



## A response to impact assessment of options for the regulatory approach in RP3 of the SES Performance and Charging Scheme

The Professional Staff Organisations (PSOs)<sup>1</sup> have studied the Steer Davies Gleave (SDG) report named “Impact assessment of options for the regulatory approach in RP3 of the SES Performance and Charging Schemes”. This report is the final stage of an exhaustive consultation, which started in the summer of 2017. The purpose of the report is to identify specific options for change and assess their impacts. Under the summary of stakeholder consultations, the report states that consultation took place via:

‘Face-to-face and telephone interviews with 26 stakeholders, including industry representatives, ANSPs, airspace users, employee representative bodies, national authorities and other parties’.

After reading of the report, the staff organisations are disappointed with the outcome and our confidence in the consultation process and the results of the study is quite damaged. In the following text, the PSOs explain these doubts, and with regard to the content of this report once again point at the issues that need to be solved in the near future in order to make the slightest progress in achieving the goals of the SES.

### A partial report?

The PSOs have tried to be involved in this study and in the content of the final report. The PSOs answered several questionnaires, phone interviews, attended several workshops, and exchanged emails and position papers with SDG. When reading the final report, the PSOs have the feeling that their opinion was simply discarded. Studying the report, it is noticeable that:

- The term “airspace users” is used 107 times in the report. Approximately 50% of where the wording is used, it is used to express the opinion of this particular group of stakeholders. One could find wordings such “airspace users strongly support”
- The following wordings can be found in the report: IATA (5 times) + A4E (1 time) + AU association (4 times).
- The wording “staff representatives”, “staff organisations”, “trade unions”, “staff associations”, ATCEUC, ETF, IFATCA, IFATSEA and IFAIMA cannot be found in the report.
- The wording “a staff association” can be found once over the 207 pages.

Whereas this might not be evidence that SDG only listened to Airspace users it is an indication that SDG gives more weight to airspace users than to the PSOs. It also raises the following questions:

- Is it the sole decision of the consultancy of Steer Davies Gleave?
- Or did the European Commission ask SDG to take more consideration to the answers of the airspace users and ANSPs views?

The PSOs are not surprised by the report. It is not the first time that given inputs are not sufficiently considered or visible in the final output from consultant reports on SES for the European Commission.

<sup>1</sup>The PSOs are ATCEUC, ETF, IFATCA, IFATSEA and IFAIMA, collectively representing staff in ATM throughout Europe.



Nevertheless, the PSOs find it disturbing and a democratic problem being asked over and over again to give input to SES studies, to finally note these inputs are not evident in the reports.

## Old fashioned and over simplistic reasoning?

The PSOs were also surprised to see the full support of SDG to the old-fashioned model of problem solving:

- Identify difficulties
- Impose solutions to ANSPs
- Sanction ANSPs

*For example, the SDG report states:*

*“Table 4.4: Better integration with network functions – changes to legislation  
Introduce a hierarchy of responses if local capacity targets are not met:*

- *Corrective measures;*
- *NSA sanctions, coupled with revision of performance plan if considered appropriate;*
- *Escalation to Commission on advice of PRB.”*

The ATM sector is a very sensitive sector and this reasoning can be widely considered as not adapted. The ATM industry is a highly interconnected industry with Airline, Airport industries and the ATM system, depending on cooperation to achieve common goals thus contributing to European Economic Growth. Only through collaboration and more involvement of all aviation stakeholders, it is possible to find solutions to problems of the SES. On several occasions the PSOs have pointed out that collaboration is the only way forward. The report uses methods that have failed in delivering results for more than a decade. This was recently highlighted in the report by the European Court of Auditors.

In para 4.4 the report states that NSAs *‘should develop a better understanding of available capacity and the relationship between additional traffic (relative to forecast values) and additional cost.’*

This is just one example of SDG insinuating that NSAs, and ATM stakeholders are not doing their job.

Does SDG have some doubts about the professionalism, the competencies and the engagement of NSAs and the ATM community? If that is the case, the PSOs would prefer these gaps to be clearly documented.

NSAs understand the relationship mentioned above and spend considerable efforts when compiling their performance plans, however they are constrained by top down EU wide targets which hamper their ability to manage this effectively. It is not the ability of the NSAs’ that should be called in to question, but rather the framework they are given to operate in.

## Examples of inadequate research

The report suggests solutions that have been part of the discussion for more than a decade and that haven’t worked yet:



*“We also suggest that cross-border initiatives should continue to be encouraged regardless of the geographical scope of performance plans. The potential value of new approaches to cross-border collaboration and services, for example dynamic sectorisation, was recently underlined in a paper submitted to the NSA Coordination Platform FAB Working Group<sup>29</sup>”*

This paragraph suggests that new operational concepts are now ready to be implemented and could constitute some benefit for RP3. Reading the footnote, one can see that what is really referred to is a paper that is nearly 10 years old. “29 NCP/FABWG/12/06, 6 September 2009”. It appears that SDG are unable to find novel approaches to achieve ATM system improvements.

Furthermore:

*“FABEC also noted that the performance contribution from other stakeholders should be regulated, as the share of en-route ANSPs in overall delay is approximately 25%<sup>19</sup>. (19) We (SDG) have not been able to identify the source of this figure.*

SDG should have taken into account the document “Industry Monitor the EUROCONTROL bulletin on air transport trends”. For August 2017, the average total delay for a flight is 14,55 minutes. ATFM delay for August is 2,79 minutes. We also know from our own research<sup>2</sup> that airspace users themselves are actually responsible for over 50% of total delay, yet there are no proposals to improve this.

The staff organisations would like to express their surprise at this approach to research. Questions are raised, and doubts are created about the credibility of the output.

## Conclusion and Professional Staff Organisations’ proposals

The ATM staff organisations deeply regret the missed opportunity of this consultation and subsequent doubts and uncertainty have been created with this report. The report is based mainly on airspace users and ANSP inputs. It is very difficult to even find evidence that the staff organizations participated and contributed to the study. PSO inputs to the study and how to improve RP3 were mainly about:

- Increase collaboration amongst stakeholders
- Solve the ATCO staffing problem
- Reduce the bureaucratic burden
- Reduce the number of projects that do not deliver what the industry and SJU promises
- Prepare the front line actors (ATCOs, ATSEP, AIS/AIM ..) for the automation era.

The PSOs proposals are not addressed in the report. It is the PSOs opinion that these can form a solid basis for improvement in RP3. Despite this statement it is still the objective of our organisations to participate in the SES developments and discussions and we will continue to provide the ATM community with strong analysis and in-depth knowledge.

**13<sup>th</sup> March 2018**

<sup>2</sup> <http://www.etf-atm.org/WP/wp-content/uploads/2017/03/Study-on-efficiency-capacity-and-growth-in-European-aviation.pdf>