

1. Briefing: Meeting with OGA

MINISTER FOR ENERGY, CONNECTIVITY AND THE ISLANDS

MEETING WITH ANDY SAMUEL, OIL AND GAS AUTHORITY

Date and Time of Engagement	Tuesday 11 December, 12:00 – 13:00 (including a light lunch)
Where	AB1 Building 48 Huntly Street Aberdeen AB10 1SH
Key Message	The Scottish Government is committed to a sustainable future for the oil and gas sector in Scotland and to working in partnership to secure the total value added for the economy and the industry.
Who	<ul style="list-style-type: none"> • Andy Samuel, Chief Executive
What	Key Discussion Areas: <ul style="list-style-type: none"> • [Out of Scope] • Offshore Health and Safety • [Out of Scope]
Why	This meeting provides an opportunity to demonstrate the Scottish Government's on-going support of the oil and gas sector and to hear about work of the OGA.
When	12:00 – 13:00; Tuesday 11 December
Supporting Official	[REDACT]
Media Handling	N/A
Dress code	Business attire
Greeting Party and specific meeting point on arrival (if at a non SG Building)	OGA contact [REDACT]
Specific entrance car/parking arrangements	The driver will be directed to a space on entry to the car park.
Briefing Contents	Annex A – Summary Annex B – Biography

PURPOSE: Summary

- **[OUT OF SCOPE]**
- **Offshore Health and Safety**
 - The Minister committed to raising Offshore Health and Safety with the OGA after the recent joint ministerial meeting with the Offshore Unions and Lewis Macdonald MSP.
 - The OGA have publicly stated that **workforce engagement issues remain a cause for concern**; and that investors have raised these concerns directly with the OGA.
 - The OGA does not have a role in health and safety, but have publicly stated they will respond if issues are raised with them directly.
- **[REDACT]**
- **[OUT OF SCOPE]**

ANNEX B – BIOGRAPHIES**Dr Andy Samuel, Chief Executive**

Andy joined the OGA as Chief Executive in January 2015. He previously held senior positions within the oil and gas industry, including 20 years with BG Group – the last two as MD, Europe Exploration and Production.

2. Readout: Meeting with OGA**MINISTER FOR ENERGY, CONNECTIVITY AND THE ISLANDS
MINUTES – MEETING WITH ANDY SAMUEL, OGA**

Date / time	Tuesday 11 December, 12:00 – 13:00
Where	AB1 Building 48 Huntly Street Aberdeen AB10 1SH
Reason for the meeting	<ul style="list-style-type: none"> • This meeting provides an opportunity to demonstrate the Scottish Government's on-going support of the oil and gas sector and to hear about the work of the OGA.
Attendees	<ul style="list-style-type: none"> • Paul Wheelhouse, Minister for Energy, Connectivity and the Islands • Andy Samuel, OGA • Stuart Payne, OGA • Chris Walker, OGA • [REDACT]
Minutes	<p>Key Discussion Areas:</p> <ul style="list-style-type: none"> • [OUT OF SCOPE] • Offshore Health and Safety <ul style="list-style-type: none"> ○ Workforce Engagement Toolkit ○ Workforce Engagement Review • [OUT OF SCOPE]
Actions	<ul style="list-style-type: none"> • Distribute minutes, SG.

3. Briefing: Meeting with CAA

Cabinet Secretary for Transport, Infrastructure and Connectivity

MEETING WITH CIVIL AVIATION AUTHORITY THURSDAY 22 NOVEMBER, 15:15

Key Message	Those working in the offshore oil and gas industry must have confidence that every effort is being made to keep them safe when travelling to and from platforms and other offshore facilities.
Who	Rob Bishton, Head of Flight Operations, Civil Aviation Authority Rick Newson, Flight Operations Manager, Civil Aviation Authority
What	Meeting to discuss helicopter safety and concerns raised by the Unions.
Why	Following a members debate on 24 October 2017 to discuss workforce concerns regarding helicopter safety in the North Sea, the previous Transport Minister met with Lewis Macdonald MSP and the Unions in December 2017. The Unions subsequently wrote to the former Transport Minister in February 2018 providing a briefing on their concerns. Mr Matheson and Mr Wheelhouse met with Lewis Macdonald MSP and unions on 5 September as a follow up.
Where	T3.03, Scottish Parliament
When	15:15 to 16:00, Thursday 22 November 2018
Supporting Officials	Name: [REDACT]
Briefing	Annex A: Welcome & introductions Annex B: Union Concerns and calls for an inquiry Annex C: Civil Aviation Authority role and previous action taken Annex D: Civil Aviation Authority Governance body to implement review Annex E: Airbus Super Puma Annex F: [OUT OF SCOPE] Annex G: Biography

Copy to:

Minister for Energy, Connectivity and the Islands
Transport Scotland Secretariat
Chief Executive, Transport
Transport Scotland Directors
[REDACT]
John McFarlane, Special Adviser
Callum McCaig, Special Adviser
Press Transport Scotland
DG Economy
Communications Economy
Lord Advocate

ANNEX A

Agenda & Discussion Points

1. Welcome & introductions
2. Union Concerns and calls for an inquiry
3. Civil Aviation Authority role and previous action taken
4. Civil Aviation Authority Governance body to implement review
5. Airbus Super Puma

6. Aviation and EU Exit

Item 1:	Welcome and Introductions
Key Message:	<ul style="list-style-type: none"> • The safety of offshore workers in the North Sea is of paramount importance to the Scottish Government. Nothing is more important than ensuring the safety of those who work offshore. • It is important there is a collaborative approach to health and safety offshore, including government, the unions, the regulators, Oil and Gas UK, and the workforce, to ensure the continuation and safety of the offshore workforce and operations in the North Sea. • The passengers, flight crew, and their families must have confidence that everything possible is done by regulators, the aircraft operators, the manufacturer, and the oil and gas industry to minimise the risks when flying in the North Sea. • Acknowledge the appetite of all those involved: unions, helicopter operators, oil and gas companies and regulatory bodies to do everything possible to ensure workers in the North Sea have a safe journey to and from work. • All parties have a role to play in offshore health and safety.

Item 2:	Union concerns and calls for an inquiry (Annex B)
Key Messages:	<ul style="list-style-type: none"> • I met with Lewis Macdonald MSP and representatives of the Unions on 5 September this year. • Unions are looking for support for a wide-ranging inquiry into offshore helicopter safety, and the effect of commercial pressures on safety. • The Unions wrote to the previous Transport Minister in February 2018 providing a briefing on their concerns with helicopter safety.
Discussion:	<ul style="list-style-type: none"> • [REDACT]
	Background briefing for this item is set out in Annex B

Item 3:	Civil Aviation Authority Role and previous actions taken (Annex C)
Key Messages:	<ul style="list-style-type: none"> • The regulation of aviation safety is a reserved matter for the UK Government, however it is important there is a collaborative approach between all stakeholders to health and safety offshore to ensure the workforce have confidence that every effort is being made to keep them safe when travelling to and from offshore facilities.
Discussion:	<ul style="list-style-type: none"> • [REDACT]
	Background briefing for this item is set out in Annex C

Item 4:	Civil Aviation Authority Governance body to implement review (Annex D)
Key Messages:	<ul style="list-style-type: none"> • [REDACT] We remain as observers on the safety leadership group going forward.
Discussion:	<ul style="list-style-type: none"> • [REDACT] • Recently the Offshore Helicopter Leadership Group (OHSAG) has been formed in order to consolidate the activities of OHSAG and the Step Change in Safety Helicopter Safety Steering Group (HSSG), arising out

	<p>of a desire to simplify the approach, avoid duplication and sharpen the focus on the key aviation risks, providing leadership on different industry issues. It is a Senior Leadership Group, comprised principally of those who own, manage and regulate the operational risk of UK offshore helicopter operations. Membership includes the CAA, helicopter operators, representatives of the oil and gas industry, union representatives, and a Step Change in Safety Leadership representative.</p>
	<p>Background briefing for this item is set out in Annex D</p>

Item 5:	Airbus Super Puma (Annex E)
Key Messages:	<ul style="list-style-type: none"> • [REDACT]
Discussion:	<ul style="list-style-type: none"> • The CAA UK and CAA Norway issued a press release on Friday 7 July 2017 announcing that the restrictions on the H225LP and AS332L2 Super Puma helicopters were to be lifted. This was announced with limited prior notice and before a meeting of the Offshore Helicopter Safety Action Group (OHSAG) to inform this forum first and then decide on a joined up press statement. The Unions were unhappy that the CAA made this decision before knowing the cause of the 2016 accident and issued a statement to that effect on 13 July 2017. • The Unions were strongly against the reintroduction of the Super Puma aircraft and have been vocal in this position. They have also renewed calls for a Public Inquiry, as well as previously questioning their continued membership of the Offshore Helicopter Safety Leadership Group (OHSLG). • Oil and Gas operators have publicly stated that they have 'no plans' for the return of Super Pumas to their North Sea operations. The Oil and Gas Authority have been monitoring the effect of grounding the Super Puma on UKCS production, and have not seen any significant impact to date. • A plan of checks, modifications and inspections needs to be undertaken before any flights take place. It will also be for operators and their customers to decide whether they wish to re-introduce the helicopters to service. In order to resume operations individual operators will need to supply safety cases to ensure that they have all the necessary measures (procedures, processes, tooling and training) in place for a return to service. • The CAA announcement did not mean an immediate return to service and as yet no operator has returned to the type into North Sea operations. It is dependent on the discretion of individual companies, and the requirement of a robust safety case. The offshore unions views (UNITE, RMT GMB and Nautilus) remain unchanged that the Super puma H225 should no longer be used offshore.
	<p>Background briefing for this item is set out in Annex E</p>

Item 6:	Brexit and EU Exit (Annex F)
Key Messages:	<ul style="list-style-type: none"> • The best way to protect Scottish transport interests is to remain in the EU, failing that continued membership of the single market and customs union is the least damaging option for EU Exit. • This would ensure continued access to the EU and allow Scottish

Discussion:	businesses to export goods and services across Europe without additional costs or barriers.
	Background briefing for this item is set out in Annex F

Annex B

Union concerns and calls for an inquiry

[REDACT]:

- Transport Select Committee took the view that commercial pressures did indeed have the potential to influence safety and as such this subject should be investigated. They supported the views of the TUs that a Public Inquiry should be held:
- *“BALPA has called for a tightly focused public inquiry to consider the issues outwith the CAA review. It is proposed the inquiry would examine; the control of the offshore helicopter industry by the oil companies who charter services from the helicopter companies.”*
- This recommendation was rejected by the UK Government.

Also, Unite and RMT’s joint statement of 13 July 2017 (responding to the lifting of the Super Puma ban) noted:

“Additionally, and as a consequence of the CAA actions, we will be renewing calls for the inquiry proposed after the UK Transport Select Committee's recommendations in 2014/15.” We will also convene an early Offshore Coordinating Group meeting to discuss the continued TU membership representation on the OHSLG, as clearly with such an impasse our participation is now questionable.”

[REDACT]

For awareness, On 9 August 2018, the Air Accident Investigation Branch published a report into an incident at Scatsta Airport, Shetland, on 29 January 2018. During a final approach to land at Scatsta the nose landing gear on a Sikorsky S-92A failed to extend despite being recycled and the use of the emergency blowdown system. The exact cause of the failure of the nose landing gear to centre the nosewheels could not be determined. The operator has taken three safety actions as a result of this incident. The incident was recorded on mobile phone footage and Tommy Campbell, Offshore Coordinating Group and UNITE went on national news to indicate that they believed the incident to be related to maintenance and reiterated calls for a Public Inquiry in to commercial pressures.

- [REDACT]

Oil and Gas UK Health & Safety Report 2018

Key Points - Offshore Helicopter Operations:

- Since 1997, four fatal accident have claimed the lives of 38 offshore workers and flight crew, and there have been 16 non-fatal accidents.
- Offshore helicopter operations in 2017 were conducted without accident.
- There was a decrease in the five-year accident rate to 0.52 per 100,000 flying hours.
- Flying hours decreased in 2017 from 88,983 to 69,005 but more passengers were transported - 820,158 against 715,011 in 2016.
- The active helicopter fleet in 2017 numbered 70 aircraft, of six airframe types. Over half the fleet is of a single airframe type, the S-92, which carried two-thirds of passengers. **NB:** *Reliance on a single airframe model for the majority of offshore commercial air transport could limit the resilience of the sector – the OGUK Aviation Safety Technical Group maintains a watching brief in this aspect of aviation logistics.*

Civil Aviation Authority Role and previous actions taken

[REDACT]

[REDACT] The CAA were undertaking a Strategic Review of Offshore Helicopter Operations, which was published in February 2014. The Terms of Reference for the review were that it should study current operations, previous incidents and accidents and offshore flying in other countries in order to make recommendations aimed at improving the safety of offshore flying. Specifically, the objective of the review was:

- to conduct a systematic analysis of safety performance regarding the totality of the helicopter operations in the North Sea
- assess the current risks to performance paying particular attention to the causal factors that have contributed to previous accidents
- undertake a comprehensive review of all previous accident and incident documentation, including from similar international environments
- review the scope and development of current regulations and emerging technological advancements

The review was extensive and detailed. The work was carried out in conjunction with the European Aviation Safety Agency (EASA), the Norwegian CAA, and helicopter experts. We supported the review and were represented on its Challenge Group. The review established that the main causal factors of these accidents were operational (pilot performance); technical (rotor and transmission failures) and environmental factors (lightning strikes). It noted that it is unrealistic to expect that accidents and ditchings can be eliminated altogether so also examined measures to reduce the likelihood of fatalities in a crash or ditching on water, in particular death by drowning.

The review made a number of detailed recommendations and actions to reduce the likelihood of accidents occurring. Some were for the CAA to progress while others are aimed at EASA and helicopter operators. The recommendations included:

- Prohibiting flights in the most severe sea conditions so that the chance of a ditched aircraft capsizing is reduce and a rescue can be safely undertaken
- Imposing restrictions on helicopter flights in serious sea conditions
- Only allowing passengers to sit next to an exit window unless they have improved breathing equipment or the aircraft is fitted with side floats. This recommendation recognises that the risk of drowning in a capsized aircraft is greater for passengers sitting in an aisle sea.
- A requirement for all passengers to be equipped with emergency breathing systems to increase the prospects of escape from a capsized helicopter.
- Recommending to EASA modifications to aircraft concerning side floats, automatic flotation equipment, hand holds next to escape windows and improvements to life rafts and lifejackets and recommendations to the industry to take this action in advance of EASA rules being changes.
- Various recommendations to EASA for improving airworthiness including preventing spurious "LAND IMMEDIATELY" warnings, improved design requirements for rotor and transmission systems, and improvements in Vibration Health Monitoring systems (a system which senses vibration and warns the pilot that something is about to malfunction before it actually does).

[REDACT]

The second review at the time was being conducted by the House of Commons Transport Select Committee at Westminster. This was established following the Sumburgh crash. The Committee took evidence on:

- the safety of offshore flights
- how the UK's safety record compares with that of other countries (which was already examined in the CAA review)
- steps that could be taken by industry to improve safety
- how legislation and regulations could be improved
- The effectiveness of regulators, including EASA, in ensuring recommendations to improve safety are implemented

The Select Committee report from 2014 noted: *The CAA review did not consider the evidence that commercial pressure impacts on helicopter safety in sufficient depth. The Government must convene a full, independent public inquiry to investigate commercial pressures on helicopter safety in the North Sea operating environment. That inquiry must also examine the role and effectiveness of the CAA. In addition, the DfT must commission ongoing independent research similar to the SINTEF reports in Norway to examine improvements and threats to offshore helicopter safety. Once published, this research should be laid before Parliament for consideration.*

The issue of commercial pressures on offshore helicopter operations and their impact on the safe transport of offshore oil and gas workers has previously been raised, including through Parliamentary Questions, [REDACT]. Previous Parliamentary Questions at Westminster concerning commercial pressures on offshore helicopter operators have seen the UK Government respond that the issue is monitored by the CAA. A question from Alex Cunningham (Stockton North) on 5 March 2018 asked:

To ask the Secretary of State for Transport, what recent assessment he has made of trends in commercial pressures on helicopter companies which are privately contracted to transport offshore oil and gas workers in the North Sea; and if he will make a statement.

This was answered by Jesse Norman on 12 March 2018 who said:

- *Offshore helicopter services provide a vital link to ensure the viability of the UK's oil and gas industry. High standards of air safety are a fundamental concern in ensuring these services are commercially viable. Through the Aviation Strategy, the Government will look at its role in supporting the commercial success of operators whilst balancing this against environmental and safety concerns.*
- *As the UK's aviation safety regulator, the Civil Aviation Authority's (CAA) concern is whether the commercial environment has any impact on safety. The CAA monitors all aspects of the operations of offshore helicopter companies and any risks to safe operation through its safety oversight programme.*
- *The CAA has announced a series of measures to increase the safety of offshore helicopter flights and continues to work with the helicopter operators, the offshore industries, international regulators, unions and pilot representatives to enhance offshore safety standards still further.*

Annex D

Civil Aviation Authority Governance body to implement review

In response to the accidents prior to the 2016 accident, the CAA, in conjunction with EASA, the Norwegian Aviation Authority and an independent peer review group undertook a review of offshore helicopter flying and published its recommendations in February 2014. In gathering evidence for the review the CAA engaged with trade unions representing industry workers and pilots, the oil and gas industry, helicopter operators, manufacturers, government, regulatory bodies and other experts in the field, as well as analysing available data and reports.

These were intended to (1) help prevent helicopters crashing/ditching and (2) in the event of a ditching increase the likelihood of survival. The recommendations have been taken forward by a Group comprising the CAA, helicopter operators, the oil and gas industry and unions. The Scottish Government supported this review and Transport Scotland has observer status on the Governance Body that was put in place by the CAA to drive implementation of the recommendations and monitor progress. The governance group was termed the Offshore Helicopter Safety Action Group (OHSAG).

The measures include:

- Prohibiting helicopter flights in the most severe sea conditions, so that the chance of a ditched helicopter capsizing is reduced and a rescue can be safely undertaken.
- Pending further safety improvements to helicopters, passengers will only be able to fly if they are seated next to an emergency window exit to make it easier to get out of a helicopter in an emergency (unless helicopters are fitted with extra flotation devices or passengers are provided with better emergency breathing systems).
- Requiring all passengers to have better emergency breathing equipment to increase underwater survival time unless the helicopter is equipped with side floats.

[REDACT]

The OHSLG have set the following objectives:

- To identify and prioritise offshore aviation risks and devise a workplan to ensure effective action is taken to minimise those risks.
- To share and monitor the top risks identified individually by each helicopter operator.
- To maintain oversight of all work contributing to improvements in helicopter safety.
- To facilitate dialogue between helicopter operators, offshore oil and gas industry representatives, worker representatives, the CAA and others.
- To provide the CAA with a mechanism to consult stakeholders on issues bearing on the management, control, and regulation of offshore aviation risks.
- To work in partnership with Heli-offshore and establish or maintain links to other relevant bodies involved in offshore helicopter safety, driving consistency and the implementation of best practice for the UK sector.
- To display leadership and promote a strong culture of safety across the sector.
- To ensure progress on offshore helicopter safety issues is effectively communicated to the wider industry and the workforce.

The working agenda will be set by holding an annual risk workshop to establish /revise an industry “risk register”, prioritising the key risks to be worked. The Group will produce an Annual Report of their activities.

Annex E

Airbus Super Puma – return to service

The move to lift the ban on the Super Puma followed extensive investigation, testing and changes to the helicopter and its maintenance. For awareness the helicopter had already been cleared to fly by the European Aviation Safety Agency (EASA) in October 2016, however the restrictions remained in place in the UK and Norway until further enhancements had been made.

The restrictions were imposed following the fatal accident of a H225 near Turøy in Norway in April 2016. The two helicopter types, popularly known as Super Pumas, were restricted from being used commercially by UK and Norwegian operators.

Both the UK CAA and the Civil Aviation Authority of Norway have remained in close contact with EASA; UK and Norwegian operators; and with the manufacturer, Airbus, which has developed the modifications and enhanced safety measures for the type. Changes and modifications made to the helicopter and its maintenance by Airbus Helicopters include:

- Change in the design by removal of the components that were susceptible to premature deterioration.
- Earlier replacement of components.
- Design change to introduce an improved maintenance inspection method to detect any deterioration at an early stage.
- More frequent inspections.
- Reduction in the thresholds for rejecting components based upon early signs of any deterioration.

[REDACT]. The CAA did not taken the decision lightly. They made it after receiving extensive information from the Norwegian accident investigators and being satisfied with the subsequent changes introduced by Airbus Helicopters through detailed assessment and analysis. They would not have made the decision unless they were convinced that the changes to the helicopters and their maintenance restore the required airworthiness standards.

The regulatory oversight in this area is reserved to the UK Government and sits within the CAA. Decisions about airworthiness of an aircraft are taken by regulators such as the CAA and EASA, however helicopter operators can choose to suspend flights without waiting to be directed to do so by

the regulator. It is for Airbus to increase the confidence of passengers in this aircraft, this is not the role of the regulators or operators. The regulator must maintain their independence.

The final report into the fatal accident near Turøy was published by the Accident Investigation Board Norway in July 2018. The report concluded that the accident was a result of a fatigue fracture in one of the eight second stage planet gears in the epicyclic module of the main rotor gearbox. The investigation has shown that the combination of material properties, surface treatment, design, operational loading environment and debris gave rise to a failure mode which was not previously anticipated or assessed. There were no connections between the crew handling and the accident. Nor was there any evidence indicating that maintenance actions by the helicopter operator contributed to this accident. The failure developed in a manner which was unlikely to be detected by the maintenance procedures and the monitoring systems fitted to the helicopter at the time of the accident.

Annex F

[OUT OF SCOPE]

Annex G

Biographies

Rob Bishton, Head of Flight Operations, Civil Aviation Authority

Biography and photo unavailable at this time.

Rick Newson, Flight Operations Manager, Civil Aviation Authority



Rick is the Flight Operations Manager for the rotorcraft section within CAA Flight Operations. Rick is responsible for the safety oversight of UK commercial helicopter air operators wherever they operate globally using a team of Inspectors recruited from the highly diverse UK helicopter industry who themselves are highly experienced pilots with management and pilot training backgrounds. Rick has been with the CAA since 2002 initially working within the team he now manages as a Flight Operations Training Inspector. His flying experience includes a military flying career in the Royal Navy, extensive civil flying in Police, Helicopter Emergency Medical Service operations and pure passenger commercial air transport both on and offshore in a variety of helicopter types as both a manager and pilot Training Captain.

4. Readout: Meeting with CAA

Helicopter Safety – meeting with CAA 22 November 2018

Attendees:

- Cabinet Secretary for Transport, Infrastructure and Connectivity
- Rob Bishton, Head of Flight Operations, CAA
- Rick Newson, Flight Operations Manager, CAA
- [REDACT]

Notes:

- Mr Bishton is accountable for commercial air transport.
- Offshore is unique in that people who fly don't buy the tickets.
- Cap 1145 still a relevant document, some work still ongoing. [REDACT]
- 90 day contact terms discussed – on top of risk list.

- OHSAG discussed – representatives of operators, unions, oil & gas UK and SG (in observer capacity) – includes task and complete work groups and a forum to share best practice.
- Heli-offshore can challenge decision from leadership group.
- Cabinet Secretary queried if offshore industry have baseline of technical issues. CAA referred to TDR – Technical Dispatch Reliability – collecting data on on-time departure performance and RTB (return to base). RTB events are being looked at globally by Heli-offshore.
- [REDACT]
- Market can affect operators, risk is unpredictability of next challenge, although industry has learned to become agile.
- Cabinet Secretary asked about CAAs point of focus to maintain safety in offshore operations. CAA maintain focus through OHSLG, quarterly meetings along with task and complete work groups; have offshore pilots imbedded within the industry to get front line experience; also through their inspection programme. [REDACT]
- [REDACT]
- The CAA undertook breakfast gatherings before accident in Norway and could look to revisit these again.
- Cabinet Secretary clear that decisions need to be evidence based and that trade unions are still anxious and was it time to engage with unions again?
- CAA can play a role in that conversation, believe right measures were introduced but drew attention to items not previously thought of before.
- CAA hear about reports of any mal-practice through confidential reporting chains.
- CAA will give some thought to a 'confidence' piece.
- CAA are meeting reps from Oil and Gas in January.