



**Air Traffic Safety
Oversight Service (AOV)**

SOC

Safety Oversight Circular

U.S Department
of Transportation
**Federal Aviation
Administration**

SOC: 09-08B
DATE: August 1, 2016

Subject: Guidance Regarding the Air Traffic Safety Oversight Service Voluntary Disclosure Policy

1. Purpose of this SOC: This Safety Oversight Circular (SOC) provides guidance to the Air Traffic Organization (ATO) regarding the disclosure of self-identified safety compliance issues with ATO safety standards and/or the ATO Safety Management System (SMS). It describes the procedures for processing the issues, and outlines the criteria needed for a submitted Voluntary Disclosure Report (VDRP) to be accepted under the Voluntary Disclosure Policy (VDP).

2. Audience: All elements of the ATO involved in the SMS process.

3. Where Can I Find This SOC:

http://www.faa.gov/about/office_org/headquarters_offices/avs/offices/aov/policies_forms/

4. Background: FAA Order 1100.161, *Air Traffic Safety Oversight*, gives AOV the authority to issue documents that would require the ATO to make a change, stop a procedure, or alter a practice when there is a safety concern. AOV recognizes there are multiple means of identifying a safety concern. The Voluntary Disclosure Policy was established to address cases where the ATO can identify and disclose a safety compliance issue to AOV. It is designed to promote greater engagement between the ATO and AOV to cooperatively meet safety objectives.

The ATO established the Air Traffic Safety Action Program (ATSAP) and Technical Operations Safety Action Program (TSAP) in an effort to identify and report events that may have increased risk or negatively impacted the safety of the National Airspace System (NAS). As the oversight authority, AOV is obligated to monitor and oversee air traffic control operations as well as the activities generated from ATSAP and TSAP reports. The Voluntary Disclosure Policy is another effort to generate a collaborative method for AOV and ATO to work towards resolution of those self-identified safety concerns; thereby creating a positive impact in the NAS.

5. General Guidance: The AOV VDP applies to the ATO, ATO Service Centers, and ATO Service Delivery Points (SDP). The VDP does not apply to individuals or non-FAA facilities. AOV will evaluate acceptance of VDRPs based upon this criteria. AOV uses standard procedures to process safety compliance issues. In the case of voluntary disclosures, processing safety compliance issues requires a slightly different approach. After reviewing the VDRP, AOV may categorize the report with one of three categories and process accordingly:

- a. V1 Level Compliance Procedures:** V1 is the first disclosure category for safety compliance issues identified via VDRPs. The V1 category provides an avenue for corrective action at the lowest appropriate organizational level. AOV will review and then:
1. AOV sends a memo to the ATO to acknowledge the disclosure
 2. AOV will monitor ATO activities to close the issue
 3. No additional correspondence between the ATO and AOV is required.
- b. V2 Level Compliance Procedures:** V2 is the second disclosure category for safety compliance issues identified via VDRPs. The V2 category provides an avenue for corrective action at the appropriate organizational level. AOV will review and then:
1. AOV sends a memo to the ATO to acknowledge the disclosure and request formal notification when the ATO closes the issue
 2. AOV will monitor activities to closure of the issue.
- c. V3 Level Compliance Procedures:** V3 is the third disclosure category for safety compliance issues identified via VDRPs. The V3 category provides an avenue for the ATO to take corrective action according to their current SMS Manual for existing high risk hazards. AOV will review and then:
1. AOV sends a memo to the ATO to acknowledge the disclosure and request formal notification when the ATO closes the issue
 2. AOV will track and monitor activities to closure of the issue
 3. AOV will verify implementation was successful.

All VDRPs regarding safety concerns that AOV had previously identified through AOV surveillance activities will be reviewed on a case by case basis for inclusion in the VDP. AOV will notify the ATO as to whether or not the VDRP will be processed.

6. Criteria for Submission of a VDRP:

- a. The safety-related problem must not have been willful, or appear to involve an intentional disregard for safety on the part of the reporting entity
- b. Report must be signed by the Vice President of Safety and Technical Training, or designee
- c. Report must be submitted via AOV Correspondence Mailbox
- d. At a minimum, the report must include the following:
 1. Description of the noncompliance,
 2. Requirements or safety standards violated,
 3. Approved interim mitigations implemented with dates,
 4. A statement of acceptance of the risk, or
 5. Statement requiring the operation was stopped,
 6. Date AOV can expect a corrective action plan and
 7. A point of contact

7. Definitions:

- a. **Factors (contributing and causal):** Action(s), condition(s), and or event(s) that led to the safety compliance issue.
- b. **Interim Mitigation:** The immediate action(s) taken to reduce the risk of the safety compliance issue.
- c. **Noncompliance:** Failure to meet a requirement or safety standard.
- d. **Requirement:** An essential attribute or characteristic of a system. It is a condition or capability that must be met or passed by a system to satisfy a contract, standard, specification, or other formally imposed document or need.
- e. **Risk:** The composite of predicted severity and likelihood of the potential effect of a hazard.
- f. **Safety Compliance Issue:** Failure to follow an FAA safety standard or an ATO Safety Management System requirement that may manifest as a hazard in the NAS.
- g. **Safety Standards:** Standards related to air traffic control functions, equipment and facility maintenance functions, flight inspection functions, flight procedure development and charting functions, and acquiring and implementing new systems as identified in Chapter 4 of FAA Order 1100.161, *Air Traffic Safety Oversight*.
- h. **Voluntary Disclosure Policy (VDP):** An AOV program established to provide an effort to the ATO to identify and report events that may have increased risk or negatively impacted the safety of the National Airspace System (NAS).
- i. **Voluntary Disclosure Report (VDRP):** A report of a self-identified failure or safety concern with a requirement or safety standard.



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