DOTARS Responses to Additional Questions from JCPAA (5 February 2004)

Security awareness training for ASIC holders

The DoTaRS submission of 8 January 2004 refers on page 9 to the need for the Department to approve the programs of ASIC issuing bodies. Many people receiving ASICs will undergo security training because of the nature of their duties. A proportion, however, will not receive job-related security training.

Fact Sheet 2, attached to the submission, contains the comment that the security programs of aviation industry participants must …

"demonstrate that the participant:

- *is aware of their general responsibility to contribute to the maintenance of aviation security*

- *has developed an integrated, responsible and proactive approach to managing aviation security"*

1. *Would you respond to the suggestion that **all** ASIC holders should receive minimum security awareness training irrespective of their duties? (Such awareness training would 'contribute to the maintenance of aviation security'.)*

Security awareness training is not currently mandated for all ASIC holders. This issue may be considered in the context of the development and approval of transport security programs, pursuant to the proposed regulatory regime set out in the new Aviation Transport Security Bill which passed the Senate on 3 March 2004.

2. *Does DoTaRS intend to provide ASIC issuing authorities with advice/guidance regarding the provision of security awareness training to all those being issued with an ASIC (in particular to ASIC holders who don't receive job-specific security training, for example to cleaning staff)?*

- *If yes, how and in what form will this advice/guidance be provided?*

As part of the implementation of the proposed regulatory regime set out in the new Aviation Transport Security Bill, DOTARS will consult with aviation industry participants through various forums. DOTARS recognises that the needs of individual aviation security industry participants will vary and will provide advice and guidance in a range of forms, including written advice and or on-site visits.

A broad ranging review of security training (not just for ASIC holders) currently is being canvassed with the industry.

Audits of regulated agents

The Government announcement of 4 December 2003 states that it 'will put in place greater compliance monitoring and enforcement of the current Regulated Agents Scheme and extend the scheme to domestic air freight.'

*DoTaRS' submission of 8 January advises that there will be a four-fold increase in resources to monitor industry compliance **including** that of regulated agents.*

3. *Would you provide an update on DoTaRS' **specific** plans for auditing the regulated agents who handle international air freight?*

The Office of Transport Security within DoTaRS is finalising details of an audit program that will commence in March 2004 and result in 70 regulated agents being audited by OTS officers between March and June 2004. In the light of these audits the program will be fine tuned to form the basis of a continuous audit program.

After July 2004 the audit program will be expanded to cover regulated agents handling domestic airfreight in line with the decision announced on 4 December 2003.

4. *Would you provide a brief on how DoTaRS intends to give effect to the Government's announcement that the regulated agents scheme will be extended to cover domestic air freight? What are the plans for auditing compliance of agents dealing in domestic air freight?*

The regulated agents audit program being resumed from March 2004 will be expanded to incorporate agents handling domestic air freight after July 2004. These domestic agents will be brought within the established regulated agents' scheme for international freight handlers.

In many cases these forwarders also handle international air freight and will already be regulated agents. The strategy to expand the regulated agents scheme will be finalised in consultation with industry. It will include a targeted communications component designed to inform domestic air freight forwarders of the requirement for them to comply with the scheme

Advice of outcomes of audits

At the public hearing in Melbourne on 12 November (Transcript p. 11) Qantas suggested that if an audit or inspection of an airport concerned processes which affected the operations of carriers, those carriers should be advised of the outcome. Qantas argued that the mechanism would enable all concerned to improve that process.

5. *Would you respond to Qantas's comment? Would it be appropriate for Airport Security Committee to be advised of the outcome of DoTaRS audits?*

Airport audit findings are generally discussed at the relevant Airport Security Committee (ASC) meetings. The Department writes to industry to formally notify them of the outcome of audits. It is standard practice for airports to table this correspondence at ASC meetings, and to use this forum to discuss relevant issues. Airlines usually attend ASC meetings, therefore, affected carriers are usually informed of the outcome.

The Department is currently working with industry, including Qantas, to develop an industry wide cooperative information sharing approach to some of the other compliance monitoring activities undertaken by both the Department and industry.

Skills of DoTaRS personnel

Qantas on page 13 of its submission of 6 August 2003 makes the following comment:

> *… extensive restructuring of the Aviation Security Policy Branch of DoTaRS in recent years has resulted in a lack of leadership and in the loss of significant experience. It is vital that there is some security, airport, airline, aviation, law enforcement or similar operational expertise in the Branch to ensure that the outcomes envisaged by policy are achievable in practical terms.*

6. *What is the number and proportion of staff in the Branch, including those in Central Office, who have the skills identified by Qantas as being vital? Do you consider those skills to be vital—if not, why not?*

The Department notes the above comments made by Qantas, and believes that a wide range of skills and experience are necessary for it to undertake its aviation security regulatory task. These comments tend to over-simplify the organisational change that has been affecting what is now the Office of Transport Security, and is a common feature of most organisations, including Qantas, at some stage in their evolution

The twenty-two Aviation Security Regulation staff directly involved in aviation security compliance activities at this time, both in Regional and Central offices, either have backgrounds of the kind referred to by Qantas, or have long standing experience working in the aviation security field. These backgrounds are appropriate for an organisation whose role it is to regulate, rather than to deliver, aviation security.

It is also important to note that the Department operates within the framework of the Public Service Act, APS code of conduct and merit selection processes when it comes to the selection and recruitment of staff.

As indicated in the Department's response of 8 January 2004, "the importance of a structured training program has long been recognised by the Department, and considerable work has already been done in this regard. This was foreshadowed in DOTARS' submission to the JCPAA of 16 May 2003, which noted that 'appropriate surveillance training for Departmental security inspectors' would be incorporated in the process of developing and moving towards a systems-based auditing approach."

Training of Aviation Security Regulation staff is important because expectations and skills requirements are changing rapidly. We will be as subject to those changing demands as the bodies we regulate. For example, as the Committee has been previously advised, the Enhanced Aviation Security Package contains a number of new initiatives not previously captured by our regulatory regime including the regulation of regional airports, operators of freight aircraft, charter flights, and private and corporate jets, and a major expansion of the ASIC scheme.