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Fitness of character policy framework

This policy sits alongside any competence or skills and medical fitness requirements

Rationale for the policy framework

The CAA is under an obligation to be satisfied, on a continuing basis, of the fitness of character of individuals and post holders which it licences or approves in accordance with applicable legislation. Legislation does not specify how an individual or post holder will be expected to satisfy the CAA. Therefore, the CAA has discretion in relation to how fitness of character is assessed.

The CAA must consider options for any regulatory intervention when available information indicates that a person may no longer have the fitness of character appropriate to the privileges of their licence or authorisation.

The powers to intervene in these sorts of cases are discretionary, and therefore the CAA cannot set out the specific action to be taken in every circumstance. Instead, each case will be judged on its own merits. As a public body, the CAA must act clearly and consistently as and when it reviews individual behaviours with the information available to us at the time. Accordingly, it is appropriate to have a policy framework and guidance in place to set out how the CAA will approach the assessment of such cases.

Policy Framework

The CAA must be satisfied that all individuals and post holders who are licensed by us demonstrate the following behaviours:

- Trustworthiness – the ability to be relied on as honest and truthful
- Propensity to obey rules – demonstrably being consistent in applying the rules, in spirit and letter

When considering these behaviours, the CAA will take into account the overriding need to:

- Protect the general public;
- Maintain public confidence in the individual and post holder privileges that we licence; and
- Maintain public confidence in the CAA's own decision-making process.

Specific information that may call into question fitness of character includes, but is not limited to, the following:

- Criminal convictions or civil sanctions. Anyone convicted of an aviation related offence or dishonesty offence is unlikely to be regarded as having fitness of character. Convictions for unrelated offences may be relevant when considering propensity to obey rules.
- Falsification of records.
- Providing false information.
- Previous licensing or enforcement action has been undertaken.
- Dishonest behaviour.

This fitness of character policy sits alongside any competence or skills and medical fitness requirements that must be demonstrated by individuals and post holders in order to be licensed by the CAA.

In dealing with a fitness of character decision, the CAA will clearly and consistently review individual behaviours using the information available to us.

In reaching a decision we will consider all potential outcomes ranging from taking no action to proposing to revoke a privilege or licence. Taking no action is as critical a decision as taking formal action. We will record and be able to explain subsequently our reasons for making, or not making, a decision.