



Ministry of Defence

Air Command Secretariat
Spitfire Block
Headquarters Air Command
Royal Air Force
High Wycombe
Buckinghamshire
HP14 4UE

Ref. 2018/10717

[REDACTED]

13 September 2018

Dear [REDACTED],

Thank you for your e-mail of 16 August 2018 asking for information about damage to two Phenom aircraft. You asked for the following information:

I am writing to ask about the two Phenom T Mark 1 aircraft, ZM335 and ZM336 damaged on July 3 and stored at RAF Waddington ever since.

I have been informed that one of the two has already been declared Category 5 (Damaged beyond economical repair).

I would like to know the following:

Is my information about one of the aircraft being declared Cat.5 correct?

If so, which aircraft is it?

What is the condition of the other aircraft?

If my information is incorrect, what is the condition of the aircraft and why have they not been used for flying training since July?

How is this affecting Affinity's flight training programme? With 40% of the fleet out of service, what steps have been taken to ameliorate the problem?

Will more of the type be leased or bought to replace one or both of the airframes concerned?

Which organisation will bear any financial penalties arising from the incident, that is to say, are the aircraft insured for such damage, will Affinity have to pay or will the tax-payer?

Has an enquiry into the circumstances surrounding any damage been convened or scheduled?

Are the pilots subject to military discipline?

I am treating your correspondence as a request for information under the Freedom of Information Act 2000. A search for the information has now been completed within the Ministry of Defence, and I can confirm that some information in scope of your request is held.

On 3 July 2018 the wingtips of two Phenom aircraft came into contact with each other suffering relatively minor damage to the wings, with one aircraft also suffering some fuselage damage. Neither aircraft suffered *Category 5* damage. One aircraft is due to be flown to RAF Cranwell for minor repairs prior to a full return to flying duty. The second aircraft is subject to further assessment before a recovery plan can be put in place. Both aircraft are insured by Affinity who provide them under contract to the MOD, although the MOD may be liable for an excess on the insurance, dependent on the amount of damage.

There has been no impact on student training as the training programme is still in the development "*test and adjust*" stage and full aircraft availability is not yet required. However, under the terms of its contract, Affinity can provide replacement aircraft if necessary.

An Occurrence Safety Investigation into the incident is ongoing and it would be inappropriate to comment further until it is completed.

If you have any queries regarding the content of this letter, please contact this office in the first instance.

If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely


Secretariat 3a1
Air Command