

STATE OF LIBYA
MINISTRY OF TRANSPORT
CIVIL AVIATION AUTHORITY



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Advisory Circular-LYCAA- AC-OPS.020 Accountable Manager Acceptance Process

Approved by:

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President of Libyan Civil Aviation Authority



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SUBJECT:

ACCOUNTABLE MANAGER ACCEPTANCE PROCESS

REFERENCE PUBLICATIONS:

LYCARs ORO.GEN.210(a)

LYCARS GM1ARO.GEN.300 (a)(b)(c)

REASON:

The Accountable Manager (AM) is a senior manager within a certified/approved Organisation who is accountable to the LYCAA for maintaining safety standards required by regulation and additional standards specified by the organisation itself.

The AM must have corporate authority for ensuring that all operations and maintenance system activities can be financed and carried out to the standard required. As part of LYCAA regulation requirement, the AM shall be accepted by LYCAA.

AMs are key figures given that their influence on the standards of an organisation is significant. Therefore, the working relationship between the LYCAA and the AM plays an important part in the regulatory oversight of an organisation.

This AC is issued to:

- a) Inform regulated organisations about the process and procedure for acceptance of a person appointed as Accountable Manager;
- b) Inform regulated organisations about the non-liability of the LYCAA with regards to acceptance of the AM and the appointed PHs;
- c) Explain what the LYCAA expects from the AM following his acceptance by the LYCAA.

RECOMMENDATIONS:**Recommendation No.1:**

Regulated organisation should consider and integrated into their own system the guidance provided in Appendix A of this AC to help the person appointed by the organisation to prepare for the LYCAA process of determining acceptability by providing an indication of the level of knowledge and understanding expected. The guidance also aims to describe the type of attitudes to regulation and safety management that the LYCAA wishes to encourage at Accountable Manager level.

Recommendation No.2:

It is important to highlight the fact that despite the LYCAA accepted, appointed AM and PHS, LYCAA's liability cannot be technically and legally comprised since:

- An organisation holding an approval from the LYCAA is responsible for appointing the Accountable Manager with the overall responsibility for the organisation to remain in compliance with regulation;
- The Accountable Manager is responsible for nominating Post holders to deliver specific functions in relation to the management system of the organisation;
- The Accountable Manager is responsible for ensuring that there are initial assessments and periodic review of PHs' competence with suitable action taken when safety performance is compromised which could include provision of training, coaching environment whether their performance may be monitored or dismissal;

The above disclaimer is essential to be announced and instilled within an organisation since:

- Experience has shown that the Accountable Manager has a significant effect on safety and compliance issues;
- Organizations need to understand their (legal) responsibility in appointing Accountable Manager by establishing effective selection criteria;
- An approach towards performance based regulation and risk-based oversight means that the LYCAA will have a higher expectation on industry performance – directly linked to AM's competences;
- SMS's effectiveness can only be as good as the leadership and participants

Recommendation No.3:

Elements covered under Recommendation No. 2 indicate that the organisation must have a robust system to appoint and monitor the competences of the persons involved in their management system.

Such system should consider the following:

- Initial selection and appointment, including evaluation with appropriate verification of credentials;
- Preparation for the meeting or interview with the LYCAA including induction course to his/her new environment;
- Capability with documented means to evaluate periodically the competence of each person; - Effective empowerment to remedy any deficiency identified or reported.

CONTACT:

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APPENDIX A

The LYCAA Acceptance Process:

The LYCAA normally invites the appointee for the position of Accountable Manager to a meeting so as to allow the LYCAA to make a decision on his or her acceptability for the role. The LYCAA acceptance will be based on:

- Demonstrated knowledge of the applicable regulations;
- An understanding of the role of the Accountable Manager; and
- The standards required by the LYCAA of the type of approval or certified held.

The meeting will aim to confirm that the appointee has

- Basic/appropriate understanding of the legal responsibilities associated with the position
- A Bachelor's Degree preferably in Science in Aeronautics or Aviation related
- Safety Management Systems (SMS) course in Aviation.
- Appropriate understanding of the potential safety risks in the organization
- Appropriate seniority in the organisation;
- Strongly recommended that has ability to read, write and communicate to an understandable level in the English language
- Adequate input into the determination of operating budgets;
- Autonomy in financing operations to the required standards;
- Appropriate knowledge and understanding of the documents that prescribe safety standards;
- Appropriate knowledge and understanding of the requirements for competence of management personnel;

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- Appropriate knowledge and understanding of Compliance Monitoring system, related principles and practices, and the role of the Accountable Manager in this system; and
 - Appropriate knowledge and understanding of Safety Management System, related principles and practices, and the role of the Accountable Manager in this system.
 - Five (5) years relevant work experience of which at least two years should be from the aeronautical industry in an appropriate position

It is in the interests of both the appointee and the LYCAA that the appointee for the position of Accountable Manager is well prepared for the meeting so that it becomes a formal confirmation that the required knowledge, understanding and orientation on safety management is in place. If the Accountable Manager is well prepared, future dealings with the LYCAA will be on the basis of assured mutual understanding of common aims, and will enable both organisations to avoid misunderstandings and wasted time and effort.

Seniority:

One would expect that the Accountable Manager would be at a level in the organisation no lower than that which accepts direct reports from the nominated post holders required by the applicable standards. Though the appointee will often be the Chief Executive, CEO, President, Managing Director, General Manager or similar title, it is not necessary for him/her to be the "controlling mind" of the organisation. It is perfectly possible for an Accountable Manager to be answerable to and directed by another person or persons, and still retains the appropriate level of authority to ensure that activities are financed adequately and carried out to an acceptable standard. The appointee need not be the person who sets overall company policy or objectives.

The proposed organisation chart, terms of reference and letter of appointment (if applicable) can be used to demonstrate seniority. Evidence of directorship would also be helpful if held.

The appointee should expect to discuss how the organisation will make decisions that significantly affect the operation, and his or her role in those decisions.

Budget:

The appointee should be able to satisfy the LYCAA that he/she has an operating budget or financial control limit, and that he/she had a meaningful input into determining the size of the budget. The exact financial details need not be disclosed, but the LYCAA will need to be satisfied that governance exists, and is demonstrably appropriate to the scope of the operation. The appointee should be able to explain to the LYCAA why he/she believes that the budget is adequate to the circumstances, and show evidence that he/she has the funds at their disposal without reference to a higher authority. If necessary, a written statement to that effect from such higher authority may suffice.

Standards:

The appointee will be requested to show he/she has a basic understanding of the standards applicable to his/her organisation. For example when it comes to an AOC holder the following are the applicable standards:

- The Libyan Civil Aviation Authority;
- LYCAR-AIR OPS
- LYCAR-M;

This understanding is essentially high level, with particular reference to the appointee's appointee own role in ensuring that standards are maintained. The sections of the Libyan Civil Aviation law that relate to AOCs should be understood, and the appointee should have a sound knowledge of the requirements of LYCAR-AIR OPS that relate to the Accountable Manager and his/her function.

The appointee should also be able to demonstrate knowledge of the requirements related to the appointment of the persons within the organisation with designated responsibilities required under the relevant regulatory material. For an AOC holder, such persons are:

1. The Person responsible for flight operations;
2. The Person responsible for crew training;
3. The Person responsible for ground operations;
4. The Person responsible for Compliance Manager;
5. The Person responsible for Accident prevention and flight safety programme / SMS; and

The LYCAA will need to be satisfied that the appointee understands what the regulations require him/her to be responsible for, and can explain how **the post holders have been selected and how their continuing competence will be monitored**. The appointee should be prepared to explain the proposed policies on initial assessment and periodic review of managerial competence and provision of training where a need is identified. Significant changes in operating environment or operational scope should be considered as possible review triggers.

The LYCAA also needs to be satisfied that he/she fully understands the significance of interrelated regulations such as LYCAR AIR OPS, LYCAR-M and LYCAR-145 and the reason & legal responsibility for signing the related exposition or operations manual commitment of the organisation to comply with the procedure specified therein.

The appointee may be required by the LYCAA to attend an acceptable course designed for Accountable Managers.

Compliance Monitoring System:

The Compliance Monitoring system is a primary management tool for assisting the Accountable Manager to measure compliance with requirements, and to make timely and effective changes, which may both improve safety.

The appointee should be able to demonstrate a sound knowledge of the Compliance Monitoring system principles and practices and how these are applied within his/her own organisation including, in particular, knowledge of his/her own role.

The LYCAA will need to be satisfied that the appointee:

- is committed to Compliance as a means for establishing and maintaining the required standards;
- understands his/her role in the organisation's Compliance Monitoring System and the related requirements of applicable standards;
- has established, published and practically endorses a Quality Policy; and
- understands the purpose of the Quality evaluation meeting and his/her role in it, and carries out (or intends to carry out) effective Evaluation Meetings. The Evaluation Meeting is the Accountable Manager's opportunity to check that the tool is doing the job he or she wants it to do, and is adapted to current conditions.

The LYCAA will seek confirmation that the appointee's attitude to Quality is positive and not merely a matter of compliance with applicable standards. It is essential that he/she understands the relative roles

of the Accountable Manager and the Compliance Manager in the system. If an experienced Compliance Manager is not available within the organisation to brief a appointee unfamiliar with the required Compliance Monitoring System, the appointee should seek guidance in these matters from an external source.

Safety Management System:

The appointee should be able to demonstrate a commitment to the management of safety and a sound knowledge of safety management system principles and practices within the organisation for which he/she is responsible including, in particular, knowledge of his/her own role.

The LYCAA will need to be satisfied that the appointee understands the relationship between the Compliance Monitoring System and the Safety Management System. The appointee should be able to clearly describe the relationship between his/her roles in each system.

The appointee should be aware of the requirements of Part 19 or equivalent requirements for SMS and the importance of the Safety Management System principles. He or she should consult the person responsible for the system to gain an understanding of its operation and the role of the appointee in it. Finally, the appointee should be prepared to answer questions on Risk Management within the organisation.

General:

Once the assessment meeting has been arranged, the appointee should feel free to contact the LYCAA to clarify any queries that they have concerning the process and the subjects to be covered. The LYCAA will expect that the appointee comes to the meeting ready to demonstrate the required knowledge and understanding.

End of Advisory Circular

