



# **NAMIBIAN CIVIL AVIATION AUTHORITY**

**Advisory Pamphlet (AP)**

**ANSSO-GEN-AP170/06**

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**GUIDANCE ON CORRECTIVE ACTION PLAN (CAP)**

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## GUIDANCE ON CORRECTIVE ACTION PLAN (CAP)

### 1. PURPOSE

This Advisory Pamphlet (AP) provides guidance and information to air navigation service providers on submitting of the Corrective Action Plan to meet the requirements of the NAM-CAR Part 170 and the ANS-related regulations.

### 2. BACKGROUND

- (a) NAM-CAR, Part 170 requires an air navigation service provider following a regulatory inspection or audit to submit corrective action plan to address non-conformities identified during the inspection and audit.
- (b) NAM-CAR, Part 170 further requires air navigation service provider to ensure that the corrective actions is implemented within the time period specified in the corrective action plan.
- (c) Below are the extracts from the regulations to which this Advisory Pamphlet apply.

### 3. EXTRACTS FROM NAMCAR PART 170

#### 170.04.3 Resolution of safety concerns

- (1) The holder of an air navigation services certificate shall be following a regulatory inspection or audit, submit to the Executive Director for evaluation and acceptance, corrective action plans with time frames to address non-conformities identified during the inspections and audits. They shall ensure that the corrective actions are implemented within the time periods specified in the corrective action plans.
- (2) The holder of an air navigation services certificate may when circumstances demand, amend the timeframes specified in the corrective action plan and submit the amended corrective action plan to the Executive Director for evaluation and acceptance.
- (3) The holder of an air navigation services certificateshall when requested by an authorised officer, inspector or authorised person for the purpose of determining compliance with the regulations and resolution of safety concerns, produce within seventy-two hours of such request, any relevant documents under his possession.

# GUIDANCE ON CORRECTIVE ACTION PLAN

## 1. INTRODUCTION

- 1.1 As required under the Civil Aviation Act 6.2016 the NCAA shall conduct inspection and audit to monitor compliance, which performed through NCAA surveillance procedures. ANS services provider must maintain compliance on an ongoing basis. In addressing identified deficiencies, the service provider is given an opportunity to provide acceptable CAPs to the NCAA with reasonable timelines for addressing the identified deficiency.
- 1.2 Where the deficiency has posed some safety concerns and will require immediate action by the ANS provider to preserve safety, Executive Director may require that such concerns be addressed before continuing with operation or limit operations until such deficiencies are addressed, or corrective action is indicated.
- 1.3 The CAP must include barriers and organisational factors that should be implemented to prevent re-occurrence.
- 1.4 If the CAP is deficient, depending on whether the service provider showed efforts to include barriers to prevent re-occurrences, the NCAA may extend an opportunities for the service provider to revise and re- submit their CAP. However, if the service provider has failed to take adequate action to address the non-compliance or to prevent re-occurrence the Executive Director may impose additional sanctions or suspend the operation.

## 2. UNDERSTANDING FINDINGS

Findings are classified according to their severity as follow;

- 2.1 **Level 1 Non-Compliance:** A major regulatory non-compliance with immediate or short-term implications for safety or security. The audit team leader shall consider the severity and probability of the associated risk and assign a timescale for closure between IMMEDIATE and 7 days.

***NOTE:** Where a Level 1 finding is recorded, and depending on the nature of non-compliance, the audit team leader may impose immediate restrictions or other conditions upon the organisation. In such case he/she shall notify immediately by any means the Executive Director of Civil Aviation or the Deputy Director, Safety.*

- 2.2 **Level 2 Non-Compliance:** A regulatory non-compliance not defined as Level 1. The audit team leader shall consider the severity and probability of the associated risk and assign a timescale for closure between 8 days and 90 days.

- 2.3 **Level 3 (Observation):** An observed condition which, in the judgment of the audit team leader, the organisation should modify, eliminate or improve in the interests of continuous improvement for safety or security. No timescale for closure shall be assigned but the organisation shall be expected to provide a written response to the observation within 30 days.

### 3. Development of the CAP

- 3.1 . The ANS provider is require to develop the CAP using form FSS-ANSSO-FORM012-7B for every individual finding and submitted them to the NCAA as required. For the CAP to be acceptable, the following must be considered;

- a) The corrective action has addressed the deficiency;
- b) The corrective CAP has a defined action;
- c) The CAP has an implementation timeline that is reasonable and commensurate to the level of deficiency;
- d) The CAP has a definite action office responsible for its implementation

- 3.2 To develop an effective CAP, the service provider must understand the nature of the regulatory deficiency which led to the finding. If the finding did not identify which regulatory allowed the non-compliance to occur, contact ANSSO for clarification before developing CAPs.

- 3.3 When Developing the CAP the Provider should consider the following aspects:

- (a) Relevance – The CAP is to address the issues and requirements related to the finding and corresponding regulations
- (b) Comprehensive – The CAP is complete and includes resolutions to all elements and aspects associated with the finding
- (c) Detailed – The CAP outlines implementation processes using a step-by-step approach detailing all the actions required to resolve the finding
- (d) Specific – The Cap identifies who will do what, when and identify where coordination with other entities is required
- (e) Realistic – The CAP is achievable in contents and implementation timelines by the organisation, using the resources available or obtainable by the organisation
- (f) Consistent – The CAP is consistent to other CAPSs provided by the organisation and takes these into account when determining timelines.

#### **4. UNDERSTANDING CORRECTIVE ACTION PLANS**

- 4.1 Following identification of deficiencies, ANS providers will be notified of the deficiencies verbally during the inspection and thereafter during the closing meeting together with the preliminary audit report. In order to facilitate service providers' preparation of acceptable corrective action plans, ANSSO will prepare an audit report after the inspection which shall include Finding Notice Form (FSS-ANSSO-FORM012-17A) for each finding, instructions and submission deadlines.
- 4.2 In the event of Level 1 and 2 deficiencies the ANS provider must advise the NCAA in writing on the completion of the corrective action. Under Level 3 the operator must provide a written response within 30 days and if necessary, prepare and submit a corrective action plan together with the written response.
- 4.3 Where the deficiency cannot be resolved within 90 days, the ANS provider may apply for an exemption from the requirements using the applicable exemption procedures and providing suitable mitigation measures that will be put in place to ensure safety is preserved.
- 4.4 Where deficiencies pose imminent safety risks, there may be no time for the ANS provider to prepare a corrective action plan and for the NCAA to evaluate and accept a written CAP. In such cases the ANS provider may proceed to implement corrective action and notify the NCAA of the action taken.
- 4.5 Where the CAP does not meet acceptability requirements the same will be returned to the service provider pointing out the fault in the CAP. Failure to submit an acceptable CAP may result in the deficiency being referred for enforcement action and/or imposition of sanctions as provided for in the Civil Aviation Act.

#### **5. Follow-up on proposed corrective action**

- 5.1 The NCAA will determine for each corrective action plan item whether the follow-up is to be administrative or on-site. The follow-up action taken is determined by the nature and severity of the deficiency.
- 5.2 ANSSO expects the service provider to identify timelines (day/month/year) to implement each corrective action, and the date the corrective actions will be completed. The purpose of the 'Timelines for Implementation of all Corrective Actions is to identify the shortest reasonable timeframe to implement each corrective action.

## 6. **Company Rep. Signature**

The purpose of the “Company Rep. Signature” on the Finding Notice Form is to identify the person who has the authority to commit the necessary resources to fulfil the CAP. The responsible person for signing the CAP depends on the area of the finding and may be the Head of ANS for organisational findings or for operational issues, the relevant Chief Air Traffic Controller, Unit manager, or another manager with delegated responsibility for the corrective action. The service provider is expected to identify an appropriately authorised representative by name; and

- (a) Have them assess the CAP from an organisational point of view for effectiveness in resolving the deficiency
- (b) Date and sign the CAP, thereby accepting responsibility for the completion of the actions required and committing to adequately resolving the safety concern.

## 7. **Evaluate Corrective Action**

Monitoring corrective actions is important for the organizations to know if changes were adopted and worked as intended. Evaluation of the corrective actions comprises of :

- a) Verify CAP activities – To ensure the CAP was completed,
- b) Verify that an organization:
  - (i) amended all relevant documents, system requirements, and record-keeping requirements to reflect procedures and system changes;
  - (ii) used effective communications and training methods to make sure that employees know about the changes and understand the reasons;
  - (iii) is consistently applying the changes;
  - (iv) has done everything set out in the CAP; and
  - (v) adopted all corrective actions within the approved timeline.

## 8. **Closure of corrective action**

After all follow-up actions have been completed and all required evidence are made available the CAP will be closed and ANSSO will institute necessary monitoring activity (through surveillance or ad-hoc inspections) to ensure continues compliance.

## 9. **Lack of implementation of corrective action**

Where an ANS provider fails to adhere to the accepted CAP, the Executive Director will impose operating restrictions in the interest of preserving safety. An enforcement action will be instituted

where continued non-implementation of CAPs, continued breach of regulatory requirement and/or continued threat to aviation safety persists.

In the case of an existing service provider seeking approval, wherever corrective actions have not been properly implemented the NCAA will take appropriate enforcement measures while taking into account the need to ensure the continuity of services however, aviation safety standards shall be maintained under all circumstances.

**APPENDIX 1: AUDIT /INSPECTION FINDING NOTICE FORM**

<b>AUDIT /INSPECTION FINDING NOTICE FORM</b>		
<b>Note:</b> Issue of an Audit/Inspection Finding Notice does not in any way prejudice the NCAA's prerogative to take at any time, such enforcement action as maybe appropriate in the circumstance.		
Company:	Department:	
Base/Location:	Date of Audit/Inspection:	
Area Audited:		
Accountable Manager Name:		
Finding No:	Non-conformance with:	
Description of Finding(s)		
Classification of Deficiency/Finding <div style="text-align: center;"> Level I <input type="checkbox"/>                          Level II <input type="checkbox"/>                          Level III <input type="checkbox"/> </div>		
Timeline for remedial action: Acknowledge of finding notice within <a href="#">Click here to enter text.</a> days to NCAA Inspector. Corrective Action Plan to be submitted within <a href="#">Click here to enter text.</a> days from the date of this finding Notice		
Inspector's Comments (if required)		
NCAA Inspector Name:	NCAA Inspector Signature:	Date:
Acknowledgment Auditee Name:	Auditee Signature	Date:

**APPENDIX 2: CORRECTIVE ACTION PLAN(CAP)**

<b>CORRECTIVE ACTION PLAN(CAP)(To be completed by the Auditee)</b>			
Name of Organisation:	Location:	Date:	Finding No:
Details of Finding			
Immediate or Short Term Corrective Action:			
Completion Date:			
Long Term Corrective Action			
1. Cause(s) of problem			
2. Action taken/ to be taken			
Proposed Completion Date:	Organisations Representative Name:  Signature:		Date:

**APPENDIX 3: CORRECTIVE ACTION PLAN EVALUATION**

<b>CORRECTIVE ACTION PLAN EVALUATION</b>		
Name of Organisation:		
Unit:		
Finding No:		
<b>NCAA RESPONSE/COMMENTS</b>		
<input type="checkbox"/> CAP Accepted Proposed Follow-Up/:  <input type="checkbox"/> On-site inspection  <input type="checkbox"/> Administrative action  Proposed Follow-Up date:	<input type="checkbox"/> CAP Rejected <input type="checkbox"/> Additional information required <input type="checkbox"/> Evidence required	Remarks:
		New CAP Target Date:
Inspectors Name:	Inspector Signature:	Date:
Finding Closed:	Finding Closed/Actioned:	Date of closure/Actioned
<input type="checkbox"/> Yes <input type="checkbox"/> No	Name:  Signature:	