

Senate Rural and Regional Affairs and Transport References Committee

**Questions on Notice – Thursday, 28 February 2013
CANBERRA, ACT**

Inquiry into aviation accident investigations

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**SENATE RURAL AND REGIONAL AFFAIRS AND TRANSPORT
REFERENCES COMMITTEE**

Inquiry into aviation accident investigations

Public Hearing – Thursday, 28 February 2013

Questions Taken on Notice – Australian Transport Safety Bureau

1. HANSARD, PG 4

Senator FAWCETT: So the head of power, if you like, that you use to constrain how you do accident investigation is the statement from the minister? It is not a piece of legislation. It is not an act. It is not a regulation. It is a statement from the minister. I am not criticising but saying: that is the fact?

Mr Dolan: What I am saying is that section 12AE of the Transport Safety Investigation Act says:

The Minister may, by written instrument, notify the ATSB of the Minister's views on the appropriate strategic direction for the ATSB.

And, subject to another section, which relates to our independence, so it is an interesting balance, 'the ATSB must have regard' to such a notification. 'Having regard' actually has quite a significant legal force.

Senator FAWCETT: I understand that.

Mr Dolan: That is the basic legal mechanism that is in play here.

Senator FAWCETT: Can you provide a copy of that statement?

Mr Dolan: Yes. As I say, it is available publicly on the website, but we are happy to get a copy to the committee.

2. HANSARD, PG 6

Senator FAWCETT: We will move on to the Bureau of Meteorology. One of the functions listed here is that BOM is to conduct investigations into aviation weather related incidents. Clearly, when the captain took off, the forecast he received indicated that he had no operational requirements at the other end. That situation changed rapidly. There are a range of different comments made by different people about the frequency, adequacy and passage of aviation weather. So it is clearly a factor. When did you request a copy of their report into that?

Mr Sangston: It was quite early, if I recall, but I will have to check the date and get back to you.

Senator FAWCETT: Did they do a report?

Mr Sangston: My understanding is that we had a report from Meteorology, but I will have to confirm that and get a date for you.

Senator FAWCETT: It would be very useful if you could confirm that, particularly if there are recommendations coming out of that report. I would be interested to know how those are being tracked from a whole-of-aviation-safety perspective. In paragraph 1.3 of the State Aviation Safety Program, it says:

While maintaining an emphasis on systemic investigation of those occurrences that illustrate different dimensions of safety risk management, the ATSB aims to investigate all accidents and other significant safety occurrences to the extent necessary to inform future safety research and trend analysis.

My reading of that is that the underlying intent is that you maintain the emphasis on systemic investigation and then look at a whole range of other things, but the systemic is an underlying point there. Do you have any concerns that you are not meeting the intent of this safety document by narrowing the scope away from a thorough systemic investigation?

3. HANSARD, PG 7

Senator FAWCETT: Paragraph 1.5 talks about international best practice. It says:

The ATSB benchmarks against its counterpart agencies in other ICAO States through ongoing cooperation ... as well as attendance at ... conferences, including meetings of the International Society of Air Safety Investigators.

That is all commendable. Have we ever asked a peer international organisation to conduct an independent benchmarking activity on ATSB to see how our current training practices and reporting standards stack up against peer organisations throughout the world?

Mr Dolan: I do not recall that we have requested such a thing. However, the Transportation Safety Board of Canada undertook—in 2008, as I recollect, but I would have to confirm my recollection—a benchmarking of us, the NTSB, which is the National Transportation Safety Board in the United States, and the TSB in Canada relating to training, cost, focus, where the attention went and so on.

Senator FAWCETT: I would be interested in any information you could provide to the committee about what the Canadians—

Mr Dolan: There is a separate question that you asked when this committee was constituted as an estimates committee, so we can easily adapt that information to the purposes of this committee and get the answer to you.

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ATSB response: The Minister for Infrastructure and Transport, The Hon Anthony Albanese MP, has provided his Statement of Expectations for the ATSB, for the period 1 July 2011 to 30 June 2013. That statement is available at http://www.atsb.gov.au/about_atsb/ministers-expectations/ministers-statement-of-expectations.aspx and is also in hard copy at Attachment A.

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weather related incidents. Clearly, when the captain took off, the forecast he received indicated that he had no operational requirements at the other end. That situation changed rapidly. There are a range of different comments made by different people about the frequency, adequacy and passage of aviation weather. So it is clearly a factor. When did you request a copy of their report into that?

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ATSB response: As part of its investigation, the ATSB obtained a copy of the Bureau of Meteorology (BoM) report titled Aviation Safety Investigation Meteorological Report (BoM file 70/000150) in respect of the accident that occurred at Norfolk Island on 18 November 2009, and involved Westwind 1124A, registered VH-NGA. This report was obtained from the BoM on 31 March 2010.

A copy of the BoM report is available in the information that was provided to the Committee on 12 October 2012. The location of the BoM report within that information is

http://siimssharepoint/Aviation/Investigations/AO-2009-072/DataDocuments/03%20Operations%20and%20Meteorology/METEOROLOGY/ASIR_YSNF_20091118.pdf. No recommendations were made by the BoM in its report.

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ATSB response: In 2008, the Transportation Safety Board of Canada, conducted a benchmarking exercise. The relevant training data is provided at Attachment B. In relation to the rail and marine comparative data, the ATSB has increased its focus/commitment in both modes over the past 24 months, in readiness for the National Safety Investigation Reforms.

Statement of Expectations
For the Australian Transport Safety Bureau
1 July 2011 to 30 June 2013

The Australian Government is committed to ensuring the Australian Transport Safety Bureau (ATSB) continues to be a global leader in transport safety investigation, research and analysis, and fostering public awareness of transport safety. The strategic direction in this Statement is given in accordance with my power under section 12AE of the *Transport Safety Investigation Act 2003* (the Act).

The functions of the ATSB under the Act include:

- receiving and assessing reports of transport safety matters, reportable matters, and other safety information;
- independently investigating transport safety matters;
- identifying factors that:
 - contribute, or have contributed, to transport safety matters; or
 - affect, or might affect, transport safety;
- communicating those factors to relevant sectors of the transport industry and the public in any way, including in any one or more of the following ways:
 - by making safety action statements;
 - by making safety recommendations;
 - by issuing safety advisory notices;
- reporting publicly on those investigations; and
- conducting public educational programs about matters relating to transport safety.

The Government expects the ATSB, while retaining operational independence in discharging its functions, to remain an active and effective participant in the transport policy and regulatory framework, working effectively with the Department of Infrastructure and Transport (the Department), other Government agencies including the Civil Aviation Safety Authority, Airservices Australia, the Australian Maritime Safety Authority, State rail regulators, the future national rail safety regulator, and the transport industry.

My expectations are that the ATSB will:

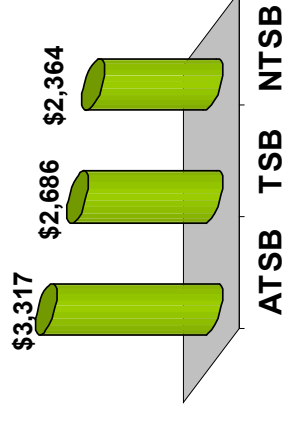
1. Perform its functions in a manner that supports Government transport safety policy, including the National Aviation Policy White Paper (White Paper), by giving safety the highest priority.
2. Continue to give priority to transport safety investigations that have the potential to deliver the best safety outcomes for the travelling public.
3. Implement policies, programs and other initiatives to enhance transport safety, including:
 - a. Subject to available resources, providing assistance to accident investigations in other countries, in accordance with international protocols;
 - b. Supporting the Government's transport safety agenda in the Asia/Pacific region;
 - c. Continuing to undertake an appropriately-scoped research agenda informed by analysis of its own safety data and investigation findings;
 - d. Providing me, as part of its Annual Report, a status report on formal safety recommendations issued by the ATSB; and
 - e. Continuing to review current investigation policies and practices to ensure that the ATSB retains its reputation as a best practice safety investigation agency and its influence on the national and international safety agenda.
4. Work collaboratively with the Department and State and Territory agencies to ensure the ATSB is positioned and able to operate as the single national investigator for rail and maritime safety.
5. Provide timely and accurate assistance, information and advice on safety issues to the Government, industry and the community.
6. Adhere to a set of values and a code of conduct that maintain high standards of professionalism, service, probity, reporting, accountability and transparency, consistent with the Government's commitment to excellence in the public sector.

Signed
ANTHONY ALBANESE
Minister for Infrastructure and Transport
9 May 2011

Training and Certification

Training cost
per FTE in the Organization

Measure	ATSB	TSB	NTSB
Training Expenditures (\$000s)	\$307	\$607	\$891
FTEs in the Organization	92,4	226	377
Training cost per FTE in the organization	\$3,317	\$2,686	\$2,364

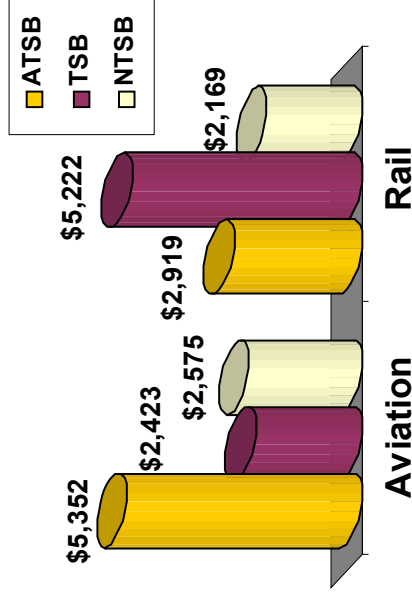


Observations

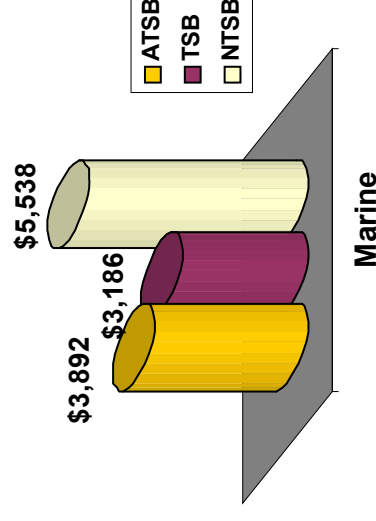
- All figures above are in CAD and have been converted using the following rates obtained July 8th, 2008 :
 - 1 USD = 1.0207CDN dollars
 - 1 AUD = 0.9731 CDN dollars
- ATSB has the highest training cost per FTE. This can be explained in part by ATSB's 18-month long, 700 hour TSI Diploma that all investigators must follow once hired. Other training initiatives include tertiary education (e.g. Masters of Fire Investigation, Statistics, etc) and manufacturer's courses (e.g. Pratt and Whitney, Boeing, etc). Further, demographics have changed in Australia, some investigators are joining at a younger age, and so more training investment is required.
- ATSB considers flight training to be just one of several ways for pilots to stay qualified/ abreast of the industry. Since pilots can opt out of flight training, this allows ATSB to be more flexible in the budget amounts approved for pilots who do chose to do flight training.
- TSB has the second highest training expenditures per FTE, but it is in line with NTSB.
- Note that the above figure for TSB does not include some \$622,117 expenditures for flight training and alternate flight training as well as related travel costs. These expenditures represent contractual obligations that TSB has for its Aviation investigators to maintain certification once hired. ATSB and NTSB do not have such contractual obligations.
- If we include these flight training expenditures for TSB, TSB has significantly higher costs, with \$5,439 per FTE in comparison to \$3317 for ATSB and \$2364 for NTSB.

Training and Certification

Training investment per investigator



Training investment per investigator



Observations

- ATSB's training investment in Aviation FTEs is significantly higher than TSB's and NTSB's. As per the previous slide, the expenditures above for TSB do not include flight training expenditures.
- In contrast, TSB invests nearly double the amount per FTE in Rail, as compared to the other organizations.
- ATSB and TSB invest similarly in the Marine mode and NTSB invests far more in the Marine mode as compared to the other partners.
- In Human Performance, TSB invests more than ATSB per FTE.
- In Laboratories, ATSB invests the most, followed by TSB, and NTSB invests the least.
- NTSB was unable to provide the training investment for Human Performance.

Training investment per FTE

