International Civil Aviation Organization

WORKING PAPER

ASSEMBLY — 39TH SESSION

TECHNICAL COMMISSION

Agenda Item 36: Aviation safety and air navigation implementation support

IMPROVING JUST CULTURE

(Presented by the Civil Air Navigation Services Organisation (CANSO))

EXECUTIVE SUMMARY
A healthy Just Culture plays a vital role in a successful safety culture by encouraging employees to report safety incidents and hazardous conditions. This information enables the proactive identification of safety-related problems and allows for the identification of safety trends. A critical part of Just Culture is also the responsibility to be consistently intolerant of wilful misconduct or reckless behaviour. Adopting a clearly defined Just Culture policy and programme will benefit the safety management of each aviation organization.   **Action:** The Assembly is invited to encourage Member States to: a) review national legislation framework to rule out any differences with ICAO Annexes and legal guidance as far as reasonably possible with respect to adopting a Just Culture;   b) urge their aviation organizations to develop a Just Culture policy statement as part of a strong safety culture and invite their aviation organizations to support and implement their Just Culture programme by means of written procedures.   c) develop a Just Culture policy statement as a fundament for a strong safety culture;   d) establish a means by which staff may voluntarily and confidentially report safety concerns without fear of reprisal; and   e) adopt and document Just Culture procedures, including how human performance variability will be interpreted.

Strategic Objectives:	This working paper relates to the Safety Strategic Objective.
Financial implications:	Long-term reduction in costs related to reactive safety management.

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[1] English, Arabic, Chinese, French, Russian and Spanish versions provided by CANSO.

References:	Annex 13 — *Aircraft Accident and Incident investigation*
	Annex 19 — *Safety Management*
	Doc 9859 — *Safety Management Manual (SMM)*
	CANSO Standard of Excellence in Safety Management Systems, Second Edition (2015). https://www.canso.org/canso-standard-excellence-safety-management-systems
	CANSO Safety Culture Definition and Enhancement Process (2008) . https://www.canso.org/safety-culture-definition-and-enhancement-process
	CANSO Guidelines on Just Culture, Version 1.0 (2014). https://www.canso.org/sites/default/files/Just%20Culture.pdf
	European Corporate Just Culture Declaration

1.   INTRODUCTION

1.1   A Just Culture is one in which all employees are encouraged to provide, and feel comfortable providing, safety-related information. It is an environment in which employees understand they will be treated justly and fairly on the basis of their actions rather than the outcome of those actions, in the case of positive, as well as negative safety events. A Just Culture recognizes that systemic factors (not just individual actions) must be considered in the evaluation of safety performance and interpretation of human behaviour. A strong Just Culture in each aviation organization is perceived as the basis for a successful safety culture.

1.2   CANSO defines a Just Culture as an "atmosphere of trust in which people are encouraged for providing essential safety-related information, but in which they are also clear about where the line must be drawn between acceptable and unacceptable behaviour." Furthermore, an informed culture relies on a reporting culture which in turn relies on a Just Culture. All employees must clearly understand and recognise that it is unacceptable to punish all errors and unsafe acts regardless of their origins and circumstances while it is equally unacceptable to give blanket immunity from sanctions to all actions that could, or did, contribute to organisational accidents. A prerequisite for engineering a just culture is an agreed set of principles for drawing the line between acceptable and unacceptable actions.

2.   DISCUSSION

2.1   CANSO Members are committed to maintaining and, wherever possible, improving safety. To achieve this, we recognize staff safety reports as one of the most valuable sources of information for learning safety lessons and identify safety trends. Therefore, in order to receive as many reports as possible, our organizations are fostering a culture in which a staff feels secure that the organization will treat them justly and fairly when they do report or when investigations and data analysis uncover safety risks. This fairness extends to circumstances where staff may feel concern that their report could implicate themselves because of their actions. Obviously, deliberate violations and unsafe acts are not tolerated in an organization. Moreover, Members recognize that consistency in the application of treatment in the event of a safety event or report is vital. This paper provides guidelines on fostering a Just Culture in organizations.

2.2   Responsibilities

2.2.1   Just Culture means openly reporting and discussing safety issues and mistakes, without punitive response, while also accepting and consistently enforcing the principle that individuals must be held to account for malicious actions. A Just Culture recognizes that an employee's intent is critical to

properly evaluating safety performance. All staff are responsible for acting safely and in a manner which is commensurate with their training, experience, and the professional standards expected in their job. They adhere to written procedures unless, in the clear interest of safety, it is necessary to deviate from these procedures. Where such deviation is required, staff will be given full and fair opportunity to account for their actions.

2.2.2   If member States do not already have a clearly defined Just Culture policy, they are invited to consider the description of a Just Culture in this paper, consult the references mentioned, and determine whether their aviation organizations can adopt such a policy. If so, the aviation organizations could draft a Just Culture policy that fits their organizations. This policy would include elements such as the following:

1.   All staff are recognized for the role they play in delivering a safe service to our customers;
2.   We will provide staff with the appropriate environment, tools, training and procedures required to perform their job;
3.   We will encourage all staff to demonstrate the appropriate safety attitude and safe behavior at all times;
4.   We will aim to manage our organizations in such a way that staff will not be put in situations where safety is compromised because of organizational factors;
5.   We encourage our staff to voluntarily report instances of safety risk and possible hazards without fear of reprisal;

2.2.3   The policy will need to be visibly supported by the highest organizational levels and visibly endorsed by workforce level (e.g. by unions or worker's representatives).

2.2.4   Safety reports

2.2.4.1   In adopting a Just Culture, Members should be clear with all staff that successful safety management relies on the knowledge and expertise of front line operators. They are in the best position to know about all situations which are or were, or potentially could have been, or may present, safety hazards and risks. In line with staff responsibility, it is the professional duty of all staff to bring to light any situation which they believe to be dangerous or potentially harmful. This requires organizations to explicitly understand that staff may occasionally make mistakes or errors of judgment which could lead to unsafe outcomes. Should a staff member report a safety event or a safety concern, a Just Culture requires that it be taken seriously and investigated on a systemic level, not on the level of any human's inevitable performance variability.

2.2.4.2   When it becomes apparent that someone has made an error, it should neither be assumed nor sought to find personal fault or guilt. Staff should not be punished simply for making an honest mistake, and the intent of the action must be considered in addition to systemic factors that are outside the scope of individual control. Staff should be protected as much as possible from negative consequences resulting from honest mistakes, errors, voluntary reports of safety issues, and subsequent investigations. In principle, staff must be defended and supported if they are subject to external prosecution or litigation.

2.3   No tolerance for unacceptable behaviour

2.3.1   The Assembly is invited to further commit to a Just Culture work environment. Gross negligence, deliberately unsafe acts, and recklessness, regardless of the outcome, will of course not be

tolerated. Members should set clear expectations with staff regarding professional attitudes and behaviour and consistently enforce both the defence of honest errors and the prosecution of wilful misconduct. Members and their staffs should make explicit where the boundaries are between acceptable and unacceptable behaviour and seek agreement as to what the consequences are if these boundaries are crossed.

2.4   Just Culture procedures

2.4.1   A policy describing the principles for Just Culture will thus need to be accompanied by a set of procedures describing the mechanism how the Just Culture policy will be implemented. This would need to include items such as:

    a) How safety reports will be kept under restricted access when necessary and how de-identification of the reporter and reported will be handled;
    b) Who will be authorized to handle mandatory and voluntary safety reports;
    c) How the reporter and reported will be protected from adverse consequences and supported in case of external litigations or threats;
    d) How the organization will address human performance variability:
        1) what the organization and workforce agree is normal professional behavior and what is not;
        2) how the organization will interpret human behavior, while protecting the norms and values of incident investigation. This could take for instance the form of a fixed or variable group or committee that advises about human behavior;
        3) what tools the organisation will use to assist with the interpretation (e.g. methodology, flowcharts, classification charts, or similar tools for interpreting human performance variability);

2.4.2   The trust that the workforce has about fair and just treatment is of paramount importance. Staff perception of the Just Culture climate in the organization could be surveyed to determine the effectiveness of the organization's Just Culture policy and procedures.

2.4.3   In addition, the application of a Just Culture (in the manner explained in this working paper) should be subject to audit by ICAO within the Universal Safety Oversight Audit Programme, with the failure to establish a Just Culture to be treated as a finding.

3.   **CONCLUSION**

3.1   In support of the Global Aviation Safety Plan's broad mid-term objective (full implementation of the ICAO State safety programme framework) and Safety Performance Enabler 4 (safety information exchange), and complementary to the results of the work of the Safety Information Protection Task Force, Member States are invited to establish a Just Culture policy and mechanisms within their aviation organizations to increase safety data shared within the organization and proactively identify and mitigate safety risks.