rulemaking Procedure:	Standard

● EASA special rulemaking procedure milestones



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1. About this Guidance Material

1.1. How this Guidance Material was developed

The purpose of this Guidance Material (GM) is to provide technical material to support compliance with Commission Implementing Regulation (EU) 2019/317¹ (the 'performance scheme Regulation') as applicable to RP4 of the SES Performance and Charging Scheme (2025-2029).

The European Commission tasked EASA per Article 75(2)(h) of the EASA Basic Regulation (Regulation (EU) 2018/1139)²:

'2. For the purposes of ensuring the proper functioning and development of civil aviation in the Union in accordance with the objectives set out in Article 1, the Agency shall:

(h) contribute, for matters covered by this Regulation, upon request by the Commission, to the establishment, measurement, reporting and analysis of performance indicators, where Union law establishes performance schemes relating to civil aviation;'

and

as per Article 93 'Implementation of Single European Sky'

'The Agency shall, where it has the relevant expertise and upon request, provide technical assistance to the Commission, in the implementation of the Single European Sky, in particular by:

(b) contributing, in matters covered by this Regulation, in cooperation with the Performance Review Body provided for in Article 11 of Regulation (EC) No 549/2004, to the implementation of a performance scheme for air navigation services and network functions;'

The European Union Aviation Safety Agency (EASA) developed this GM in line with the Basic Regulation and the Rulemaking Procedure³ as an informal action following tasking by DG MOVE. The text of this GM has been developed by EASA based on the input of the EASA S(K)PI Drafting Group, using EASA Rulemaking Group Governance.

As with RP3, the Commission advised EASA not to issue an ED Decision. While the GM should be publicly consulted and EASA shall per the Rulemaking Process produce a comment-response document (CRD), the finalised output shall be forwarded directly to DG MOVE. The technical material in the Draft RP4 S(K)PI Guidance Material (A) and Annexes Draft RP4 S(K)PI Guidance Material (B) and

¹ Commission Implementing Regulation (EU) 2019/317 of 11 February 2019 laying down a performance and charging scheme in the single European sky and repealing Implementing Regulations (EU) No 390/2013 and (EU) No 391/2013 (OJ L 56, 25.2.2019, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1566568320291&uri=CELEX:32019R0317>).

² Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1535612134845&uri=CELEX:32018R1139>).

³ EASA is bound to follow a structured rulemaking process as required by Article 115(1) of Regulation (EU) 2018/1139. Such a process has been adopted by the EASA Management Board (MB) and is referred to as the 'Rulemaking Procedure'. See MB Decision No 18-2015 of 15 December 2015 replacing Decision 01/2012 concerning the procedure to be applied by EASA for the issuing of opinions, certification specifications and guidance material (<http://www.easa.europa.eu/the-agency/management-board/decisions/easa-mb-decision-18-2015-rulemaking-procedure>).

Appendices - Draft RP4 S(K)PI Guidance Material (C) will be made available by the Commission Services and will be accessible through the Single European Sky (eusinglesky) portal.

It is hereby submitted to all interested parties⁴ for consultation.

1.2. How to comment on this GM

Please submit your comments using the automated **Comment-Response Tool (CRT)** available at <http://hub.easa.europa.eu/crt/>⁵.

The deadline for submission of comments is **23 February 2024**.

1.3. The next steps

Following the closing of the public commenting period, EASA will review all the comments received. The comments received on this GM and the EASA responses to them will be reflected in a CRD. The proposed AMC and GM will be amended where necessary on the basis of this consultation.

The final AMC and GM will be submitted to the European Commission. The technical material in the Draft RP4 S(K)PI Guidance Material (A) and Annexes Draft RP4 S(K)PI Guidance Material (B) and Appendices - Draft RP4 S(K)PI Guidance Material (C) will then be made available by the Commission Services. EASA will not issue an Opinion following the conclusion of this Consultation. The final material will be forwarded to the Commission for publication on the European Single Sky portal.

⁴ In accordance with Article 115 of Regulation (EU) 2018/1139, and Articles 6(3) and 7 of the Rulemaking Procedure.

⁵ In case of technical problems, please contact the CRT webmaster (crt@easa.europa.eu).



2. In summary — why and what

2.1. Why we need to change the rules — issue/rationale

Commission Implementing Regulation (EU) No 2019/317⁶ laying down a performance scheme for air navigation services and network functions (the performance scheme Regulation) will remain in force for RP4 of the SES Performance and Charging Scheme, which shall commence in 2025 and end in 2029.

As a result of the Commission tasking received in August 2023, EASA was tasked with preparing the necessary Guidance Material for the implementation and measurement of the safety key performance indicator (SKPI) and other safety performance indicators (SPIs) that will be applicable to the Safety Key Performance Area during RP4 in accordance with Implementing Regulation (EU) 2019/317 on the SES Performance and Charging Scheme. Having in mind that technical input from EASA stakeholders were needed for the task, it was decided that a working group under Rulemaking Governance would be established for the purposes of this task.

The Guidance Material proposed is based upon the outputs of the EASA RP4 Safety Indicator Working Group, which in 2022-2023 was convened, following tasking by DG MOVE, and led by EASA to create a proposal for the S(K)PIs to be used in RP4.

2.2. What we want to achieve — objectives

- To maintain, update and develop, as necessary, the technical material for the implementation and measurement of the SKPI that will be applicable to the Safety Key Performance Area in RP4.
- To maintain, update and develop, as necessary, the technical material for the implementation and measurement of the SPIs that will be applicable to the RP4 Safety Key Performance Area.

2.3. How we want to achieve it — overview of the proposals

In 2022, at the request of the European Commission, EASA, supported by a working group of experts drawn from industry, developed the RP4 Safety Indicator WG Report, 'Indicator Proposals for RP4' for application in the Safety Key Performance Area (hereinafter referred to as the 'Report'). The contents of this Report, together with inputs from other stakeholders, have been used to support the European Commission in drafting the legislative proposal for RP4.

The proposals in this GM follow the conclusions of the Report, as far as they covered the S(K)PIs as required by the performance scheme Regulation.

As a result, the Effectiveness of Safety Management SKPI, applied at ANSP level only, has been developed based on the CANSO Standard of Excellence Version III (hereinafter referred to as 'the SoE') measurement tool. Although it has been adapted to meet the needs of the performance and charging scheme Regulation, modifications have been minimised, in order to deviate as little as possible from the CANSO SoE questionnaire. Nonetheless, some differences have been introduced. The main deviations with respect to the CANSO SoE are as follows:

⁶ Commission Implementing Regulation (EU) No 2019/317 of 11 February 2019 laying down a performance scheme for air navigation services and network functions (OJ L 56, 25.2.2019, p. 1–67) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1566570852688&uri=CELEX:32013R0390>).

- The study areas have been reorganised, using the numbering as set out in the SoE, so that they best correspond with the five Management Objectives (MO) as set out in 2019/317.
- Maturity level E (Optimised) is not used, because this level is intended to set international best practices. Achieving level E in every ANSP or across every study area is unrealistic, and therefore is not targeted;
- Study area 18 has been added as an untargeted component to capture how the ANSP deals with safety interdependencies, and trade-offs, serving as a proxy of the system resilience of the organisation.

In addition, the Report proposed the retention of the SPIs applicable during RP3. These proposed SPIs are separation minima infringements and runway incursions, and they shall be defined as rates normalised by the appropriate exposure data. They shall be defined in such way that their measurement will rely on the data, wherever possible, that is collected under Regulation (EU) No 376/2014⁷, which is stored in the European Central Repository. The technical material should define the processes to collect the information that is required to populate the SPIs.

The SPIs, to be measured at Member State, aerodrome or ANSP level, are defined in the performance scheme Regulation. The technical material sets out the definitions of the data to be reported and the collection methods. The indicators have been designed to use the European Central Repository wherever possible, established under Regulation (EU) No 376/2014, as the source of occurrence data. Data from the Network Manager and the ANSPs are proposed as the source of exposure data.

2.4. What are the expected benefits and drawbacks of the proposals

SKPI — Effectiveness of safety management

It is expected that by aligning with the CANSO SoE, the efficiency of the performance scheme will be greatly improved by reducing completely new work on the part of the ANSPs. In addition, the CANSO SoE has been updated and improved during RP3, thus the proposed means of measuring the effectiveness of safety management reflects more recent experience and modern safety management approaches.

There is not a complete alignment with the CANSO SoE, therefore some small additional work will be required for ANSPs in responding to questions.

It is expected that ANSP provide evidence for their claimed achievements that will be subject to NSA verification.

SPIs — The rate of runway incursions and separation minima infringements with a safety impact

In defining the European Central Repository as the data source, the reporting and calculation of these performance indicators involves minimal additional effort on the part of the ANSPs and national supervisory authorities (NSAs). All the occurrence reports required for the performance scheme Regulation are already reportable under Regulation (EU) No 376/2014. Some additional data fields are needed to efficiently identify the occurrences applicable to the scheme; however, these have been minimised.

⁷ Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007 (OJ L 122, 24.4.2014, p. 18) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1566573102633&uri=CELEX:32014R0376>).

In defining safety impact as those occurrences with a high severity RAT-Ground score (ANSP level) or a medium/high risk ERCS score (Member State level), the safety impact will be assessed using a methodology that is already or shortly to be in use by EASA stakeholders. ANSPs have been using the severity classification of the RAT methodology throughout RP2 and Member States will soon be required to risk-classify occurrences using the European Risk Classification Scheme (ERCS) as per Regulation (EU) No 376/2014.



3. Proposed amendments and rationale in detail

The proposed S(K)PIs are described in full in the Annex (please refer to Draft RP4 S(K)PI Guidance Material (B)).

4. Impact assessment (IA)

No impact assessment has been conducted for this GM. This is because the S(K)PIs are outlined in the performance scheme Regulation, which has been assessed and consulted on by the European Commission.

5. Proposed actions to support implementation

Implementation support to ANSPs and Member States is proposed to be managed via the normal activities of the SES Performance and Charging Scheme.

Additional support on coding and analysis will be provided to Member States via the Network of Analysts.



6. References

6.1. Related regulations

- Commission Implementing Regulation (EU) 2019/317 laying down a performance scheme for air navigation services and network functions (OJ L 56, 25.2.2019, p. 1-67)
- Regulation (EU) No 376/2014 of the European Parliament and of the Council on the reporting, analysis and follow-up of occurrences in civil aviation (OJ L 122, 24.4.2014, p. 18)

6.2. Related decisions/ Commission Guidance

- ED Decision 2014/035/R of 16 December 2014 adopting Acceptable Means of Compliance and Guidance Material for point 1 of Section 2 of Annex I to Regulation (EU) No 390/2013 and repealing Decision 2011/017/R of the Executive Director of the Agency of 16 December 2011 — 'AMC and GM for the implementation and measurement of safety (Key) Performance Indicators (S(K)PIs) — Issue 2'
- ED Decision 2015/028/R of 17 December 2015 amending acceptable means of compliance and guidance material for point 1 of section 2 of Annex I to Regulation (EU) No 390/2013 — 'AMC/GM to SKPI — Issue 2, Amendment 1'
- Commission Guidance Material support the Safety Key Performance Area published under the European Commission DG MOVE ESKY Portal – <https://webgate.ec.europa.eu/SSKY/index.html>

6.3. Other reference documents

- Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.08.2018, p. 1)
- Regulation (EC) No 549/2004 of the European Parliament and of the Council of 10 March 2004 laying down the framework for the creation of the single European sky (the framework Regulation) (OJ L 096, 31.3.2004, p. 1)
- CANSO Standard of Excellence in Safety Management Systems v3, Civil Air Navigation Services Organisation, 2023
- EASA RP4 SKPI WG Report 'Indicator Proposals for RP4', European Aviation Safety Agency, 2023



7. Quality of the document

If you are not satisfied with the quality of this document, please indicate the areas which you believe could be improved and provide a short justification/explanation:

- technical **quality** of the draft proposed rules and/or regulations and/or the draft proposed amendments to them
- text clarity and readability
- quality of the impact assessment (IA)
- others (please specify)

Note: Your replies and/or comments to this section shall be considered for internal quality assurance and management purposes only and will not be published in the related CRD.

