

Reforming Aviation Security

A new model for security regulation

The Government believes that the current regulatory regime for aviation security is in need of modernisation.

The DfT has consulted on proposals to modernise the regulatory regime for aviation security. Modernisation will be designed to promote innovation and efficiency, ensure the best possible passenger experience and bring it into line with better regulation principles.

The proposed approach is intended to give operators greater flexibility and responsibility to design security processes that deliver specified security outcomes, with greater emphasis placed on the needs of their passengers. At present operators must simply comply with prescriptive security requirements. Giving operators greater flexibility would incentivise them to innovate and give more scope to embed security within day-to-day business activities. A similar approach has been taken in aviation safety regulation. Modernisation would be achieved by introducing the use of Security Management Systems (SeMS) by industry and a regulatory regime that is more outcome-focused and risk-based (so called OFRB). Industry has expressed strong support for moving away from the current highly centralised and prescriptive regime. It recognises that the proposed reforms will take several years to develop and implement.

The Government's priority at all times is to ensure the UK's high levels of aviation security

The proposed reforms represent a significant change in the approach to the regulation of aviation security both for the industry and the regulator. We have therefore decided to take an incremental approach to reform to ensure that the UK's high level of aviation security is ensured at all times. This incremental approach also aligns well with the Government's intention to embed a culture in industry of continuous improvement of the UK's aviation security regime, as has been the case for aviation safety.

The development of the regulatory regime for aviation security will build upon the successful approach adopted for aviation safety regulation

The development of the modern aviation safety regulation regime shows that the proposed approach encompasses varying degrees of focus on outcomes and risks. For aviation security the degree of focus will be largely determined by the pace at which an organisation develops better risk management and at which the regulator develops better means of oversight and seeks reform of aviation security requirements. This approach for safety is built upon the foundations of Safety Management Systems (SMS). It encourages industry to focus on safety outcomes and manage its risks, and also recognises that compliance with requirements is a necessary and important foundation that must be retained.

In aviation security, the journey is just beginning. Starting from a regime that is focussed on complying with prescriptive requirements, industry would in future take more responsibility for achieving specified security outcomes. Over time, as each operator's SeMS matures, it would enable a greater degree of risk-driven decision making and bespoke security processes. Growing industry ownership and performance would help build the case for the requirements to become outcome-focused.

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In security regulation, as in safety, there will always be the need for continued compliance verification as well as outcome monitoring. It may not be possible or desirable to state all security requirements in terms of specified outcomes, especially for newly-emerging threats. Industry will not have complete knowledge of security matters, and there must be some reliance on government to advise what the risks are. The design of an outcome-focused risk-based regulatory structure for security would therefore depend on several factors including the ability to share sufficient information, the degree to which industry could and would take ownership of the risks, government's accountability for security and European legislation.

SeMS is a systematic approach to managing security and embedding security in the day-to-day activities of the organisation.

Therefore, we are starting with a series of pilots in which industry operators will develop the SeMS approach and in so doing create an enhanced internal security culture. Once these pilots have been concluded and we are satisfied that the SeMS framework is sufficiently robust, we shall look to roll it out generally across the industry. This will provide a sound basis for the design and development of the regime.

Progress towards a fully OFRB regime will be largely dependent on reform of European aviation security legislation.

Many organisations have commented that the full benefits of OFRB – in particular flexibility for operators in the design of security processes – require changes to the highly prescriptive European legislation which specifies the common basic standards for aviation security. We will be using the SeMS pilots to build the evidence base necessary to engage with our European partners and make the case for change.