



CASA Regulator Performance Framework

Self-assessment report 2019–20

Date

December 2020

Civil Aviation Safety Authority

The Civil Aviation Safety Authority (CASA) is an independent statutory authority established in 1995 under the *Civil Aviation Act 1988* (the Act). The main objective of the Act is to establish a regulatory framework for maintaining, enhancing and promoting the safety of civil aviation, with particular emphasis on preventing aviation accidents and incidents.

In accordance with the Act, CASA's key role is to conduct the safety regulation of the civil air operations in Australian territory and the operation of Australian aircraft outside Australian territory.

CASA also has responsibility for classifying Australian-administered airspace and determining the services and facilities provided by approved air navigation service providers, having regard to the efficient use of, and equitable access to, Australian-administered airspace.

In performing its functions and exercising its powers, CASA must regard the safety of air navigation as the most important consideration. Subject to the primacy of safety, CASA must consider the economic and cost impact of the aviation safety standards it sets, take into account the differing risks associated with different industry sectors and, to the extent practicable, ensure that the environment is protected from the effects of the operation and use of aircraft.

Regulator Performance Framework

The Australian Government's Regulator Performance Framework (the Framework) applies to all Commonwealth regulators that administer, monitor or enforce regulation.

The Framework articulates the Government's overarching expectations of regulator performance and comprises six outcomes based key performance indicators (KPIs) as listed below.

1. Regulators do not unnecessarily impede the efficient operation of regulated entities.
2. Communication with regulated entities is clear, targeted and effective.
3. Actions undertaken by regulators are proportionate to the regulatory risk being managed.
4. Compliance and monitoring approaches are streamlined and coordinated.
5. Regulators are open and transparent in their dealings with regulated entities.
6. Regulators actively contribute to the continuous improvement of regulatory frameworks.

These KPIs are supported by measures of good regulatory performance to assist regulators self-assess their achievement of the KPIs. This self-assessment is then considered by an external performance validation panel before it is provided to the Minister.

Further information on the regulator performance framework is available at:

<https://www.pmc.gov.au/resource-centre/regulation/regulator-performance-framework>

Performance assessment

CASA has undertaken a self-assessment of its performance against the Framework for 2019-20. A combination of quantitative and qualitative measures were used to assess CASA's performance against the six mandatory KPIs.

[CASA Annual Report 2019-20](#) is the primary source of information used in the compilation of CASA's self-assessment report.

Service delivery metrics for a number of regulatory services can be accessed on the CASA website from <https://www.casa.gov.au/service-delivery-statistics>

CASA's self-assessment ratings against the KPIs

The self-assessed rating of overall performance against each of the KPIs is outlined below.

Regulator Performance Framework KPIs	Rating
1. Regulators do not unnecessarily impede the efficient operation of regulated entities.	Excellent Very good Good Satisfactory Developing Unsatisfactory
2. Communication with regulated entities is clear, targeted and effective.	Excellent Very good Good Satisfactory Developing Unsatisfactory
3. Actions undertaken by regulators are proportionate to the regulatory risk being managed.	Excellent Very good Good Satisfactory Developing Unsatisfactory
4. Compliance and monitoring approaches are streamlined and coordinated.	Excellent Very good Good Satisfactory Developing Unsatisfactory
5. Regulators are open and transparent in their dealings with regulated entities.	Excellent Very good Good Satisfactory Developing Unsatisfactory
6. Regulators actively contribute to the continuous improvement of regulatory frameworks.	Excellent Very good Good Satisfactory Developing Unsatisfactory

Self-assessment validation by external panel

The Framework requires validation of the self-assessment by an external validation panel. This provides an avenue for stakeholders to give feedback on whether the self-assessment results accord with the views of industry. The validation panel can also be a sounding board for the regulator before it finalises its self-assessment. The views of the validation panel are provided to the Minister when the regulator submits its self-assessment.

KPI 1 Regulators do not unnecessarily impede the efficient operation of regulated entities.

Rationale

This assessment includes a measure of the progress of corporate initiatives contributing to regulation development and implementation aimed at regulatory reform and service delivery initiatives which reduce the compliance costs for industry.

The conformance to regulatory reform requirements such as Preliminary Impact Assessments and Regulatory Impact Statements submitted to the Office of Best Practice Regulation and assessed as adequate, combined with consultation documents for rule-making, provide an indication that regulatory development processes do not impede the efficient operation of regulation entities.

The number of requests for regulatory services that met service delivery targets also provides an indication that regulated entities can plan the submission of their requests based on the service delivery targets.

Summary of 2019–20 performance against KPI 1

CASA performed solidly in terms of the completion of activities in Goal 1 identified in the 2019–20 Corporate Plan (which is aligned with KPI 1) with 83 per cent of relevant activities being completed or substantially completed. CASA's regulatory program also did not increase regulatory burden in 2019–20. The final tranche of the flight operations regulations were made in December 2019, comprising Civil Aviation Safety Regulations (CASR) Part 103 (sport and recreation aircraft), Part 105 (parachuting from aircraft) and Part 131 (balloons and hot air airships) and bringing the long-running regulatory reform program to a close.

Self-assessment = **Good**

Results from KPI specific performance measures

Performance measures	Comments														
<ul style="list-style-type: none"> Stakeholder engagement in the development of new regulations Applications for authorisations submitted to the Client Services Centre (CSC) meet service delivery standards 	<p>During 2019–20, the Aviation Safety Advisory Panel (ASAP) met four times and oversaw 19 Technical Working Group (TWG) meetings, with a focus on flight operations regulations, aerial work, balloons and continuing airworthiness. The minutes of the technical working groups, which involved 165 industry participants, are published on CASA’s website.</p> <p>CASA’s performance for processing applications within published service level timeframes improved over the reporting period. Overall, the target of processing 80 per cent of applications within published timelines was achieved except for Aircraft registration and Maintenance Personnel Licensing. The following table summarises the achieved service delivery standards for CSC in 2019–20 as published in the 2019–20 Annual report.</p> <table style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th colspan="2" style="text-align: center;">Apr–Jun</th> </tr> </thead> <tbody> <tr> <td><u>Overall</u></td> <td style="text-align: right;"><u>87.43</u></td> </tr> <tr> <td><u>Flight Crew Licensing</u></td> <td style="text-align: right;"><u>92.08</u></td> </tr> <tr> <td><u>Permissions Issue</u></td> <td style="text-align: right;"><u>90.66</u></td> </tr> <tr> <td><u>Aviation Medicine</u></td> <td style="text-align: right;"><u>86.95</u></td> </tr> <tr> <td><u>Maintenance Personnel Licensing</u></td> <td style="text-align: right;"><u>73.82</u></td> </tr> <tr> <td><u>Aircraft Registration</u></td> <td style="text-align: right;"><u>73.82</u></td> </tr> </tbody> </table>	Apr–Jun		<u>Overall</u>	<u>87.43</u>	<u>Flight Crew Licensing</u>	<u>92.08</u>	<u>Permissions Issue</u>	<u>90.66</u>	<u>Aviation Medicine</u>	<u>86.95</u>	<u>Maintenance Personnel Licensing</u>	<u>73.82</u>	<u>Aircraft Registration</u>	<u>73.82</u>
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CASA Corporate Plan 2019–20

The *CASA Corporate Plan 2019–20* contains 26 performance measures against three corporate goals. CASA’s Goal 1 includes nine performance measures and is broadly aligned to KPI 1. A key summary of CASA’s performance against Goal 1 is outlined below.

Goal 1	Measures/result	Key achievements
Maintain and enhance a fair, effective and efficient aviation safety regulation system	<p>Of nine performance measures:</p> <ul style="list-style-type: none"> Eight were assessed as being completed or on track, One was delayed. 	<ul style="list-style-type: none"> The final tranche of the flight operations regulations was made in December 2019, comprising Civil Aviation Safety Regulations (CASR) Part 103 (sport and recreation aircraft), Part 105 (parachuting from aircraft), Part 131 (balloons and hot air airships), and bringing the long-running regulatory reform program to a close.

Source: *CASA Annual Report 2019–20*

KPI 2 Communication with regulated entities is clear, targeted and effective.

Rationale

Positive feedback from the industry on CASA's interaction through forums and safety seminars is an indicator of the effectiveness of stakeholder engagement. The data includes feedback from CASA's aviation safety seminars along with media and website metrics.

Progress on corporate initiatives and related survey data are also considered.

Summary of 2019–20 performance against KPI 2

The ASAP continues to mature as CASA's primary, high-level engagement mechanism. During 2019–20, the ASAP established 20 TWGs to provide expert technical advice on a range of matters, including fatigue rules, dangerous goods, remotely piloted aircraft systems, airworthiness, and the flight operations suite of regulations. This has allowed CASA to establish regulations which are fit for purpose and supported by industry. The ASAP has predominantly industry membership and Professor Patrick Murray, University of Southern Queensland, is the ASAP's independent Chair.

CASA continued to develop its capability and capacity to consult with industry through the CASA Consultation Hub. This web-based platform, accessed via the CASA home page, provided an accessible means for industry and the general public to formally respond to 48 external consultations conducted during the year. Encouragingly, 4,776 responses to the consultations were submitted.

Feedback was sought on a range of regulatory change proposals and airspace reviews, the bulk recruitment process, sector risks, the myCASA portal, and various safety promotion products events and campaigns.

CASA approached the market for tenders to conduct the 2019-20 stakeholder engagement survey and received three responses. The procurement activity was finalised in April 2020, but due to COVID-19 restrictions the survey was placed on hold. The survey was released in November 2020.

Social media activities continued to show strong results, with significant interactions and engagement across channels. Between 1 July 2019 and 30 June 2020:

- Facebook maintained the largest following, with the number of followers increasing by 3,385 to reach 48,767
- LinkedIn experienced the highest growth, with the number of users increasing by 15,976 to reach 33,139
- Twitter followers increased by 1,517 to reach 13,121
- YouTube followers increased by 1,346 to reach 5,927. The top post during 2019–20 related to the request that drone operators not fly their drones in or near bushfires. The post reached 642,895 people on Facebook, with 51,610 engagements and 9,617 reactions, comments and shares. It was also the top Twitter tweet, with 45,422 impressions and 1,187 total engagements.

CASA's aviation safety seminars, held in locations around Australia, continue to receive high satisfaction rankings from attendees.

Self-assessment = **Very Good**

Results from KPI specific performance measures

Performance measure	Comments
<ul style="list-style-type: none"> Stakeholder feedback mechanisms maintained through the use of the Aviation Safety Advisory Panel and its technical working groups. formal public consultation processes and clear complaints processes. 	<p>CASA's feedback mechanisms include industry forums, public consultations, complaint processes and social media.</p> <p>A range of communication plans have been developed and implemented in support of specific safety initiatives and outcomes.</p> <p>Usage statistics are reviewed regularly for <i>CASAflyer</i>, CASA's internal electronic magazine; <i>Horace Extra and Horace Talking Points</i>, CASA's internal email newsletter; and <i>casa.gov.au</i></p> <p>Social media statistics are also reviewed regularly.</p> <p>Feedback from external forums was positive. Survey results indicated that 98% of participants said that they would recommend a seminar to other pilots.</p>

CASA Corporate Plan 2019–20

CASA's Goal 2 encompassing stakeholder engagement is broadly aligned to KPI 2. The goal includes eight of the Corporate Plan's 26 performance measures. A key summary of CASA's performance against Goal 2 is outlined below.

Goal 2	Measures/result	Key achievements
<ul style="list-style-type: none"> Collaborative engagement with the wider aviation community to promote and support a positive safety culture 	<p>Of eight performance measures:</p> <ul style="list-style-type: none"> 100 per cent were assessed as being completed or on track 	<ul style="list-style-type: none"> CASA conducted 48 public consultations and feedback surveys via the web-based CASA Consultation Hub, on a range of policy proposals and initiatives. CASA provided significant relief to industry in relation to the COVID-19 pandemic. The pandemic continues to disrupt business and flying operations and significantly reduce the overall level of aviation activity. We are actively managing our response to the COVID-19 situation to ensure the ongoing safety of aviation, while taking a flexible regulatory approach to help alleviate the pressure on Australian operations. CASA conducted 163 aviation safety seminars and 546 on-site visits were conducted around Australia reaching more than 5,134 industry members. CASA relaunched a print edition of <i>Flight Safety Australia</i> magazine, available via subscription.

Source: CASA Annual Report 2019–20

KPI 3 Actions undertaken by CASA are proportionate to the regulatory risk being managed.

Rationale

This assessment measures compliance activities undertaken to support the safe operation of air services for the Australian public by regularly reassessing regulatory risk. Compliance and enforcement actions are calculated to address new and evolving regulatory threats and a risk-based approach is adopted to detect potential non-compliance.

Regulatory reform outcomes, safety assurance (compliance) enforcement actions and applications for the review of CASA's decisions in the Administrative Appeals Tribunal and the Federal Court have all been considered in measuring KPI 3.

Summary of 2019–20 performance against KPI 3

While there is a degree of subjectivity in measuring performance against this KPI, as the aviation safety regulator, CASA makes many administrative decisions every year with only a very small percentage ever disputed and escalated through a reviewable process by the Administrative Appeals Tribunal. In the first instance, CASA is far more likely to use tools like counselling or infringement notices rather than referring matters for prosecution. Administrative action to vary, suspend, or cancel an authorisation is only taken when it is necessary in the interest of safety.

The ongoing disruption caused by COVID-19 to business and flying operations along with the corresponding reduction in many aviation activities is being actively managed. CASA continues to take a flexible approach to help alleviate the pressure on Australian operators. CASA has adjusted its approach to surveillance to account for reduced levels of activity and new and emerging sector risks.

The full range of safety and regulatory service available are on the website. CASA's response takes action to reduce the administrative and financial burden on individuals and operations during this difficult time.

Self-assessment = **Very Good**

Results from KPI specific performance measures

Performance measure	Comments
<ul style="list-style-type: none"> Proportionate enforcement action is taken. Number and type of enforcement related actions taken (including counselling, variation, suspension or cancellation of an authorisation, as well as other arrangements involving reliance on industry participants to address identified shortcomings and deficiencies) as a measure of CASA proportionate approach to enforcement-related decision making. 	<p>There were no regulatory changes that increased the regulatory burden in 2019–20.</p> <p>CASA issued 132 aviation infringement notices during 2019–20.</p> <p>As in previous years, most Administrative Appeals Tribunal applications arose from aviation medical certificate matters. Most of the cases were settled prior to the hearing.</p> <p>In 2019–2020, CASA's Industry Complaints Commissioner (ICC) resolved 90 complaints, 62 of which were classified as either 'standard' or 'complex'.</p>

Explanation of CASA's enforcement process and actions

The coordinated enforcement process provides CASA's decision-makers with the benefit of legal, regulatory and technical and/or operational input when considering action that might be taken as a result of a breach of the civil aviation legislation.

Results of this process may include compliance-related action, enforcement action, or both. This may involve administrative action, which could result in the variation, suspension, or cancellation of a civil aviation authorisation, where such action is necessary in the interests of safety. CASA may also take immediate action to suspend a civil aviation authorisation under section 30DC of the *Civil Aviation Act 1988* where there is a serious and imminent risk to safety.

Alternatively, or in combination with actions of the kind mentioned above, we may issue aviation infringement notices attracting a small pecuniary fine. More serious matters may be referred to the Commonwealth Director of Public Prosecutions.

In appropriate cases, CASA may also accept enforceable voluntary undertakings from individuals and companies, or may counsel them, depending on the circumstances of the breach. In many cases, however, the coordinated enforcement process may result in a recommendation that no enforcement action of any kind be taken.

The table below shows compliance-related actions over the past three financial years.

Compliance-related actions, 2017–18 to 2019–20

Action	2017–18	2018–19	2019–20
Enforceable voluntary undertakings	1	0	0
Counselling	106	105	97

Source: *CASA Annual Report 2019–20*

KPI 4 Compliance and monitoring approaches are streamlined and coordinated.

Rationale

This assessment considers information on the progress of corporate initiatives relating to streamlined and coordinated approaches for compliance and monitoring and the stakeholder survey.

Under its National Surveillance Selection Process, CASA achieved 72 per cent of scheduled surveillance against a target of 80 per cent.

To support its assessment against this KPI, CASA has used KPI specific performance measures and the Annual Report.

Summary of 2019–20 performance against KPI 4

CASA took a flexible approach to alleviate the pressure of the impacts of the COVID-19 pandemic on the Australian aviation industry. On 30 June 2020, 72 per cent of surveillance planned for 2019–20 under the National Surveillance Selection Process had been achieved. Prior to the significant disruption to the aviation industry resulting from COVID-19 pandemic,

CASA was on track to exceed the 80 per cent annual target for the completion of planned surveillance events. CASA adjusted the approach to surveillance to account for changing patterns of activity and the changing nature of operational risks faced by regulated entities. Planned surveillance activities were deferred or completed via alternative processes such as desktop review. A high level of regulatory service activity was driven by regulated entities looking to vary the scope of their authorisations to meet the increasing demand in some sectors caused by the significant reduction in airline activity.

CASA introduced a safety risk mitigation plan process and related instruments of approval to enable regulated entities to continue operating in a safe, compliant and efficient manner while dealing with restrictions related to the pandemic. CASA has adapted a specific risk-based methodology for the post-acute phase of the pandemic to prioritise surveillance events that were planned for 2019–20 but were not completed due to COVID-19 restrictions. Those audits were completed between August and October 2020.

Self-assessment = **Good**

Results from KPI specific performance measures

Performance measure	Comments
<ul style="list-style-type: none"> Compliance monitoring is determined through a national surveillance selection process and conducted to plan 	72% of scheduled surveillance audits were conducted. Prior to the significant disruption to the aviation industry resulting from the COVID-19 pandemic, CASA was on track to exceed the 80% annual target for the completion of surveillance events.

KPI 5 Regulators are open and transparent in its dealings with regulated entities.

Rationale

This performance area is assessed through the completion of corporate initiatives and several performance metrics. The metrics identified for this KPI assess CASA's effort to maintain open and transparent dealings through publishing relevant material on the CASA website, consulting on proposed new or amended legislation and conducting forums in accordance with agreed terms of reference.

To support its assessment against this KPI, CASA has used KPI specific performance measures and an explanation of ongoing transparency through its annual reporting approach.

Summary of 2019–20 performance against KPI 5

Evidence that supports transparency in dealing with regulated entities includes a range of documents on CASA processes, guidance and manuals available on CASA's website.

CASA also provides a statement of reasons when it makes unfavourable decisions and ensures that industry meetings have an agenda, minutes and actions. In 2019–20, the ICC received three complaints alleging CASA had not been open and transparent. None were upheld.

ASAP and TWGs continue to mature; panel members can provide their representative members and bodies with additional context and background to CASA's decision making.

The ASAP and TWGs have been acknowledged by industry as being open and transparent in their operation. The TWGs are appointed by the ASAP and provide an opportunity for much broader representation in the consultative process by sectors of industry with relevant expertise

in their respective fields. Although there have been differing views in the past between TWG members from different sectors, the TWGs have shown strong collaboration and a commitment to aviation safety and practical outcomes.

The ASAP met four times and oversaw 19 TWG meetings. The minutes of these meetings are published on CASA's website.

During 2019–20, the ASAP established 20 TWGs to provide expert technical advice on a range of matters, including fatigue rules, dangerous goods, remotely piloted aircraft systems, airworthiness, and the flight operations suite of regulations.

CASA continues to strive for transparency in its corporate reporting and has consistently included information about its key achievements and initiatives which have not been progressed and the factors behind the delay, deferral or discontinuation of these initiatives.

Self-assessment = **Very Good**

Results from KPI specific measures

Performance measure	Comments
<ul style="list-style-type: none"> Percentage of unfavourable decisions accompanied by statement of reasons (100%) Guidance material published/distributed at previously identified milestones in rulemaking process (i.e. at making/commencement etc) Industry forums conducted openly and transparently Stakeholder engagement in the development of new regulations Number of complaints about CASA not being open and transparent 	<ul style="list-style-type: none"> All decisions to vary, suspend, cancel or refuse an authorisation were accompanied by a statement of reasons and followed the legal processes administered by CASA's Legal, International and Regulatory Affairs Division. Processes, guidance and applicable policy manuals are available on the CASA website. All new CASA documents must meet applicable accessibility requirements and guidelines. All minutes and meeting notes of technical working groups, ASAP and regional airspace and procedures advisory committees were published on CASA's website. Public consultation was conducted on all regulation changes that required it via the Consultation Hub. The ICC received three complaints in 2019-20 alleging CASA had not been open and transparent. None were upheld.

CASA Corporate Plan 2019–20

The *CASA Corporate Plan 2019–20* contains performance measures against three corporate goals. Goal 2 encompassing stakeholder engagement is broadly aligned to KPI 5. All measures in place against this goal were assessed as on track or completed.

KPI 6 Regulators actively contribute to the continuous improvement of the aviation safety regulatory framework.

Rationale

A sound aviation safety regulatory framework underpins an acceptable level of safety performance and helps ensure that the safety system is monitored and reviewed to maintain and enhance the level of safety performance in a cost-effective way.

To support its assessment against this KPI, CASA has used specific performance measures, ratings from aviation safety advisor seminars, and performance against the *CASA Corporate Plan 2019–20*.

Summary of 2019–20 performance against KPI 6

CASA has a program of work and processes in place that support continuous improvement of the aviation safety regulatory framework. The success of this program is reflected in the completion of activities highlighted in the Corporate Plan; the ongoing and heightened level of activity improving compliance with international standards and processes that are in place to receive feedback from and engage with industry representatives.

CASA's work on its regulatory program continued during the COVID-19 disruption and remains focused on meeting requirements for the flight operations suite of regulations to commence on 2 December 2021. CASA has improved the implementation of end-to-end project management of regulatory change projects to ensure that projects are properly planned, scheduled and resourced for all project stages before commencement.

Self-assessment = **Very Good**

Results from KPI specific performance measures

Performance measure	Comments
<ul style="list-style-type: none"> Regulatory development is achieved within agreed timeframes and in accordance with reasonable assumptions CASA has effective systems in place to respond to emerging trends in aviation safety risk 	<p>The final tranche of the flight operations regulations was made in December 2019, comprising CASR Parts 103 (sports and recreation aircraft), 105 (parachuting from aircraft) and 131 (balloons and hot airships), and bringing the long-running regulatory reform program to a close.</p> <p>CASA has processes in place to record and consider industry proposals for regulatory change. The processes will improve over time to capture more of the informal feedback from industry.</p> <p>In 2019–20, CASA consulted on 17 regulatory, six advisory and seven airspace change proposals and sought feedback on other initiatives via the CASA Consultation Hub (consultation.casa.gov.au). Forty-eight public consultations and feedback surveys were conducted through the CASA Consultation Hub, with a total of 4,776 responses.</p> <p>CASA's Aviation Safety Committee (ASC) continually reviews data from a variety of sources to inform its decision-making and approach to surveillance and proposed policy development. Aviation safety data and trends were presented and discussed at ASC and CASA Board meetings.</p> <p>Survey data collected from participants in CASA's information sessions for aviation safety advisors indicated a high satisfaction rating.</p>

CASA Corporate Plan 2019–20

The performance information for CASA's Goal 1 in the Corporate Plan is also broadly aligned to KPI 6. Against this goal, 89 per cent of performance measures were on track or completed, 11 per cent were delayed.