



**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION**

**ORDER
VS 8000.367D**

Aviation Safety Policy

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SUBJ: AVS Safety Management System (AVSSMS) Requirements

1. This order provides requirements to be met by all Aviation Safety (AVS) services and offices (S/Os) in support of the AVS Safety Management System (AVSSMS). The focus of this order is aviation safety. It does not address occupational safety, health, or personnel safety issues, unless those issues affect aviation safety. This order enables the continued evolution of AVS's proactive approach to improving safety performance through requirements for S/Os to:
 - a. Maintain organizations capable of overseeing aviation safety;
 - b. Identify hazards that can impact the safety of the aerospace system and establish controls/mitigations to reduce safety risk in a prioritized manner;
 - c. Track identified hazards to ensure that risk remains known and acceptable; and
 - d. Oversee aviation product/service providers' implementation of a Safety Management System (SMS) to identify safety priorities, reduce safety risk, and monitor safety performance.
2. Each service and office plays a role in the AVSSMS. Therefore, AVS S/Os' processes must ensure conformity with this order, as well as proper alignment with:
 - a. SMS processes in other AVS S/Os; and
 - b. SMS processes in product/service provider organizations for which the AVS S/O has oversight responsibility, if applicable.

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Chapter 1. General Information

1. **Purpose of This Order.** This order defines the functional requirements for the Safety Management System (SMS) in Aviation Safety (AVS).
2. **Audience.** This order applies to all personnel in AVS. This order is primarily to be used by the AVS Management Team; by those individuals who are directly involved in implementing and managing the AVSSMS; and, by those overseeing aviation product/service providers' development, implementation, and continued performance of their SMS.
3. **Where You Can Find This Order.** This order is available to the public at http://www.faa.gov/regulations_policies/orders_notices.
4. **Cancellation.** This order replaces Federal Aviation Administration (FAA) Order VS 8000.367C, *Aviation Safety (AVS) Safety Management System Requirements*, dated May 19, 2021.
5. **Explanation of Changes.** This revision does the following:
 - a. Integrates quality management principles into the AVSSMS framework;
 - b. Aligns quality management principles with AVSSMS operations;
 - c. Expands Chapter 4 to explain the use of quality management principles as part of the AVSSMS; and
 - d. Adds Chapter 6 to describe AVS quality management requirements.
6. **Background.**
 - a. The FAA's mission is to provide the safest, most efficient aerospace system in the world. To support its mission, as well as to enhance safety for the flying public and strengthen the FAA's worldwide leadership in aviation safety, the FAA has chosen to implement an SMS to integrate the management of safety risk into business planning, operations, and decision making. Further, the International Civil Aviation Organization (ICAO) has established frameworks for a State Safety Program (SSP), applicable to Member States, and an SMS, applicable to product/service provider organizations. This order uses the term product/service providers when referring to the entities over which FAA has safety oversight responsibility. Entities that provide products and services include manufacturers, operators, maintenance organizations, training organizations, air navigation service providers, and others. Entities may be organizations or individuals.
 - b. Because the FAA is comprised of regulatory as well as product/service provider organizations, the FAA decided to implement an SMS, which will meet the tenets of both the ICAO SSP and SMS frameworks. Consequently, AVS has also chosen to meet the tenets of both the SSP and the SMS frameworks in order to ensure interoperability with SMSs in other FAA

lines of business (LOBs) and Staff Offices, in accordance with the current version of FAA Order 8000.369, *Safety Management System*.

c. The AVSSMS consists of four main components: Safety Policy, Safety Risk Management (SRM), Safety Assurance, and Safety Promotion. The components work together to enable AVS to manage the safety risk in the aerospace system. These components are covered in more detail in the body of this order; however, a summary is as follows:

(1) Safety Policy is the organization's documented commitment to safety, which defines its safety objectives and the accountabilities and responsibilities of its employees with regard to safety. The Safety Policy links organizational safety objectives to the organization's goals and establishes employees' accountabilities and responsibilities in regard to achieving those goals.

(2) Safety Risk Management is a process within the SMS composed of describing the system; identifying the hazards; and analyzing, assessing, and controlling risk.

(3) Safety Assurance includes processes that operate systematically to ensure the performance and effectiveness of safety risk controls and ensure the organization meets or exceeds its safety objectives through the collection, analysis, and assessment of information.

(4) Safety Promotion is a combination of training and communication of safety information to support the implementation and operation of an SMS in an organization.

d. The AVSSMS supplements existing Code of Federal Regulations (CFR) and other FAA guidance and orders. Together, they form the basis for:

(1) Identifying hazards in the aerospace system;

(2) Developing or modifying safety risk controls, which are promulgated in the form of regulations, standards, orders, directives, policies, etc.;

(3) Specifying the regulatory basis for compliance with requirements;

(4) Specifying acceptable means of compliance with requirements;

(5) Providing Safety Assurance of the product/service provider organizations for which AVS has oversight responsibility, through conducting design assurance when issuing certificates and approvals, and conducting performance assurance to assure continued operational safety¹;

(6) Requiring corrective action, and if necessary, taking enforcement actions; and

(7) As applicable, approving, accepting, or concurring with product/service provider SMSs and overseeing their continual compliance with SMS requirements.

¹ Design and performance assurance are further described in Chapter 4.

7. Scope.

a. Applicability and Scalability. The AVSSMS is the formal, AVS-wide approach to managing safety risk and assuring the effectiveness of safety risk controls. AVS services and offices (S/Os) must meet all pertinent requirements contained in this order.

(1) AVS has the ultimate responsibility and is accountable for safety oversight of the aerospace system as delegated by the FAA Administrator. AVS S/Os have oversight responsibility for different components of the aerospace system with varying levels of direct impact on safety. Therefore, it is expected that AVS S/Os' SMS-related processes should, on some level, be scalable and flexible.

(2) A specific example of scalability is in the application of SRM. The extent and structure of a safety risk assessment will be greater when the item/issue to be assessed is more complex and/or the hazards' effects are more severe. The intent of the AVSSMS is to focus on the areas of greatest concern from a safety perspective, taking into account safety risk, complexity, operational scope, impact to the aerospace system, etc.

b. SMS Process Alignment. This order describes the functional requirements for the AVSSMS. AVS S/Os must develop specific processes or procedures to meet these functional requirements within their organizations. However, to realize benefits of SMS at the aerospace system level, it is essential that functions within the S/Os are appropriately aligned with other AVS and FAA policies and processes to allow for efficient system-wide management of safety risk. Further, these functions must also be interrelated to SMS functions in product/service provider SMSs.

c. AVSSMS and AVS Role as Regulator of Product/Service Providers' SMS.

(1) Aviation product/service providers are responsible for the safety of their products and services, and they must be in compliance with safety regulations and standards established by the Department of Transportation (DOT) and the FAA. The DOT and the FAA are responsible for establishing the safety regulations and standards that provide requirements for product/service providers' systems. The FAA's responsibilities include defining the requirements for those systems, applying risk-based safety oversight, as applicable, and verifying that the safety systems of product/service providers meet applicable requirements, and that their processes, products, and services continue to do so during the operational phases of their lifecycle.

(2) With SMS, the FAA is better able to conduct safety oversight by focusing resources using safety management principles. The FAA verifies compliance with regulations using a variety of means such as audits, evaluations, assessments, and inspections. The FAA also confirms performance and effectiveness of the product/service provider's safety systems.

(3) Regulations, along with orders and guidance material, serve as safety risk controls. AVS S/Os with product/service provider oversight responsibility must apply the concepts of SRM to decisions that may lead to the initiation of regulatory changes through rulemaking. Doing so ensures that regulations address hazards in the aerospace system and provide

boundaries on acceptability of design and performance of products and services. Regulations and subsequent oversight activities are part of a systematic strategy of safety risk control.

(4) The safety of the aerospace system depends on the AVSSMS as well as service provider application of SRM. AVS conducts SRM throughout the levels of the aerospace system for the purpose of managing safety. AVS implements risk management strategies of regulations, standards, and policy. Aviation product/service providers are responsible for managing safety for their operations. Within their operations, they control resources and activities of people directly exposed to hazards and are in a position to directly control risk related to those hazards. This would include design and performance of actions to control risk within the expectations of regulations relevant to their operations. At no point is AVS, in an oversight capacity, responsible for primary Safety Assurance or for performing SRM for an individual or organizational aviation product/service provider. However, AVS, in an oversight capacity, uses its Safety Assurance processes within SMS to oversee product/service providers' application of SRM, as applicable.

(5) With SMS, the FAA will still assure product/service provider compliance with regulations. Therefore, direct observation and surveillance is still required in FAA oversight activities. However, they are used differently than in the past. Rather than solely assessing compliance with the regulations, the FAA will also assess the effectiveness of service providers' safety management capabilities and performance, if the product/service provider has implemented an SMS. The goal is to enhance product/service providers' safety performance; therefore, the FAA's oversight methodology may be adapted based on product/service providers' safety management processes and demonstrated ability to manage safety risk.

d. AVSSMS and Quality. Within the FAA, AVS has the ultimate responsibility and accountability for safety oversight of the aerospace system as delegated by the FAA Administrator. In accomplishing this mission, it is AVS policy to leverage quality management principles as a means to assure that we meet AVSSMS and operational safety requirements. Quality management principles support SMS by providing an approach to monitoring the accomplishment of operational safety and SMS requirements to assure conformity, identify instances of nonconformity, provide tools for correction, and enable continuous improvement. While SMS provides the mechanisms for AVS to carry out its regulatory, certification, and continued operational safety management functions, quality management principles ensure that this framework is able to meet SMS objectives. When the framework is not operating as such, quality management principles provide the means to improve. All AVS S/Os will implement the AVSSMS including the principles of quality management.

8. Organizational Structure, Roles, and Responsibilities.

a. Associate Administrator for Aviation Safety (AVS-1). The Associate Administrator for Aviation Safety (AVS-1) is the responsible executive for ensuring AVS conformity with all AVSSMS policies, processes, guidance, and tools. AVS-1 is responsible for resolving any safety management issues that cannot be resolved at the AVSSMS Management Board level, which AVS-1 chairs. AVS-1 ensures AVSSMS alignment with the FAA SMS and other FAA LOB safety management activities and

engages with the appropriate agency leadership as needed. AVS-1 allocates the resources and funding needed to support the promotion, implementation, maintenance, and management of the AVSSMS.

b. AVSSMS Management Board.

(1) Responsibilities. The AVSSMS Management Board is responsible for setting the strategic direction for the AVSSMS and establishing AVS's safety goals and objectives. It actively and visibly champions safety management efforts in support of an integrated AVSSMS. It provides executive-level guidance and conflict resolution for AVSSMS-related issues. The AVSSMS Management Board appoints the AVSSMS Coordination Group Chair to maintain and manage the AVSSMS. The AVSSMS Management Board provides the resources essential to incorporate, maintain, and improve the AVSSMS. It coordinates and collaborates with other FAA LOBs and Staff Offices regarding safety management and ensures that the AVSSMS is coordinated throughout the AVS S/Os. The AVSSMS Management Board approves AVS-level safety management guidance and actively promotes resolution of safety issues. The AVSSMS Management Board has the ultimate responsibility for the implementation and maintenance of the AVSSMS.

(2) Composition. The AVSSMS Management Board is chaired by AVS-1 and composed of executive-level management personnel, including the Executive Directors of Aircraft Certification Service (AIR); Air Traffic Safety Oversight Service (AOV); Office of Quality, Integration and Executive Services (AQS); Office of Rulemaking (ARM); Unmanned Aircraft Systems Integration Office (AUS); Office of Accident Investigation and Prevention (AVP); Flight Standards Service (FS); and the Federal Air Surgeon in the Office of Aerospace Medicine (AAM).

c. AVSSMS Coordination Group.

(1) Responsibilities. The AVSSMS Coordination Group works with and reports to the AVSSMS Management Board. This group provides assistance to AVS S/Os regarding safety management. The AVSSMS Coordination Group integrates safety management functions across AVS S/Os and standardizes processes, procedures, tools, and terminology, as appropriate. It is responsible for assigning ownership for assessing and addressing safety issues that cross AVS S/Os' areas of responsibility. The AVSSMS Coordination Group resolves disagreements between AVS S/Os regarding safety management, including disagreements related to SRM, and escalates disagreements to the AVSSMS Management Board that it cannot resolve at the Coordination Group level. The group also champions the continuous improvement of the SMS, including sponsoring audits, assessments, and/or evaluations to determine conformity with SMS requirements, and identifies audit focus areas based on safety risk. The AVSSMS Coordination Group keeps the AVSSMS Management Board apprised of AVSSMS activities.

(2) Composition. The Director, Safety Management Division, AVP-300 serves as the Chair of the AVSSMS Coordination Group. The AVSSMS Coordination Group is composed of safety management professionals from each of the following AVS S/Os: AAM, AIR, AOV, AQS, ARM, AUS, AVP, and FS.

d. AVS Services and Offices.

(1) This order recognizes the uniqueness and diversity of AVS S/Os. Because of this diversity, the safety management processes, procedures, and tools they need are also unique and diverse. However, there are some cases where corporate, AVS-wide solutions are appropriate. Therefore, in this order, there are requirements directed at AVS for corporate, AVS-wide solutions, and others directed at S/Os for individual, organizational solutions. Individual S/Os solutions must align with the corporate safety management processes, procedures, and tools. Furthermore, not all requirements within the SMS components directly apply to all AVS S/Os, but it is important for all AVS employees to understand SMS concepts and how they strengthen AVS and FAA activities overall. AVS is composed of two types of organizations—those that oversee product/service providers and those that serve as support organizations.

(2) AVS Oversight Organizations. AVS S/Os with oversight responsibilities are AIR, AOV, FS, and AAM. All service and office requirements in this order apply to organizations with oversight responsibilities.

(a) AVSSMS Responsibilities. AVS oversight organizations have more responsibilities within the SMS, particularly in the areas of SRM and Safety Assurance. For S/Os with oversight responsibility, SRM provides information as the basis for aviation safety decision making and Safety Assurance provides the activities that continuously monitor and reassess operations in regard to aviation safety. AVS S/Os with oversight responsibilities must define and document both management and employee responsibilities within their individual organizations for developing, implementing, maintaining, and operating SMS processes within their areas of responsibility, including, but not limited to:

- 1) Identifying hazards, assessing safety risk, and making risk acceptance decisions;
- 2) Assuring the effectiveness of safety risk controls and determining the need to modify existing or create new safety risk controls;
- 3) Measuring and assessing safety performance and SMS requirements in accordance with Chapter 6 of this order;
- 4) Advising leadership on the safety performance of the organization and the performance of the SMS, including identifying any necessary improvements; and
- 5) Promoting safety and the SMS.

(b) SMS Oversight Responsibilities. In addition to their responsibilities with the AVSSMS, each AVS service and office with product/service provider oversight responsibility should establish regulations, voluntary programs, and/or orders, as appropriate, to apply Title 14 of the Code of Federal Regulations (14 CFR) part 5, Safety Management Systems, to product/service provider organizations that they oversee.

(3) AVS Support Organizations. AVS support organizations are AQS, ARM, AUS, and AVP. AVS support organizations assist other FAA organizations' ability to manage safety. However, they do not have oversight responsibilities nor do they directly manage safety. Support organizations often provide assistance with the performance of SRM and Safety Assurance of product/service providers' activities, but they are not directly responsible for them. Therefore, the requirements in these areas are not applicable to support organizations. In many cases, the support organizations provide corporate (or AVS-wide) safety management solutions, including:

(a) ARM is responsible for managing the agency's rulemaking processes. Within the SMS construct, rules serve as risk controls, which are an output of SRM. Therefore, ARM supports SRM across the agency by supporting the establishment of risk controls. As stated above, ARM would not conduct SRM. However, ARM's processes would indicate the optimal time in the rulemaking process where SRM should be considered and applicable SRM processes conducted and documented.

(b) AQS is responsible for providing executive oversight and direction of consolidated management support services for the Aviation Safety organization.

(c) AUS is responsible for supporting the development and implementation of regulations, policies, procedures, guidance, and standards that govern Unmanned Aircraft Systems (UAS) operations. In that role, AUS facilitates the information exchange between FAA and operators to provide sufficient information for SRM that enables UAS operations. AUS also facilitates and/or assists with safety risk assessments in coordination with the Office of Primary Responsibility (OPR), while ensuring consistency across FAA organizations. It also manages data collection efforts with industry partners through partnership programs to support the FAA's safety assurance efforts with regards to integrating UAS. Finally, AUS provides support to oversight offices in the management and execution of educational and communication activities to meet safety promotion objectives for UAS integration.

(d) AVP is tasked with managing and leading the evolution of the AVSSMS. Specifically, the Office of Accident Investigation and Prevention, Safety Management Division (AVP-300) manages the AVSSMS program and maintains its supporting policies, processes, and tools in support of AVS-1, the AVSSMS Management Board, and the AVSSMS Coordination Group. It manages the identification and prioritization of safety issues that cross AVS S/Os' areas of responsibility. It also coordinates safety risk assessment efforts and tracks approved safety risk mitigations for those safety issues that cross AVS S/Os' areas of responsibility. AVP-300 is responsible for operating and maintaining the Hazard Identification, Risk Management and Tracking (HIRMT) tool. It also provides consultative services and guidance to help organizations regarding the use of the system. AVP-300 also represents AVS on the FAA SMS Committee, which was established by FAA Order 8000.369.

(4) S/Os are responsible for quality functions as detailed in Chapter 6.

(5) Terminology. This order uses the phrase “AVS S/Os” when describing requirements that are the responsibility of every AVS service and office, to the extent that they are applicable. The term “AVS oversight organization” is used when describing requirements that are applicable to the organizations that oversee product/service providers (i.e., AAM, AIR, AOV, and FS). The majority of the requirements in this order are applicable to AVS oversight organizations. The terms “AVS” or “AVSSMS Management Board” are used in reference to overarching requirements or aspects of the SMS that are applicable AVS-wide; standardized and AVS-wide processes and tools can be expected to address these requirements. The enterprise-level processes or tools are often managed by an AVS support organization, as described in the section above.

Chapter 2. Safety Policy

1. Introduction. Safety Policy² establishes executive management's commitment to continually improve safety. It defines the methods, processes, and organizational structure that are needed to meet safety goals set forth within an organization. Both management and employees are accountable for Safety Policy, as it facilitates cross-organizational communication and cooperation.

2. General Requirements.

a. The AVSSMS Management Board is responsible for the organization's Safety Policy and for the safety performance of the organization.

b. The AVSSMS Management Board is responsible for setting the strategic direction for the AVSSMS and establishing AVS's overarching safety goals and objectives.

c. AVS S/Os must prioritize allocation of resources for safety management based on safety risk.

d. General policy requirements for the AVSSMS are included in this order, along with requirements related to the establishment of acceptable levels of safety performance utilized throughout the SRM and Safety Assurance processes. The AVS Safety Policy itself is documented separately in the current version of FAA Order VS 8000.370, *Aviation Safety (AVS) Safety Policy*, and includes:

(1) A commitment to implementing and maintaining the AVSSMS to manage safety risk and continually improve safety in the aerospace system;

(2) A commitment to foster a positive safety culture by setting safety reporting requirements for non-punitive employee reporting of safety hazards or issues, and encouraging employees to provide proposed solutions/safety improvements when possible;

(3) Guidance for acceptable behavior;

(4) Guidance for setting and reviewing safety objectives; and

(5) Responsibilities and accountabilities of management and employees with respect to the AVSSMS and safety oversight responsibilities.

e. The AVSSMS must be documented in accordance with FAA directives and documentation requirements, to include all safety policies, safety processes and procedures, and safety objectives. SMS outputs must be documented in accordance with FAA directives and records requirements³.

²For more information, refer to the current version of FAA Order VS 8000.370, *Aviation Safety (AVS) Safety Policy*.

³ The term "SMS outputs" is defined in Appendix A. In general, an SMS output is the documented result of the conduct of SRM and Safety Assurance.

f. The AVS Safety Policy must be:

- (1) Documented;
- (2) Communicated to all employees and responsible parties;
- (3) Consistent with FAA and AVS goals and objectives; and
- (4) Reviewed periodically to ensure it remains relevant and appropriate to the organization.

3. Acceptable Levels of Safety Performance and Other Safety Objectives.

a. AVS must determine the acceptable safety performance applicable to the entire aerospace system (excluding components outside AVS responsibility) via the AVSSMS Management Board.

b. AVS oversight organizations must determine the acceptable level of safety performance for the component(s) of the aerospace system and each product/service provider for which it has oversight responsibility, as applicable.

c. AVS oversight organizations must establish and document safety objectives for their organizations that are measurable.⁴ These safety objectives and accompanying metrics must be monitored to ensure that the safety objectives are being met.

d. AVS must establish and document measurable safety objectives at the AVS level. The AVSSMS Management Board must monitor AVS-level objectives and accompanying metrics to ensure that the safety objectives are being met.

4. Accident and Incident Response. AVS must establish a plan to respond to accidents and serious incidents⁵.

⁴ Safety objectives can be expressed in either quantitative or qualitative terms. Safety objectives are typically developed annually and published in planning documents such as organizational business plans or work plans.

⁵ For additional information regarding accident and incident response plans, please refer to the current version of FAA Order 8020.11, *Aircraft Accident and Incident Notification, Investigation, and Reporting*.

Chapter 3. Safety Risk Management

1. Introduction. The objective of the SRM component of SMS is to provide a structured process for decision makers. The formal process is made up of five steps, including: describing the system, identifying the hazards, analyzing the risk, assessing the risk, and controlling the risk. Along with Safety Assurance functions, SRM assists the FAA in ensuring that hazards are identified and safety risk is managed to acceptable levels throughout the aerospace system. For additional information regarding SRM, please refer to the current version of FAA Order 8040.4, *Safety Risk Management Policy*. The requirements in this chapter are only applicable to AVS oversight organizations.

2. General Requirements.

a. Applicability⁶.

(1) AVS oversight organizations must apply SRM in order to:

- (a) Analyze potential hazards identified through Safety Assurance processes; and
- (b) Determine the need for and develop safety risk controls to be applied in the aerospace system, which are, typically, established through rulemaking⁷.

1) SRM requirements do not preclude AVS S/Os from taking immediate interim action to mitigate existing safety risk, prior to conducting SRM and identifying permanent mitigations⁸.

b. Safety Risk Management Process Alignment.

(1) AVS oversight organizations must establish interfaces between their SRM functions and:

- (a) Their Safety Assurance functions (described in Chapter 4 of this order);
- (b) SRM and Safety Assurance functions in other AVS S/Os, as appropriate; and
- (c) AVS-level SRM and Safety Assurance functions.

⁶ AOV leverages SRM conducted by the Air Traffic Organization (ATO), but may conduct independent analysis of hazards.

⁷ SRM relates to rulemaking in two ways. The first is when SRM is conducted and it is determined that mitigating the safety risk associated with an identified hazard requires a new or modified regulation to mitigate safety risk. In addition, when a proposed rule has the potential to affect safety risk in the aerospace system, the rule is assessed using SRM to ensure the safety risk is acceptable.

⁸ In the operational environment, it is understood that high risk may exist in the short term while mitigations are in development.

(2) AVS oversight organizations must coordinate their internal SRM processes and tools with the AVSSMS Coordination Group to help ensure transparency, interoperability, and standardization (as much as is practicable) across AVS.

3. Safety Risk Management Process.

a. Conducting Safety Risk Management.

(1) AVS oversight organizations, as applicable, must define and document an SRM process (or processes) for use within their organizations that meet the requirements contained in this order and are consistent with the current versions of FAA Orders 8000.369 and 8040.4.

(2) When hazards and/or their associated safety risk affect more than one service or office, or affect FAA organizations outside of AVS, the process described in the current version of FAA Order 8040.4 must be used to conduct SRM, unless all stakeholder organizations agree to use a different process.

(3) AVS oversight organizations must apply the concepts of SRM to decisions that may lead to the initiation of regulatory changes through rulemaking.

b. Safety Risk Acceptance.

(1) AVS oversight organizations must define and document risk acceptance criteria, which includes the levels of management within their organization(s) that can make safety risk acceptance decisions.

(2) When hazards and/or their associated safety risk affect more than one service or office, or affect FAA organizations outside of AVS, the risk acceptance criteria in the current version of FAA Order 8040.4 are used, unless all stakeholder organizations agree to use different criteria. Any agreements to use different criteria must be documented.

c. Documenting, Monitoring, and Tracking.

(1) AVS oversight organizations must document the results of their SRM activities in accordance with the requirements in the current version of FAA Order 8040.4.

(2) AVS oversight organizations must define criteria that are consistent with the current version of FAA Order 8040.4 regarding when and how hazards, their associated risk, and related safety risk mitigations are monitored and tracked.

(3) AVS oversight organizations must use HIRMT to track and monitor Aerospace System Level (ASL) issues. The current version of FAA Order 8040.4 establishes the criteria for ASL and requires FAA organizations to use HIRMT to capture pertinent information regarding ASL issues. FAA organizations that have a documented process/tool for capturing and managing safety issues that is comparable to the process in HIRMT can request an exemption from using HIRMT by submitting a formal request to the FAA SMS Committee, as described in the current version of FAA Order 8040.4, Chapter 2, Paragraph 5e. For more

information regarding HIRMT and to obtain access to the tool, contact the HIRMT Program Manager, AVP-320.

(4) When hazards and/or their associated safety risk affect more than one service or office or affect FAA organizations outside of AVS, HIRMT must be used to document, track, and monitor hazards, their associated safety risk, and related safety risk mitigations, unless all stakeholder organizations agree to use a different tool. Any agreements to use a different tool must be documented.

Chapter 4. Safety Assurance

1. Introduction. The objective of the Safety Assurance component of SMS is to support identification of potential new hazards and determine whether implemented risk control strategies are adequately mitigating safety risk. Data is collected within AVS organizations through employee reporting systems, auditing, and assessments to ensure conformity with various SMS requirements and FAA orders, standards, and policies. AVSSMS has a dual Safety Assurance focus, with an emphasis on both AVS organizations and product/service providers. All AVS S/Os perform safety assurance to ensure that their systems and processes are meeting their intended objectives. However, AVS oversight organizations have additional responsibilities in that they conduct Safety Assurance of product/service providers. To meet these responsibilities, AVS oversight organizations collect operational data from the segments of the aerospace system that they oversee.

2. General Requirements.

a. Purpose.

(1) AVS S/Os must monitor their systems and processes to:

- (a) Assess their organization's conformity with SMS requirements;
- (b) Assess their organization's performance against operational safety requirements developed through SRM and approved by appropriate management officials;
- (c) Measure performance against safety objectives;
- (d) Measure performance against operational safety requirements; and
- (e) Ensure data integrity.

(2) AVS oversight organizations must monitor the components of the aerospace system to:

- (a) Assess product/service providers' compliance with regulatory requirements and any other safety risk controls set by the FAA, as well as those developed as a result of the product/service providers' SRM processes, if applicable;
- (b) Measure and assess the effectiveness of safety risk controls set by AVS or by product/service providers, and determine the need for additional safety risk controls or changes to existing controls (which would be determined through the application of the SRM process⁹), if applicable;

⁹ Additional safety risk controls and/or changes to existing controls would be developed through the application of the SRM process.

(c) Assess the overall performance of product/service providers' operational systems/processes;

(d) If applicable, assess the performance of product/service providers' SMSs; and

(e) Identify potential new hazards, ineffective risk controls, and changes in the operational environment that may introduce new hazards or affect safety risk.

b. Safety Assurance Process Alignment. AVS oversight organizations must establish interfaces between their Safety Assurance functions and:

(1) Their SRM functions (described in Chapter 3 of this order);

(2) Safety Assurance functions of other AVS S/Os;

(3) AVS-level SRM and Safety Assurance functions; and

(4) Product/service providers' SRM and Safety Assurance functions, if applicable.

c. Establish Criteria for Change Approval. AVS oversight organizations must establish the criteria for the types of planned changes for which a product/service provider must receive AVS approval prior to implementation in the operational system.

d. Safety Assurance of Product/Service Providers. AVS oversight organizations must conduct Safety Assurance of product/service providers' design and performance, based on functional descriptions or models of the product, service, or process to be assessed, which involves assessing the effectiveness of product/service providers' safety management capabilities and safety performance.

(1) Design Assurance. Design assurance is the function of ensuring that the safety of the product/service provider's designs are in compliance with established requirements and standards, and that the designs include the appropriate safety risk controls to meet safety objectives.

(a) AVS oversight organizations must:

1) Use design assurance for the certification of organizations or products and to approve or accept programs and/or processes;

2) Use outputs of the product/service provider organizations' processes to identify and mitigate safety risk, or standards that have been determined to be acceptable by the FAA, as inputs to their decisions regarding acceptance or approval (i.e., certification) of new and modified designs (e.g., product designs, organizational designs, new or modified operating practices¹⁰); and

¹⁰ If the product/service provider has an SMS, implemented either by regulations or under an FAA-sponsored voluntary program, the outputs would be from its SRM processes.

3) Confirm that product/service providers' designs are in compliance with established requirements and include appropriate safety risk controls¹¹.

(b) If a product/service provider submits a system design that is not in compliance with established requirements and does not include appropriate safety risk controls, the proposal may be sent back to the product/service provider for further analysis/study with an explanation of deficiencies.

(2) Performance Assurance. Performance assurance is the function of ensuring that the product/service provider's performance meets safety objectives and that their risk controls are effective.

(a) AVS oversight organizations must:

1) Use performance assurance to determine the continued operational safety of products and processes, including the need for corrective action on the part of the product/service provider;

2) Use outputs from the product/service provider organizations' processes used to assure the safety of their products and services and/or operational performance data regarding the product/service as inputs to their assurance of the safety performance of those organizations¹²; and

3) Confirm that product/service providers' performance is in accordance with the design that is accepted or approved.

(b) If an AVS oversight organization determines that a product/service provider's performance is not in accordance with the system design that is accepted or approved, it may require the product/service provider to take appropriate corrective action.

3. Safety Assurance Process. AVS oversight organizations must ensure they maintain/improve safety within the component(s) of the aerospace system for which they are responsible by using the following Safety Assurance processes:

a. Information Acquisition.

(1) AVS oversight organizations must collect and maintain the data/information necessary to meet the requirements in Chapter 4, subparagraph 2a. In addition to the standard data

¹¹ Safety risk controls are an output of the product/service provider processes to manage safety risk or FAA policy. If the product/service provider has an SMS, implemented either by regulations or under an FAA-sponsored voluntary program, the risk controls would be developed through their SRM processes.

¹² If the product/service provider has an SMS, implemented either by regulations or under an FAA-sponsored voluntary program, the outputs would be from its Safety Assurance processes. If the product/service provider does not have an SMS, the product/service provider is not required to set safety objectives, so the AVS oversight organization would use operational performance data regarding the product/service, which would typically be provided by the product/service provider, to assure the safety of the product or service.

sources used by AVS S/Os, data/information collected from the following non-exclusive list of sources should be used for Safety Assurance:

(a) Employee and stakeholder reporting¹³.

1) AVS must provide their employees with options for non-punitive reporting of hazards, issues, concerns, occurrences, incidents, etc., and encourage them to use these reporting systems without reprisal¹⁴.

2) AVS oversight organizations must provide their product/service providers options available for non-punitive reporting of hazards, issues, concerns, occurrences, incidents, etc., in accordance with existing reporting requirements and agreements¹⁵.

(b) Investigation. AVS oversight organizations must use data and information collected through the investigation of accidents and incidents, as described in FAA Order 8020.11, *Aircraft Accident and Incident Notification, Investigation, and Reporting*.

(c) Assessing within AVS. AVS S/Os must use the quality management principles in accordance with Chapter 6 to conduct regular assessments of operational safety and SMS requirements, to include SMS-related processes.

(d) Auditing of Product/Service Providers (Surveillance and Sampling). AVS oversight organizations must conduct audits of their product/service providers' products, processes, and services to assess compliance with safety risk controls established by the FAA and validate outputs of the product/service providers' operational processes. If the product/service provider has an SMS, implemented either by regulations or under an FAA-sponsored voluntary program, audits are also used to validate the outputs of the SMS.

(e) Additional Sources. AVS S/Os may use other sources of information in addition to formal audits, such as surveys, ramp checks, and check rides, in order to appraise process efficiencies, implementation status, etc.

(2) AVS S/Os must make the data and information they collect for safety management available to other AVS S/Os, AVS-level functions, and other FAA LOBs (unless protected by law or other agreements).

¹³ AVS employees and stakeholders are an important resource for information. There are multiple mechanisms, both formal and informal, through which they provide information.

¹⁴ AVS management does not tolerate willful violations of laws, regulations, policies, or the Standards of Conduct in the current version of FAA Order 3750.7, *Ethical Conduct and Financial Disclosure*, and the *FAA Human Resources Policy Manual* (HRPM). These violations are not protected under any voluntary employee reporting program.

¹⁵ Willful violations of laws, regulations, standards, or policies are not protected under any voluntary reporting program.

b. Analysis of Data/Information. AVS oversight organizations must analyze the data/information described in Chapter 4, subparagraph 3a to meet requirements in Chapter 4, subparagraph 2a.

c. System Assessment. Using the results of the data/information analyses described in Chapter 4, subparagraph 3b, AVS oversight organizations must conduct system assessments to:

- (1) Measure and assess the effectiveness of safety risk controls and identify ineffective controls;
- (2) Assess the performance of the components of the aerospace system for which the service or office has oversight responsibility;
- (3) Determine whether organizational safety objectives have been met;
- (4) Assess conformity with the SMS requirement(s) in this order; and
- (5) Identify potential hazards.

d. Corrective Action.

(1) When instances of nonconformity, noncompliance, potential hazards, or ineffective controls are identified, AVS S/Os must prioritize and implement corrective actions¹⁶.

(2) Corrective actions for noncompliance with regulatory requirements must be accomplished in accordance with FAA Order 8000.373, *Federal Aviation Administration Compliance Program*, and the appropriate service or office orders that support FAA Order 8000.373 to ensure that emphasis is placed on compliance actions, enforcement, or other actions that will most effectively control the risk addressed in the respective regulation.

(3) For corrective actions addressing nonconformities identified against internal AVSSMS processes or operational safety requirements not tracked in HIRMT, refer to Chapter 6.

¹⁶ The SRM process must be utilized if the assessment indicates that a potential hazard has been found. Note that for AVS oversight organizations, this often involves activating product/service providers' processes to assess and, if necessary, mitigate the safety risk.

Chapter 5. Safety Promotion

1. Introduction. Safety Promotion is a combination of training and communication of safety information to support the implementation and operation of an SMS in an organization. It is necessary to create and promote a positive safety culture among all employees, consisting of shared values, actions, and behaviors that demonstrate a commitment to safety over competing goals and demands.

2. General Requirements.

a. The AVSSMS Management Board must promote the growth of a positive safety culture within AVS through:

- (1) Publishing and visibly demonstrating management's commitment to safety;
- (2) Communicating the safety responsibilities of the organization's personnel and ensuring they have the necessary competencies to perform duties relevant to the operation and performance of the SMS;
- (3) Clear and regular communication of Safety Policy, goals, objectives, standards, and performance to all employees and stakeholders;
- (4) Fostering a voluntary, cooperative, non-punitive environment for the open reporting of safety concerns; and
- (5) Prioritizing safety management and safety culture through the provision of resources to meet the requirements of this order.

b. AVS oversight organizations must promote the growth of a positive safety culture within product/service provider organizations for which they have oversight responsibility.

3. Communication and Awareness.

a. The AVSSMS Coordination Group provides a forum for AVS S/Os to communicate regarding safety issues of mutual concern and facilitates cooperation to address them.

b. The AVSSMS Coordination Group promotes SMS policy and awareness within AVS via training, conferences/workshops, communications, and other efforts.

c. AVS oversight organizations must coordinate SRM analyses/assessments and proactively share safety-related information and information regarding safety issues being managed within their organizations with affected parties (e.g., their employees, other AVS S/Os, FAA organizations, industry stakeholders, outreach programs, stakeholder feedback, and other U.S. and foreign government agencies, as appropriate).

4. Personnel Competency and Training.

a. AVS S/Os must maintain a workforce with the competencies necessary to perform duties relevant to the operation and performance of the AVSSMS.

b. The AVSSMS Coordination Group ensures that overview training is provided to make employees aware of the AVSSMS and the organizational commitment to safety management.

Chapter 6. Quality Management in an SMS

1. Introduction.

a. AVS S/Os use principles of quality management to assure operational safety and SMS requirements are met effectively. This chapter describes processes that support the AVSSMS and provides for continuous improvement of processes that affect safety.

b. In accordance with the most current version of FAA Order 8000.369 Chapter 2, Section 4, quality management principles provide an approach for assuring that AVSSMS processes and procedures function as intended, correct nonconformities when they do not, and continually improve their effectiveness. SMS provides the mechanisms for the FAA to carry out its regulatory, certification, and continued operational safety management functions within a framework of risk-based decision making. Quality management principles ensure that this framework is structured, repeatable, and able to meet SMS objectives. When those objectives are not met, quality management principles provide the means to take action to ensure the intended results are achieved.

2. Purpose. Quality management supports the AVSSMS by providing a structured approach to monitoring processes and procedures for conformity, identifying instances of nonconformity, providing tools for correction, and enabling continuous improvement.

3. Quality Management Processes.

a. Assessments within AVS. AVS S/Os must conduct assessments of operational safety and AVSSMS requirements.

(1) Services and offices. AVS S/Os are responsible for evaluating their operations and activities to ensure outputs meet AVSSMS and operational safety requirements. AVSSMS safety requirements include the means by which AVS S/Os meet the requirements of this order, the implementation of safety risk controls developed during safety risk management activities, and satisfactory completion of monitoring plans developed during safety risk management activities. Assessments will be prioritized based on operational safety risks. Upon completion, assessment nonconformities will be identified, tracked, and resolved to prevent recurrence.

(2) AVSSMS Coordination Group. On behalf of AVS, the AVSSMS Coordination Group, or a group they designate, reviews for sufficiency the results of assessments performed by AVS S/Os. Assessment results will be shared with the assessed entity and the AVSSMS Coordination Group. The AVSSMS Coordination Group identifies, tracks, and prioritizes corrective actions of nonconformities at the AVS level for S/O quality analysis as well as trending, coordinating, and disseminating data across AVS.

b. Nonconformity Tracking, Prioritization, and Corrective Action.

(1) Tracking, prioritization, and implementation. AVS S/Os must track, prioritize, and implement corrective actions at the most appropriate level.

(2) Corrective action. AVS S/Os must periodically review/monitor completed corrective actions to evaluate the effectiveness and completeness of the original corrective actions.

(3) Periodic management reviews. Each AVS service and office must conduct regular reviews of their outputs, to include the results of evaluations, assessments, and inspections. This will include the need for changes to meet operational safety and SMS requirements to achieve continuous improvement. These reviews should be conducted on a consistent schedule that is appropriate to the organization (e.g., quarterly, semi-annually, or annually) and shared with the AVSSMS Coordination Group. If the reviews result in identification of systemic, safety-related nonconformities, AVS S/Os must refer the results to the AVSSMS Coordination Group for cross-S/O analysis.

Chapter 7. Administrative Information

1. **Distribution.** This order is distributed to all AVS S/Os.
2. **Related Publications.** The current versions of the following documents are related to the subject matter in this order:
 - a. FAA Order 8000.369, *Safety Management System*.
 - b. FAA Order 8020.11, *Aircraft Accident and Incident Notification, Investigation, and Reporting*.
 - c. FAA Order 8040.4, *Safety Risk Management Policy*.
 - d. FAA Order 8040.6, *Unmanned Aircraft Systems Safety Risk Management Policy*.
 - e. FAA Order 8000.373, *Federal Aviation Administration Compliance Program*.
 - f. FAA Order 8000.72, *FAA Integrated Oversight Philosophy*.
 - g. FAA Order VS 8000.370, *Aviation Safety (AVS) Safety Policy*.
 - h. FAA Order 8110.107, *Monitor Safety/Analyze Data*.
 - i. Title 14 of the Code of Federal Regulations (14 CFR) part 5, *Safety Management Systems*.
 - j. International Civil Aviation Organization Annexes 1, 6, 8, 11, 13, 14, and 19.
 - k. International Civil Aviation Organization Document 9859, *ICAO Safety Management Manual*.
 - l. International Civil Aviation Organization Document 9734, *Safety Oversight Manual*.
3. **Authority to Change This Order.** AVS-1 has authority to issue changes and revisions to this order.

Appendix A. Definitions

- a. Accident** means an unplanned event or series of events that results in death, injury, or damage to, or loss of, equipment or property.
- b. Aerospace System** means U.S. airspace, all manned and unmanned vehicles operating in that airspace, all U.S. aviation operators, airports, airfields, air navigation services, pilots, regulations, policies, procedures, facilities, equipment, and all aviation-related industry.
- c. Aerospace System Level** means an issue that must be tracked and monitored through the Hazard Identification, Risk Management & Tracking (HIRMT) tool as described in the current version of FAA Order 8040.4C, *Safety Risk Management Policy*, Chapter 2.
- d. Aircraft Accident** means an occurrence associated with the operation of an aircraft which takes place between the time any person boards the aircraft with the intention of flight and all such persons have disembarked, and in which any person suffers death or serious injury, or in which the aircraft receives substantial damage.
- e. Assessment** means the process of measuring or judging the value or level of something.
- f. Audit** means a systematic, independent, and documented process for obtaining records, statements of fact, or other information and evaluating it objectively to determine the extent to which policies, procedures, or requirements are met.
- g. Corrective Action** means the action to eliminate or mitigate the cause or reduce the effects of a detected nonconformity, noncompliance, or other undesirable situation.
- h. Design Assurance** means the function of verifying that the safety of a product/service provider's designs are in compliance with established requirements and standards and the designs include the appropriate safety risk controls to meet safety objectives.
- i. Hazard** means a condition or an object that could foreseeably cause or contribute to an incident or aircraft accident.
- j. Incident** means an occurrence other than an accident that affects or could affect the safety of operations.
- k. Likelihood** means the estimated probability or frequency, in quantitative or qualitative terms, of a hazard's effect or outcome.
- l. Mitigation** means a means to reduce or eliminate the effects of hazards. See *Safety Risk Control*. The terms *Control*, *Mitigation*, and *Safety Risk Control* are used synonymously.
- m. Noncompliance** means conduct that is contrary to a statute, regulation, or order issued under a statute or regulation.

n. Nonconformity means non-fulfillment of an organization's requirements, policies, and procedures, as well as requirements of safety risk controls developed by the organization.

o. Operational Safety Requirements means an essential characteristic or capability that must be met or exceeded in pursuit of mitigations developed through Safety Risk Management.

p. Performance Assurance means the function of ensuring that a product/service provider's performance meets safety objectives and that their risk controls are effective.

q. Product/Service Provider means an organization engaged in the delivery of aviation products or services.

r. Risk – See *Safety Risk*. The terms *Risk* and *Safety Risk* are used synonymously.

s. Safety means the state in which the risk of harm to persons or property damage is acceptable.

t. Safety Assurance means processes within the SMS that function systematically to ensure the performance and effectiveness of safety risk controls and that the organization meets or exceeds its safety objectives through the collection, analysis, and assessment of information.

u. Safety Culture means the shared values, actions, and behaviors that demonstrate a commitment to safety over competing goals and demands.

v. Safety Issue means any information (e.g., event, report, data) suggesting (1) an emerging safety concern (including novel features and technologies being introduced into the aviation system) which has not been thoroughly analyzed and requires further evaluation, or (2) a concern that was identified in the past but environmental factors have changed since the concern was initially identified, possibly requiring re-evaluation. Some safety issues may need to be elevated to an appropriate level of management to be adequately addressed.

w. Safety Management System (SMS) means the formal, top-down, organization-wide approach to managing safety risk and assuring the effectiveness of safety risk controls. It includes systematic procedures, practices, and policies for the management of safety risk.

x. Safety Objective means a measurable goal or desirable outcome related to safety.

y. Safety Oversight means a function by means of which the FAA ensures effective implementation of the safety-related laws, regulations, policies, and procedures. Safety oversight also ensures the national aviation industry provides a safety level equal to or better than the acceptable level defined by the FAA.

z. Safety Performance means a realized or actual safety accomplishment relative to the organization's safety objectives.

aa. Safety Policy means the documented commitment to safety of an FAA Line of Business or Staff Office, or an aviation service/product provider, organization, or certificate holder, which

defines its safety objectives and the accountabilities and responsibilities of its employees with regard to safety.

bb. Safety Promotion means a combination of training and communication of safety information to support the implementation and operation of an SMS in an organization.

cc. Safety Risk means the composite of predicted severity and likelihood of the potential effect of a hazard.

dd. Safety Risk Control means a means to reduce or eliminate the effects of hazards. The terms Control, Mitigation, and Safety Risk Control are used synonymously.

ee. Safety Risk Management (SRM) means a process within the SMS composed of describing the system; identifying the hazards; and analyzing, assessing, and controlling risk.

ff. Severity means the consequence or impact of a hazard's effect or outcome in terms of degree of loss or harm.

gg. SMS Outputs means the result or product of an SMS process. In this context, the result of a process, which is intended to meet a requirement described in this order (e.g., results of safety data analyses, safety audits/assessments, and SRM results).

hh. System means an integrated set of constituent elements that are combined in an operational or support environment to accomplish a defined objective. These elements include people, hardware, software, firmware, information, procedures, facilities, services, and other support facets.

ii. Unmanned Aircraft Accident means an occurrence associated with the operation of any public or civil unmanned aircraft system that takes place between the time that the system is activated with the purpose of flight and the time that the system is deactivated at the conclusion of its mission, in which: (1) any person suffers death or serious injury; or (2) the aircraft has a maximum gross takeoff weight of 300 pounds or greater and sustains substantial damage.

Appendix B. Directive Feedback Information

Please submit any written comments or recommendations for improving this directive or suggest new items or subjects to be added to it. Also, if you find an error, please tell us about it.

Subject: Order VS 8000.367D

To: AVS Directive Management Program, 9-AVS-Directive-Management-Program@faa.gov

(Please mark all appropriate line items)

☐ An error (procedural or typographical) has been noted in paragraph _____ on page _____.

☐ Recommend paragraph _____ on page _____ be changed as follows:
(Attach separate sheet if necessary)

☐ In a future change to this order, please include coverage on the following subject:
(briefly describe what you want added):

☐ Other comments:

☐ I would like to discuss the above. Please contact me.

Submitted by: _____ Date: _____

Telephone Number: _____ Routing Symbol: _____