

CIVIL AVIATION AUTHORITY
MINUTES OF THE 536th BOARD MEETING HELD ON
WEDNESDAY 11 DECEMBER 2019, WESTFERRY (CANARY WHARF)

Present:

Dame Deirdre Hutton Chair
Mr Richard Moriarty
Mr Rob Bishton
Ms Katherine Corich
Ms Marykay Fuller
AVM Ian Gale
Mr David King
Ms Anne Lambert
Mr Michael Medlicott
Mr Paul Smith
Ms Kate Staples Secretary and General Counsel
Mr Chris Tingle
Mr Graham Ward

Apologies:

None

In Attendance:

Mr Tim Johnson
Mr Peter Drissell
Mr Richard Stephenson
Mr Philip Clarke
Ms Barbara Perata-Smith Minute taker
Mr James Eales for items 6
Mr Jim Frampton for item 6
Ms Helen Zambuni for item 6
Mr Iain Libretto for items 8 and 9
Ms Ella Payne for items 8 and 9

I. APOLOGIES AND INTRODUCTIONS

1. There were no apologies.

II. CONFLICTS OF INTEREST, PREVIOUS MINUTES AND MATTERS ARISING

2. No new conflicts of interest were declared.
3. The minutes of the November 2019 Board meeting were agreed with a minor amendment to paragraph 24.

III. CHAIR'S UPDATE

3. The Chair gave an update of meetings and events she had recently attended.
4. These included a number of speaking engagements on the repatriation operation that followed the Thomas Cook failure, a guest lecture at University College London and a key note address at the Cambridge Global Risk Index Conference 2020. The latter was interesting because aviation sits across many global risk issues – terrorism, cyber, economic performance, weather and pandemics. There would be an opportunity for CAA to collaborate with the Judge Business School of Cambridge when it looks next year at global airports.

ACTION: Mr Johnson

5. Ms Lambert suggested that a copy of speeches made by the Chair are put on the CAA website, as the last one was from 2015. Mr Stephenson confirmed there is a place on the website for speeches, which is being updated.
6. The Board noted the update.

IV. CHIEF EXECUTIVE REPORT (DOC 2019-089) BY RICHARD MORIARTY

Key live issues

7. Mr Moriarty sought delegated authority from the Board for himself and Ms Staples to agree the specifications relating to Eurocontrol, Denmark-Iceland charges and NATS En-route charges for 2020.
8. The Board endorsed the request.
9. Mr Moriarty requested that the Board note the Annual Report from the Air Safety Support International (ASSI) and commented that Maria Boyle, ASSI's CEO, would present an overview of ASSI at the January PIE session.

ACTION: Secretariat, Mr Johnson

10. Mr Moriarty asked a number of colleagues to provide updates on specific topics.
11. Thomas Cook refunds: Mr Smith reported that claims were being processed as speedily and efficiently as possible without compromising accuracy. The teams and procedures were being challenged every day to achieve this. Colleagues would be working over the Christmas and New Year period to progress the task, with a lessons-learnt exercise to follow.

12. The Chair and Dr King enquired about the wellbeing of the teams. Mr Smith reassured them that support was available from managers and colleagues. The Chair asked Mr Smith to send a message of appreciation and support to the teams on behalf of the Board.

ACTION: Mr Smith

13. Mr Stephenson added that, from a communications perspective, there had been significant public and media interest in progress with the refunds. Messages posted on social media had caused several issues as some users had been rude and offensive to staff. A zero-tolerance approach had been taken, blocking and reporting abusers.
14. The CAA's Communications Team had been engaging openly with a number of journalists to explain the nature and scale of the refunds operation together with the overall progress being made. We were not providing a running commentary of every development but were providing regular public updates instead.
15. The Chair remarked that some of the CAA's NEDs had asked whether the CAA should be clearer in explaining the need for accuracy in processing the claims, particularly as we had been faced with a reasonable number of fraudulent claims. Mr Stephenson commented that this was part of the overall communications with all stakeholders and was being communicated to those individuals who hadn't completed the application correctly. One of the lessons drawn from this exercise was that describing the process as a refund was not helpful: ATOL was an insurance scheme rather than a mechanism for returning consumers money.
16. Ms Corich observed that there seemed to be a number of delivery and communications challenges happening at the same time, such as the Thomas Cook refunds exercise, the Boeing 737 Max 8 return to service, the NATS CMA reference. Mr Stephenson commented that the Communications Team was planning its communications activities six months ahead.
17. Litigations updates – Jet2: Ms Staples said that, following the Court of Appeal last week, the judgement would be likely delivered in February or March 2020.
18. Accident investigation updates – Piper PA-46/N264DB: Ms Staples confirmed that the CAA had responded to the draft AAIB report and that she would provide a more thorough briefing at the next Board meeting.

Other issues

19. Mr Moriarty commented that the organisation had received several requests from external parties for confidential safety reports to be shared in the interest of transparency. He added that, after consultation with the Legal and Communications teams, a decision had been made to write back explaining that we would not be

- releasing the reports unless doing so served safety purpose, as per s.23 of the Civil Aviation Act and relevant international and European legal provisions.
20. Mr Moriarty informed the Board that the next Brexit deadline was 31 January 2020, as such, Yellowhammer contingency planning arrangements might be stood up again.
 21. Mr Medicott praised the CAA's Communications Team for having highlighted and resolved issues with a specific holiday provider to Medina, which resulted in considerable service improvements.
 22. The Chair concluded the agenda item by congratulating the organisation for having won three awards: Best Comms Campaign of the Year, Best Operation of the Year and Wellbeing Team of the Year.
 23. The Board noted the report.

V. SARG MONTHLY SAFETY ISSUES REPORT (DOC 2019-090) BY ROB BISHTON

24. Mr Bishton highlighted three key points from his report: first, an update on the return to service of the Boeing 737 Max 8; second, planning for the coming year, including engaging constructively with the new Government's agenda and with other CAA teams, including CSP and CAAi; and third, progress on the review of SARG's Board reports, carried out with the assistance of Ms Corich, which he was aiming to balance high-level strategic issues with detail.
25. Mr Bishton also provided a brief update on other issues. At a general, as opposed to specific, level, the Chair reflected on what might be classified as an adequate level of safety and requested that a PIE is scheduled to explore this question.

ACTION: Mr Johnson, Mr Bishton, Secretariat

Max 8 Return to Service (RtS)

26. Mr Bishton provided an update of the latest developments on the Max 8 Return to Service (RtS). He explained that Boeing and the FAA were progressing their work and seemed to be looking for a global RtS early next year. However, there was a risk that this timeframe was too ambitious and wouldn't be delivered.
27. The CAA's plan had been to remain engaged with EASA as much as possible and keep in touch with operators' positions and their interactions with EASA and Boeing. Mr Bishton added that his team had spoken to a number of other European National Aviation Authorities who also seem confident in the process to date. Mr Bishton explained that we should be cautious about considering a RtS solution solely focused on simulator training, as he was unsure that on its own it would necessarily be sufficient. CAA would need to continue to work with EASA on the RtS