

[REDACTED]

Date: 26 June 2023
Reference: F0006266

Dear [REDACTED]

Thank you for your request of 27 May 2023, for the release of information held by the Civil Aviation Authority (CAA). For reference your original enquiry was as follows:

Please can you provide the processes or guidance materials used by the CAA to comply with ARA.ATO.105(b)(2), where an audit must show evidence of sufficient funding.

Additionally, can you advise if the CAA is/has become aware of the financial status of ATOs (not to be named) and what processes, if any, it follows when becoming aware of such financial status?

Your request has been considered in line with the provisions of the Freedom of Information Act 2000 (FOIA). I can confirm the CAA does hold information within scope of the original request; if I may I shall address each of your points in turn:

Please can you provide the processes or guidance materials used by the CAA to comply with ARA.ATO.105(b)(2), where an audit must show evidence of sufficient funding.

Part ARA.ATO.105 of UK Reg (EU) No. 1178/2011 states:

The oversight programme for ATOs shall include the monitoring of course standards, including the sampling of training flights with students, if appropriate to the aircraft used.

The guidance material that is published by the CAA to support this requirement is contained in the Acceptable Means of Compliance AMC1 ARA.ATO.105, which you have already quoted in your request. It should, therefore, be noted that we do not have specific processes or guidance material for this beyond what is freely available and published.

a. Additionally, can you advise if the CAA is/has become aware of the financial status of ATOs (not to be named) and b. what processes, if any, it follows when becoming aware of such financial status?

I can confirm for element A. the CAA has become aware of the financial status of some ATOs.

Element B. of the above is of an enquiry nature which falls outside of the scope of FOIA; that being a request for held recorded information rather than advice or guidance. I have therefore passed these non-FOIA elements onto our enquiries unit at enquiries@caa.co.uk who will respond in due course.

If you are not satisfied with how we have dealt with your request in the first instance you should approach the CAA in writing at:-

FOI.Requests@caa.co.uk

The CAA has a formal internal review process for dealing with appeals or complaints in connection with Freedom of Information requests. The key steps in this process are set out below. A request for an internal review should be submitted within 40 working days of the date of this letter.

Should you remain dissatisfied with the outcome you have a right under Section 50 of the FOIA to appeal against the decision by contacting the Information Commissioner at:-

Information Commissioner's Office
FOI/EIR Complaints Resolution
Wycliffe House
Water Lane
Wilmslow
SK9 5AF
<https://ico.org.uk/concerns/>

If you wish to request further information from the CAA, please use the form on the CAA website at <http://publicapps.caa.co.uk/modalapplication.aspx?appid=24>.

Yours sincerely

Freedom of Information Team
Information Rights Specialist

CAA INTERNAL REVIEW & COMPLAINTS PROCEDURE

- The original case to which the appeal or complaint relates is identified and the case file is made available;
- The appeal or complaint is allocated to an Appeal Manager, the appeal is acknowledged and the details of the Appeal Manager are provided to the applicant;
- The Appeal Manager reviews the case to understand the nature of the appeal or complaint, reviews the actions and decisions taken in connection with the original case and takes account of any new information that may have been received. This will typically require contact with those persons involved in the original case and consultation with the CAA Legal Department;
- The Appeal Manager concludes the review and, after consultation with those involved with the case, and with the CAA Legal Department, agrees on the course of action to be taken;

- The Appeal Manager prepares the necessary response and collates any information to be provided to the applicant;
- The response and any necessary information is sent to the applicant, together with information about further rights of appeal to the Information Commissioners Office, including full contact details.