



THE VIEW FROM WASHINGTON

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The Emperor Has No Clothes

How many times have we heard about the Federal Aviation Administration's efforts to implement its own safety management system? How many times have we heard the administrator highlight the SMS program used in the Air Traffic Organization as a model of success? How many times has SMS been used as the poster child for "solving" future safety concerns?

I'm sorry, but with all due respect and a nod to AEA board member Barry Aylward for first using this phrase in his reaction to the SMS concept, the emperor has no clothes! There simply is no way that fatigue, at the level identified in the Air Traffic Organization during March and April, could exist in a corporation with an effective SMS program. Where was the risk assessment that allowed a single employee to staff a facility during the most critical human factors hours with the lowest level of activity? Where was the safety assurance that the original staffing plan was appropriate and working as planned?

The emperor has no clothes.

In the 1837 fairy tale "The Emperor's New Clothes" written by Hans Christian Andersen, a couple of "experts" convinced the emperor that his new clothes could only be seen by those who were educated and worthy. Everyone, including the emperor, refused to admit they couldn't see the clothes in fear of appear-

ing stupid. And, while the naked emperor parades through the kingdom, it takes the innocence of a child to say the emperor has nothing on.

Fast forward to today and SMS. One of the basic premises of any management system is encouraging your employees to tell you when you have no clothes, telling you when your plan isn't working. Often, this takes thick skin, especially when you are highly invested in a project, or when, as the administrator has experienced, you promote your program to be the poster child of success.

So, how can it be that the organization that introduced aviation SMS to the American aviation industry be the victim of such a dramatic failure from its own safety management system? I think this was answered by Luke Johnson in his article "The Entrepreneur" published in the April 6, 2011, *Financial Times*. In the article he asks, "How is it that emerging companies can defeat huge established players?" After all, large organizations have virtually all the assets, money, brands, intellectual property, facilities and momentum. The article cites elements such as groupthink, institutional capture, office politics and lack of ownership as basic failures of big business. He also cites the two elements that are directly applicable to regulatory authorities: risk aversion and "an obsession with governance."

We have written many times about the culture of risk aversion that permeates the national authorities today. And, before I get any hate mail, I'm not sure that all of the risk aversion is wrong. I had this same conversation last week with a political advisor from one of the Washington, D.C., think tanks. He was citing his work while at another Washington, D.C., alphabet group where they introduced legislation to enhance FAA standardization. He cited the need for every member of the FAA to speak exactly the same regardless of applicant or issue. After a lengthy discussion, I explained that we want consistency, not "standardization." AEA members have spent hundreds of hours learning the rules and regulations. They participate in product training, and are as good as they get. I don't want them treated the same as some "just-get-by" shop. They are more professional, and I simply want them treated as such.

We also discussed the atmosphere of risk aversion that permeates the FAA. And, I asked why not? When they make a decision, we challenge them, we take them to court or to Congress, and we make them defend their position. We don't defend our position; we make them defend their position. We don't like to accept the thread of concern they may have; we make them explain it to Capitol Hill.

I later explained what I would like.

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As a function of the safety management system, I would like a process that allows an FAA inspector to challenge the administrator's previous decision while doing two things: First, relieve the individual inspector of further liability for the product in question; and second, allow the challenge to be vetted internally through an FAA system with a decision being made by the FAA management at headquarters.

The other element that Johnson wrote about is an obsession with governance. This comment caused me to ponder the effect on a regulated industry. In the article, he writes "increasingly, institutions favor compliance over competence and box-ticking over practical solutions." Clearly, the Agency has been moving away from the "performance-based rule-making" that Congress and the White House has mandated with an over-emphasis on "box-ticking."

Even when, on the surface, the rule appears to be performance-based, the FAA inspector's guidance is prescriptive. While the rule may allow for multiple approaches to solving a problem, the inspector is held to a very prescriptive checklist written and provided by FAA headquarters to determine if the applicant is in compliance with the rule.

I attended the MRO conference in Miami Beach in early April. I had the

opportunity to hear the administrator speak about SMS and how the system will enhance safety; how it is "scalable" to small businesses. In his defense, there are many elements of a management system that encourages employee communication, tracks and manages incidents and applies a structured approach to "strategic" decision making that will enhance safety. But, those aren't the boxes that need to be "ticked."

Since the ATO is the poster child for successful implementation of safety management systems within the Agency, I have a few questions: How in the world did four incidents of fatigue not trigger a safety assurance review? Why wasn't a safety assurance review triggered by watching a movie in the controller cab? And, why didn't this failure of the SMS program trigger a review of the system rather than more of the same — firing the scapegoat?

I'm sorry Mr. Administrator, the emperor has no clothes. You have a staff that has "an obsession with governance." They are more interested in "box-ticking" than actually evaluating the performance of the system; because if "their" system failed, they failed. SMS is designed to eliminate such elements and requires institutional "thick skin." It is designed to eliminate the continuation of failed or misguided projects when no

one can admit failure, take the blame and switch course. Remember, within the government, like major corporations, the penalty for failure far exceeds the benefit of success.

Finally, there is scalability, the ability to size the program to the needs of the business. But, in order to have an SMS program, you must have these items. The FAA must be able to tick off the boxes for each element; otherwise it's a nice program, but not SMS.

This reminds me of a government agency who defines an airplane as a fuselage, control surfaces and four engines, then argues that the airplane is scalable, making it as big or as small as you'd like, as long as it has four engines. I can tick off that it is indeed an airplane as long as the vehicle has four engines. But, not all airplanes need four engines, and not every business needs every pre-described element of a management system for safety. And, maybe they don't need them to fly safely.

While objecting to anything "safety" seems sacrilegious, some concepts still need to be vetted through the learning process. While a solid "idea," this product has no clothes. □

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