

United Kingdom Overseas Territories Aviation Circular

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Accountable Manager

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GENERAL

Overseas Territories Aviation Circulars are issued to provide advice, guidance and information on standards, practices and procedures necessary to support Overseas Territory Aviation Requirements. They are not in themselves law but may amplify a provision of the Air Navigation (Overseas Territories) Order or provide practical guidance on meeting a requirement contained in the Overseas Territories Aviation Requirements.

PURPOSE

This OTAC provides information and guidance on the role of the Accountable Manager and the qualifications required to be acceptable to the regulatory authority to carry out that role in an organisation approved under OTAR Parts 39, 119, 145, 171, 172, 173, 176, 178 or 180.

Where the terms "Aerodrome Certificate Holder" and "Aerodrome Manager" are used in Part 139 and related material, they should be considered as equivalent to Accountable Manager.

RELATED REQUIREMENTS

This Circular relates to OTAR Parts 39, 119, 139, 145, 171, 172, 173, 176, 178 and 180.

CHANGE INFORMATION

Applicability of this OTAC has been extended to new OTAR Part 180 – Aviation Security Regulated Agents – which has resulted in changes to the title page and the flowchart at Appendix A.

ENQUIRIES

Enquiries regarding the content of this Circular should be addressed to Head of Policy and Rulemaking, Air Safety Support International at the address on the ASSI website www.airsafety.aero, to the appropriate Overseas Territory Aviation Authority.

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1. Introduction

Organisations holding a certificate or approval under OTARs are generally required to have an Accountable Manager who has corporate authority and responsibility for ensuring that the activities conducted under the certificate or approval are performed to the standard required.

The title of such a person may vary from OTAR to OTAR but, in essence, the role is common to all approved organisations. The key responsibilities outlined in this OTAC must be discharged within any approved organisation by a clearly identified person.

The nomination of a person as Accountable Manager within an OTAR Approved Organisation requires specific approval by the regulatory authority responsible for the oversight of that organisational approval. This OTAC provides guidance on the role of the Accountable Manager and the qualifications and qualities required to be acceptable to act in that role.

2. Corporate Authority

The term “corporate authority” is used to establish the seniority of the managerial positions that might require specific levels of authority within an organisation. The Accountable Manager is one of those positions. However, it is not necessary for the Accountable Manager to be the “controlling mind” of the organisation.

Therefore, the Accountable Manager’s role should occupy an appropriately senior position within the organisation in order to be able to direct or influence its activities, but need not be the person who sets overall company policy or objectives. It is possible for an Accountable Manager to be answerable to and directed by another person or persons, yet retain the appropriate level of authority to ensure that activities are adequately resourced (financially and with manpower) and carried out to an acceptable standard.

Through their CV and the Terms of Reference for the Accountable Manager’s position, the nominee must be able to demonstrate:

- a) The ability to direct the activities of the organisation for which he is responsible; and
- b) Appropriate previous experience in a senior management position, preferably within the aviation industry.

Any lack of such experience need not necessarily disqualify a person from holding the post. In this case the nominee should be able to demonstrate an understanding of sound management principles, supported by an appropriate training and development plan.

3. Postholder’s Key Responsibilities and Experience

The exact nature of the Accountable Manager’s responsibilities will vary with the size and type of the organisation and so will the experience required to fulfil the post. However, there are several particular areas of responsibility which will apply

to the role in any organisation. These are described below; they are not exhaustive, but represent key areas of responsibility for the postholder and for which he/she should have an acceptable level of competence.

Where a single organisation holds more than one approval, the Accountable Manager should normally have final authority over all activities conducted under the OTAR approvals.

3.1 Financial Authority

The Accountable Manager should not only control an allocated budget but also be instrumental in determining what that budget should be.

A nominee for this post should therefore be able to demonstrate that:

- a) they are responsible for determining the level of financing appropriate to the proposed activities and resource levels of the organisation; and
- b) they have an appropriate level of autonomy to use the budget; and
- c) they have an understanding of the budgetary process; and
- d) they have the ability to ensure that all required resources and management tools are available to support the organisation; and
- e) they are able to ensure that safety and security is adequately maintained.

In very small organisations, the Accountable Manager will probably have control over all or significant parts of the company's budget.

In some organisations the Accountable Manager might only have control over a budget allocated by a board of directors. However, to meet the requirements of "financial authority" they should be instrumental in determining the size of the budget, its allocation and its expenditure.

In other organisations, where there might be a controlling group with a main board directing subsidiary boards at company level, the layers of corporate management can make it difficult to determine the focus of financial control, but the same test of authority applies, i.e. does the nominated Accountable Manager have appropriate control of an appropriately sized budget and the use of funds allocated to the organisation that they manage?

3.2 Human Resource Management

Within the organisation, the Accountable Manager needs the ability to set up an appropriate management structure, using suitable technically-qualified persons with an adequate knowledge of the standards required by the regulatory authority. He/she must also be able to justify the scale and scope of the proposed management structure and the divisions of responsibilities within it.

An organisation cannot function effectively unless it is adequately staffed. Personnel are needed in sufficient numbers and with the competencies and skills for the jobs they are required to perform. Training will be required to ensure that these are enhanced where necessary and then maintained. The Accountable Manager should normally have overall responsibility for these human resources matters.

3.3 Safety and Security Management Systems

Any nominee should be able to demonstrate a sound knowledge and understanding of SMS and SeMS principles, practices and management within the organisation where such systems are required to operate. The nominee should be able demonstrate the importance attached to the management of safety and security by giving examples of where it applies within the organisation for which they are responsible.

3.4 Quality System

The Approval may require the establishment of a quality system to support management of the organisation and to monitor compliance both with OTARs and with those standards specified by the operator to ensure a safe operation or product.

As the person with ultimate responsibility for meeting the required standards, the Accountable Manager is expected to play a central and influential role in the establishment and operation of the organisation's quality system, if required.

Where there is no requirement to establish a formal quality system, the application of quality assurance principles will still be important to the effective management of the organisation, in particular safety and security management.

A nominee should be able to demonstrate a sound knowledge of quality principles and practices and how they are applied within their own organisation including, in particular, to their role within the system. Additionally, they should be able to demonstrate an ability to manage quality control or quality assurance functions and to respond to quality assurance input.

3.5 Standards

The Accountable Manager is the manager with ultimate responsibility for operational standards and compliance with the relevant regulations.

Specifically, the Accountable Manager is accountable to the regulatory authority for activities conducted under the terms of the OTAR approval. In practice, technical specialists, appointed to other subordinate managerial roles, may provide the level of regulatory and technical knowledge and support needed to ensure compliance on a day-to-day basis.

The nominee should be able to demonstrate a basic understanding of the standards required of the organisation for which they will be responsible. This will include a basic understanding of the applicability of relevant regulatory documents and an appropriate level of knowledge of their content and purpose.

In particular, the nominee should be able to demonstrate knowledge and understanding of the requirements related to the appointment of those to designated posts, and others, within the organisation with responsibilities under the relevant requirements. Any nominee for the position of Accountable Manager should be able to evaluate the qualities and qualifications required for those roles.

3.6 Flowchart

A flowchart which can serve as a filter for potential candidates for the role of Accountable Manager is in Appendix A to this OTAC.

4. Approval of nominee

The Accountable Manager is a key component of the regulatory approval and the regulator will need to be satisfied that the person proposed as Accountable Manager is suitable to undertake the role under that approval. The organisation should therefore consult the regulator at an early stage, providing the fullest information regarding the nominee's fulfilment of these criteria. It is advisable that this is done before contractual arrangements concerning employment are concluded with the nominee.

There are likely to be instances where the nominee does not meet fully every aspect of the criteria listed. Nevertheless, where the candidate substantially fulfils the main requirements, the gaps may be addressed by training or managed experience. For example, the nominee may have limited experience of safety or security management systems. In such cases, conditional approval may be given subject to the nominee achieving, within a specified time, the full level of knowledge and experience required.

In addition, conditions may be attached to the organisation's approval during this period.

A checklist which can serve as a template for assessing potential candidates throughout the selection process is in Appendix B to this OTAC.

5. Organisational and personnel changes

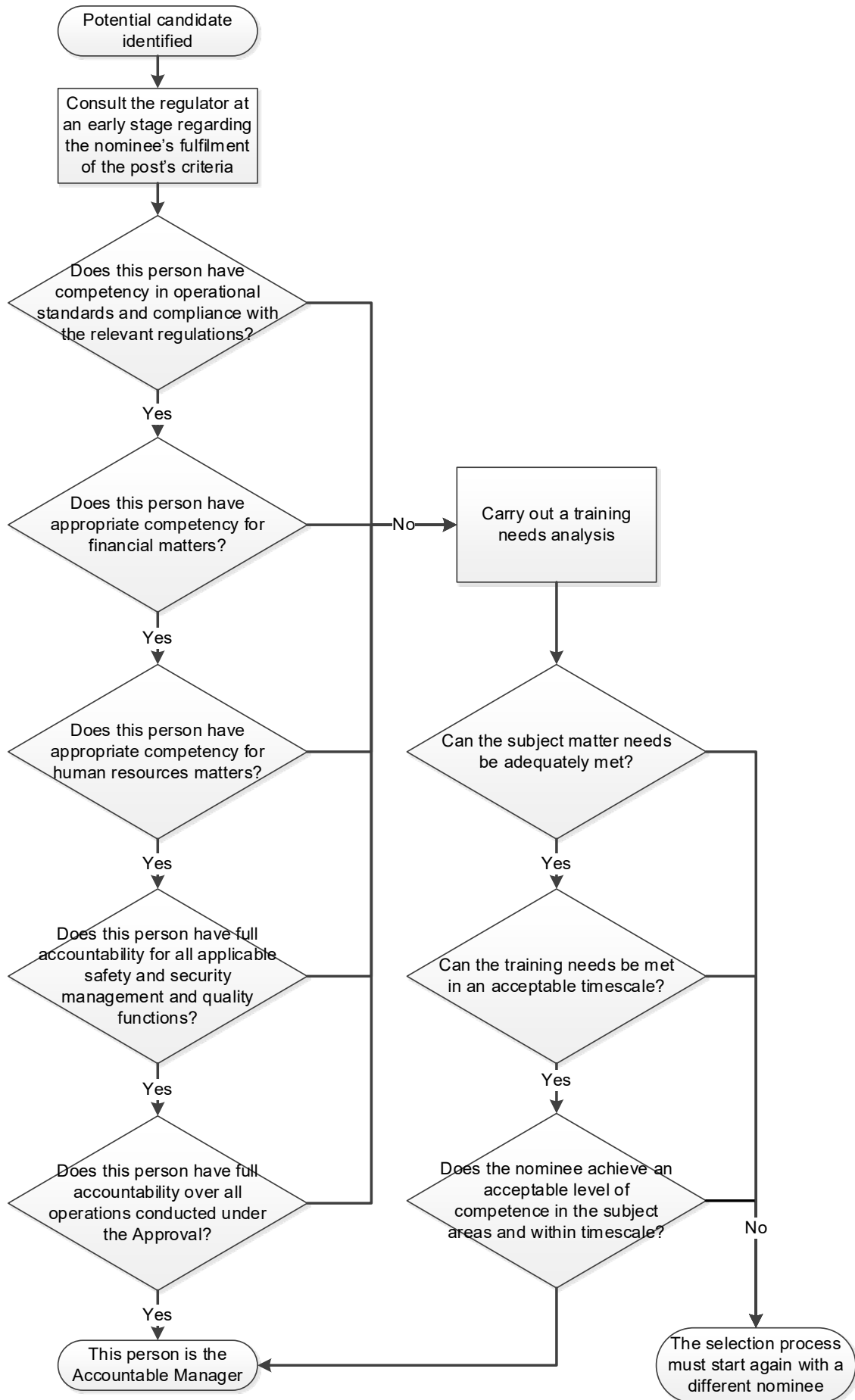
The senior management of the approved organisation should notify the regulator immediately it is known that the Accountable Manager is leaving the company or no longer occupies the same post or if the terms of reference associated with the post change substantially.

Any proposed change of Accountable Manager should follow the process described in paragraph 4. If there is an interval between the departure of an Accountable Manager and an approved successor taking up the post conditions may be attached to the organisation's approval or, in extreme cases, the approval may be suspended.

6. Continuity

Whilst the accountability of an Accountable Manager cannot be delegated, if the Accountable Manager is going to be absent for a time (including periods of annual leave), the organisation must have a practical system of delegation to ensure the organisation's responsibilities are maintained. Clearly, delegation can be upwards, horizontally or downwards in the organisational structure, but it must be appropriate and satisfactory to the regulator.

Appendix A – Accountable Manager Selection Flowchart



Appendix B – Example Accountable Manager Assessment Form

Notes:

1. Column 1 includes the headings of the key responsibilities and experience needed for the post as set out in this OTAC. There may be more headings required than shown in this example.
2. The organisation sets out its requirements in column 2.
3. The Assessor (or selection board) evaluates the nominee's attainment in column 3 against the requirement (column 2).

Postholder's Key Responsibilities and Experience (1)	Organisation Requirement (2)	Assessment (3)
Financial Authority		
Human Resource Management		
Safety Management System		
Security Management System		
Quality System		
Regulatory Standards		
Other [<i>Add more lines for matters relevant to the organisation and job role</i>]		