

CIVIL AVIATION DIRECTORATE

Transport Malta-Civil Aviation Directorate, Malta Transport Centre, Pantar Road, Lija LJA 2021 Malta. Tel: +356 2555 5000 cadpel.tm@transport.gov.mt www.transport.gov.mt

Language Testing Bodies (LTBs) – Guidance Document

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1.0 Purpose of this document

The intention of this notice is to:

- guide LTB's on their manual format and contents
- define the different roles of personnel that manage, conduct and/or assess language proficiency tests within a Language Testing Body.
- establish the minimum requirements for language testing bodies engaging personnel that manage, conduct and/or assess test takers during a language proficiency test.
- establish the minimum requirements for initial and recurrent training of personnel conducting language testing.
- establish the language assessment administration records to be maintained by LTBs.
- establish requirements for online testing

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2.0 Definitions

Interlocutor	A suitably qualified and trained person with whom a test taker interacts during a language assessment to complete a speaking task.
Rater/Assessor	A suitably qualified and trained individual who assigns a score to a candidate's performance in a test based on a judgement usually involving the matching of features of the performance to descriptors on a rating scale.
Language Specialist	A rater/assessor with linguistic expertise, who shall hold or have attained language training at an accredited university or language school and has two years English language teaching experience.
Aviation Specialist	<p>A rater/assessor with operational expertise, who satisfies one of the conditions below:</p> <ul style="list-style-type: none"> - hold or have held an ATPL or CPL pilot's license or equivalent*, or - hold or have held an air traffic controller's license <p><i>Note:</i> In accordance with ATCO.B.040, an ATCO test taker must be assessed by a suitable qualified ATC assessor or a specifically approved assessor by TMCAD.</p> <p><i>*a PPL holder with 350 block hours and flying experience in 3 or more ICAO states</i></p>
Language Test	
Development Team	Is responsible for the design, development, and maintenance of the language assessment. The team shall include individuals with an operational, test development and linguistic expertise.
Test Taker	This is the candidate taking the ICAO Language Proficiency assessment.
Test Criteria	
Validity	The extent to which scores on a test enable inferences to be made about language proficiency which are appropriate, meaningful and useful given the purpose of the test (Doc 9835, xi). It indicates the degree to which a test measures what it is supposed to measure (Doc 9835, 6.3.3.1).
Authenticity	test tasks should share critical features of tasks in the target language use situation of interest to test-takers. The degree of authenticity in an LSP test is the extent to which the test does in fact engage the test-takers in task characteristics of the real-life situation. Authenticity is also seen as how far the language use in a real-life situation matches that in test tasks
Reliability	The stability and degree of consistency in the way the test measures language skills, including the attributes of the test tasks/items, the scoring process and performance of the raters (Doc 9835, 6.2.3.3).

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3.0 Language

TMCAD will only approve courses and documentation in the English language.

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4.0 Initial application

All organisations offering English Language Tests to which information in this document relates to must be approved as a LTB (Language Testing Body).

Organisation seeking approval are to be in possession of the latest version of EASA Aircrew Regulation (if applicable), ATCO Regulations (if applicable), the Basic Regulation, the Air Navigation Act (Cap 641), together with its associated Regulatory Instruments issued pursuant to Article 5 and ICAO documents stated in Section 14.0.

4.1 Submitting Application for LTB

Items Required for Submission for the Initial LTB Application are listed below:

- LTB Manual (Refer to Section 5)
- Interlocutors and Assessors documentation (Refer to Section 6 and 7)
- TMCAD completed checklists (LTB manuals shall include all items indicated in the checklist items)
- Internal LTB compliance checklists (Refer to Section 9)
- English Language Tests (Refer to Section 8 and 11)
- Sample ELP Certificate (Refer to Section 10)
- Fee according to ANA and associated Regulatory Instruments.

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5.0 Format of LTB manual

There is no formal structure for the Language Testing Body's organisation manual, however, the below may be used for guidance.

Chapter	Title	Criterion number of ICAO Doc 9835, Chapter 6, EASA Aircrew and ATCO
0	GENERAL	
0.1	List of revisions	Depending on the availability of a document management system, the structuring of GENERAL may vary, whereas the rest of the handbook structure (ORGANISATION, TESTING, ASSESSMENT, DOCUMENTATION and QUALITY ASSURANCE) should be as standardized as possible. This would facilitate standardized approval and oversight even if there are several LTBs. To facilitate flexibility with any chapter, the LTBs could add more sub-chapters as deemed necessary to clarify processes and procedures.
0.2	List of abbreviations	
0.3	Scope	
0.4	Updating	
0.5	Approval by CAA/State authority	
0.6	Distribution	
1	ORGANISATION	i.e. the process of Organisation; 6.3.7 (Organisational information and infrastructure)
1.1	Introduction of the Organisation	including business objectives, policy and strategy 6.3.7.1 (information about its Organisation and its relationships with other Organisations); 6.3.7.2 (all associations and links with other Organisations transparent); 6.3.7.3 & EU 1178/2011 AMC1 FCL.055 (n), (n)(2)(ii) & AMC4 ATCO.B.040 (if the Organisation provides language training, clear separation between testing and training activities);
1.2	Organisational structure	EU 1178/2011 AMC1 FCL.055 (n)(2)(v) including Organisation chart
1.3	Staffing	EU 1178/2011 AMC1 FCL.055 (n)(1)(i), (n)(2)(ix) & AMC4 ATCO.B.040 (c) including procedures for appropriate management/staffing, responsibilities & contact details;
1.3.1	Head of LTB	EU 1178/2011 AMC1 FCL.055 (n)(2)(i) & (n)(2)(vi)
1.3.2	Administrative matters	6.3.8.1 (test administration, i.e. registering test-takers, distributing relevant information to testing-teams etc.); 6.3.8.4 (test administrators with working knowledge of all administration guidelines of the LTB)
1.3.3	Linguistic and subject matters	i.e. main responsibilities for test development, test design and administration 6.3.8.1 (also test designer/developer); 6.3.8.2 (good familiarity with all relevant ICAO publications on LPRs); 6.3.8.3 (operational and linguistic experts form a team for test development) e.g. experienced language examiner (i.e. good knowledge of LTB's processes/procedures and ICAO SARPS, who might be responsible for many aspects of quality assurance (chp. 5)
1.3.4	Quality Management	EU 1178/2011 AMC1 FCL.055 (n)(2)(vi) including overall policy, remedy to CAA/State authority findings 6.3.8.2 (good familiarity with all relevant ICAO publications on LPRs) <u>Note:</u> In this context, the term „Quality Management” and later the term “Quality Assurance Process” (see 5) does not mean that all the processes/procedures described in an LTB handbook must be integrated into a QMS (such as ISO 9001:2008), yet can be.
1.3.5	List of examiners	i.e. list of raters/assessors and interlocutors; 6.3.7.4 (sufficient numbers of qualified interlocutors and raters to administer the required tests); 6.3.8.2 (familiarity with all relevant ICAO publications on LPRs); 6.3.8.4 (interlocutors with working knowledge of all administration guidelines of the LTB); 6.3.8.5 (interlocutors' language proficiency at least level 5 or level 6, if involved in level 6 testing); 6.3.8.6 (interlocutors with completed initial training); 6.3.8.7 (interlocutors with recurrent training once a year); 6.3.8.8 (interlocutors with aviation operational knowledge or language testing expertise, or both); 6.3.8.9 (at least two raters form a team/ operational & linguistic expertise); 6.3.8.10 (raters' language proficiency at least level 5 or level 6, if involved in level 6 testing); 6.3.8.11 (raters are familiar with aviation English); 6.3.8.12 (raters with completed initial training); 6.3.8.13 (raters with recurrent training once a year);

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1.4	Testing locations	6.3.5.4 (description of the room/s in which tests are conducted, furniture and equipment) including general description of available locations and their preparation before testing (equipment, seating arrangements, etc.) 6.3.5.5 (testing location with moderate comfort, privacy and quiet)
2	TESTING PROCESS	including test administration and security cf. 6.3.5 (all contents); 6.3.2.4 (test complies with principles of good practice and a code of ethics as described in Chapter 6 of ICAO Doc 9835); 6.3.5.6 (full description of test administration policies and procedures: retaking the test, score-reporting, record-keeping, plans for quality control/test maintenance/ongoing test development and purchasing conditions); <i>cf. Test Design Guidelines (TDG), available at https://www.icaea.aero/, which is a helpful tool for the design and recognition of valid and effective ICAO LP tests.</i> 6.3.5.8 (security measures during test administration);
2.1	Possible test-takers	6.3.2.2 (target population) i.e. who are the test-takers to be tested and on what legal basis
2.2	Test information available to test-takers	6.3.5.1 (complete sample of the test publicly available, including test-taker documents, interlocutor instructions/prompts, rater documentation, sample of audio recordings and a demonstration of test-taker); 6.3.5.11 (a documented policy for all aspects of test security shown in publicly available documents); including information for the test-taker before registering for the test, often delivered via a website (e.g. how to register, what to expect during the test/ mock exam, equipment needed, time parameters for each test task, appeal procedures, etc.)
2.3	Registration procedure	e.g. before/on the day of the test, including identity check and invigilation
2.4	Test formats	6.3.2.1 (test designed to assess speaking and listening proficiency in accordance with each component of the ICAO Rating Scale and the holistic descriptors); 6.3.2.3 (description of and rationale for test construct accessible to all decision-makers in plain, layperson language); 6.3.2.5 (test focus is not on discrete-point items, on grammar explicitly or on discrete vocabulary items, but rather on ability to communicate efficiently); 6.3.2.8 (test is specific to aviation operations); 6.3.2.10 (test avoids items that are designed to elicit highly technical or very context-specific language); 6.3.4.4 (if rating is conducted using new technology, including speech recognition technology, the correspondence of such rating to human rating, on all aspects of the Rating Scale, is clearly demonstrated in layperson language); EU 1178/2011 AMC1 FCL.055 (n)(2)(x) & (n)(4)(ii)
2.4.1	Listening skills	6.3.2.6 (specific listening section with individual items included/ not to the detriment of assessing interaction); 6.3.2.9 (test assesses plain language proficiency in an aviation context); 6.3.5.3 (instructions to the test-taker clearly documented); 6.3.5.4 (equipment/facilities necessary for the test included in the instructions); i.e. close description of construct, task types, task focus, timing, test delivery etc.) <i>refer also to TDG, available at https://www.icaea.aero/.</i>
2.4.2	Speaking skills	6.3.2.7 (test includes voice-only interaction); 6.3.3.2 (description of development); 6.3.2.9 (test assesses plain language proficiency in an aviation context); 6.3.5.3 (instructions to the test-taker clearly documented); <i>refer also to TDG, available at https://www.icaea.aero/.</i>
2.5	Use of (various) test versions	6.3.5.9 (adequate test versions for various test-takers); 6.3.5.10 (test questions/prompts held in confidence prior to the test); including sufficient various, customized test versions on the day of the test (minimum number) EU 1178/2011 AMC1 FCL.055 (n)(4)(ii)
3	ASSESSMENT PROCESS	6.3.4.4 (new technology, e.g. remote testing, speech recognition)
3.1	Aim of assessment (objectives)	6.3.2.2 & EU 1178/2011 AMC1 FCL.055 (n)(4)(i) (aims of the test – definition of test purpose describing both the aims of the test and the target population is accessible to all decision-makers) e.g. general explanation by using ICAO holistic descriptors (and supporting national/European legal bases)
3.2	Assessment criteria	e.g. general explanation of ICAO rating scale (and supporting legal bases) EU 1178/2011 AMC1 FCL.055 (n)(2)(iv) & (n)(4)(iii)
3.3	Assessment Procedures	EU 1178/2011 AMC1 FCL.055 (n)(2)(x)

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3.3.1	Roles during assessment	6.3.4.2 (rater team/panel). i.e. detailed description in the case of one assessor (or rater) and one interlocutor form an examination board/panel/rater team EU 1178/2011 AMC1 FCL.055 (n)(4)(v)(A)
3.3.2	Decision making	6.3.4.1 (rating process documented with audio/video recording); 6.3.2.11 (documented rating process - final score is the lowest of the scores in each of the six ICAO language proficiency skills) i.e. general description (e.g. application of ICAO Rating Scale, final rating is the lowest of the six ratings) EU 1178/2011 AMC1 FCL.055 (n)(4)(v)(A)
3.3.3	Documentation during testing	6.3.4.1 (rating process including instructions documented in written form and audio/video recording); 6.3.5.2 (rating process documented for addressing an appeal procedure or for auditing a rater/a rater team); i.e. taking notes during/after live interview for the sake of transparent assessment EU 1178/2011 AMC1 FCL.055 (n)(4)(v)(B)
3.3.4	Documentation after testing	i.e. final rating and individual ratings EU 1178/2011 AMC1 FCL.055 (n)(4)(v)(A)
3.3.5	Appeal procedures	6.3.4.2 (at least two raters participate in the rating of tests, with a third expert rater consulted in case of divergent scores); 6.3.5.7 (documented appeal process); i.e. internal appeal process (apart from making an appeal to the CAA/State authority) ATCO.B.040, EU 1178/2011 AMC1 FCL.055 (n)(2)(xi)
3.4	Evidence for validity and reliability of the assessment	6.3.2.3 (description and rationale for test construct/ in layperson language); 6.3.3.1 (statement of evidence for test validity and reliability accessible to all decision-makers in plain, layperson language); 6.3.3.2 (description of development – including development calendar and all phases); 6.3.3.3 (expected washback effect on training/no memory testing); i.e. by feedback both of test-taker and raters/interlocutors (also 5.1.1, 5.1.2 & 5.8) & EU 1178/2011 AMC1 FCL.055 (n)(4)(iv)
4	DOCUMENTATION PROCESS	EU 1178/2011 AMC1 FCL.055 (n)(2)(vii)
4.1	Documentation of interview, assessment and results	including audio-recording of the live interaction between test-taker and interlocutor during 2.4.2 (Testing procedures - speaking skills) EU 1178/2011 AMC1 FCL.055 (n)(4)(v)(C)
4.2	Documents issued for test-taker	e.g. LP certificate EU 1178/2011 AMC1 FCL.055 (n)(4)(v)(C)
4.3	Licence endorsement	in case of handmade revalidation/handwritten licence endorsement. Note: TMCAD does not accepted ELP handwritten endorsements.
4.4	Reporting to authority documents and information issued for licensing	6.3.6.4 (documented process of reporting scores/results); EU 1178/2011 AMC1 FCL.055 (n)(4)(v)(C)
4.5	Retention of documents & records	6.3.6.3 & EU 1178/2011 AMC1 FCL.055 (n)(4)(v)(D) (documented and adequate record-keeping process);
4.6	Retention period	6.3.6.2 & EU 1178/2011 AMC1 FCL.055 (n)(3) (evaluation sheets and supporting documentation filed for a predetermined period of time);
5	QUALITY ASSURANCE PROCESS	EU 1178/2011 AMC1 FCL.055 (n)(1)(ii) EU 1178/2011 AMC1 FCL.055 (n)(2)(iii) & (viii) Quality assurance programme covering all processes (1 to 5)
5.1	Examiner (rater/assessor /interlocutor) training	covering all examination skills, i.e. addressing rating/assessing skills and how to conduct as an interlocutor. EU 1178/2011 AMC1 FCL.055 (m), EU 1178/2011 AMC1 FCL.055 (n)(2)(ix)
5.1.1	Initial Training	6.3.4.3 (initial rater training documented/training records maintained and raters audited periodically and reports documented);
5.1.2	Recurrent training	6.3.4.3 (recurrent rater training documented/training records maintained and raters audited periodically and reports documented); results of rating exercises to be continuously documented (evidence for intra-/inter-rater reliability);
5.2	Deployment of examiners	EU 1178/2011 AMC1 FCL.055 (n) e.g. for impartial assessment/ unbiased testing examiners, who are/were language teachers of the test-taker, are not to be deployed; no rater or interlocutor is to be involved in more than [number] of language tests per day (in order to prevent fatigue); every examiner is familiarized with all processes/procedures of the LTB handbook and is familiar with regulations/rules (familiarization by senior language examiner or Head of LTB);

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5.3	Supervision of examiners	6.3.4.3, EU 1178/2011 AMC1 FCL.055 (n)(2)(iv) & (n)(2)(x) (regular audits of raters; monitoring of raters' assessment; initial/recurrent rater training documented/training records maintained and raters audited periodically and reports documented); i.e. experienced rater/interlocutor (part of leading staff, mostly senior language examiner) attends a language test as an observer (during a certain period to be determined by the LTB) or listens to respective audio/video recordings; possible aims: to provide objective peer feedback; to diagnose and solve possible testing/assessing problems; to help raters/interlocutors develop their skills; to evaluate them for promotions or appointments)
5.4	Communication within the LTB	EU 1178/2011 AMC1 FCL.055 (n)(2)(i) & (n)(2)(v) e.g. describing all means of communication; senior language examiner facilitating communication (esp. in major LTBs);
5.5	Communication with licensing authorities	In case there are different licensing authorities with differing contact details/ application procedures at any LP test (by notifying the CAA on coming tests)
5.6	Communication with overseeing authority	EU 1178/2011 AMC1 FCL.055 (n)(3) e.g. via Head of LTB; an LTB should declare its readiness to enable the overseeing CAA/State authority being present
5.7	Deployment of test material	e.g. details on test material available; no deployment of test versions, if there is evidence of their disclosure
5.8	Development and improvement of test material (gaining validity evidence)	6.3.3.2 (development calendar/phases); 6.3.7.5 (ongoing test development/maintenance of an item database); driven by feedback (chp. 3.4); sufficient test versions and customized according pilot's job role (e.g. plane/helicopter/ airship or professional/private [remote] pilot)
5.9	Safe-keeping of test material	6.3.5.8 (test security: protect test-item databases and provide secure storage of test materials)
5.10	Selecting further testing locations (apart from 1.4)	including criteria for apt locations 6.3.5.4 (description of testing room where a test will be conducted, furniture and equipment) including general description of available locations and their preparation before testing (equipment, seating arrangements, etc.) 6.3.5.5 (Testing location with moderate comfort, privacy and quiet) EU 1178/2011 AMC1 FCL.055 (n)(4)(v)(B)
5.11	Transparency of assessment	6.3.4.1 (rating process documented with audio/video recording); 6.3.6.1 (speaking test involving interaction between test-taker and interlocutor is audio- or video-recorded); including repeatability and traceability EU 1178/2011 AMC1 FCL.055 (n)(4)(v)(B)
5.12	Documentation control	EU 1178/2011 AMC1 FCL.055 (n)(2)(vii) including checking for using correct official forms and its completion; improving interior forms of LTB; making sure that current forms are used may be also part of document/quality management
5.13	Data protection	6.3.5.8 (test security: provide secure storage of test scores/results); 6.3.6.4 (clear process of reporting scores/results); 6.3.6.5 (confidentiality policy on test results);
5.14	Remedy procedures in case of findings of the CAA/State authority	
5.15	Customer satisfaction	EU 1178/2011 AMC1 FCL.055 (n)(2)(xi) e.g. the test-taker is asked for feedback (for further improvements)
Appendices		e.g. compliance lists/ references to regulations/ national implementing rules; proof of qualifications; test material; proof of quality criteria (ongoing collection of documents proving validity/reliability); ICAO Rating Scale; etc.

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6.0 Interlocutors/Raters/Assessors minimum requirements

6.1 Minimum Requirements for Interlocutors

An individual who has the role of an interlocutor shall:

- have successfully completed initial interlocutor training
- successfully complete recurrent interlocutor training once every 12 calendar months
- have appropriate aviation operational or language testing expertise, or both

If the test is designed to assess ICAO Level 6 proficiency, interlocutors must demonstrate language proficiency at Expert Level 6. When the test is designed to assess ICAO Level 5 proficiency, interlocutors must at least demonstrate language proficiency at Extended Level 5.

6.2 Minimum Requirements for Raters/Assessors

An individual who has the role of a rater/assessor shall:

- hold or have attained a Level 6 on the ICAO Language Proficiency Rating Scale or equivalent*
- qualify as an aviation specialist or language specialist (as defined in this notice)
- have successfully completed initial rater/assessor training
- successfully complete recurrent rater/assessor training once every 12 calendar months

**a CEFR C1/IELTS 6.5 level or higher*

A rater/assessor is sufficiently qualified to take the role of an interlocutor.

Additionally, raters/assessors shall be authorised by the Director General for Civil Aviation.

Note: In accordance with ATCO.B.040, an ATCO test taker must be assessed by a suitable qualified ATC assessor or a specifically approved assessor by TMCAD.

6.3 Minimum Requirements for Language Test Development Team

All members of the language test development team shall be familiar with the following publications:

- ICAO SARPS and recommended practices of Annex 1
- ICAO Holistic descriptors (Appendix 1 to Annex 1) and ICAO Rating Scale (Attachment A to Annex 1)
- Manual on the Implementation of ICAO Language Proficiency Requirements (Doc 9835)
- ICAO Rated Speech Samples
- EU Regulation 1178/2011 Part-FCL requirements on Language Proficiency
- EU Regulation 2015/340 Part-ATCO requirements for student air traffic controllers and air traffic controllers on Language Proficiency
- Applicable PEL Notices as published on the TMCAD website
- Language Testing Criteria for Global Harmonization (ICAO Cir 318 AN/180).

Additionally, members of the language test development team shall satisfy one or more of the conditions below:

- experience in aeronautical operations as a professional pilot (ATPL/CPL) or air traffic controller
- specialisation or work experience in training and assessment development
- hold a university degree and certification in TESL (or equivalent)

6.4 Minimum Requirements for Trainers

All trainers must meet the requirements of a rater/assessor. Furthermore, they require the below:

- Instructional techniques course
- 5 years experience as an assessor
- Preferably competency-based training
- Preferably human factors or CRM course or similar

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7.0 Training requirements

7.1 Interlocutors, Raters or Assessors

Initial training for interlocutors/raters/assessors shall consist of at least 40 hours of training.

Initial training requirements for raters/assessors shall include:

- ICAO Regulation Requirements
- EASA Regulation including language requirements in Part-FCL & Part-ATCO (as applicable)
- TMCAD Requirements and PEL Notices (as applicable)
- Aviation Safety & Communication
- ICAO Language Proficiency Holistic Descriptors & Rating Scales
- Test Structure, Design and Rationale
- Test Administration Procedures
- Aviation Terminology and R/T Phraseology (if required)
- How to conduct objective assessments
- Rating test-takers using ICAO Rating Scale & Holistic Descriptors
- Report Writing
- Practical and on-the-job training

Recurrent training for interlocutors/raters/assessors shall consist of at least 24 hours of training.

Recurrent training requirements for raters/assessors shall include:

- New developments on Language Proficiency requirements
- Operational aspects related to language proficiency
- Updates on accident/incident reports related to communication errors (if required)
- Updates in aviation terminology and R/T phraseology (if required)
- Test Developments/ Feedback/ Test Washback
- Standardisation and practical training

Both initial and recurrent training programmes for interlocutors/raters/assessors shall be documented in the Language Testing Body operations manual and approved by TMCAD.

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8.0 Test criteria

Tests shall be regularly reviewed and updated; hence the LTB is required to adopt a procedure on how and when this will be conducted. The specifications and design of tests shall be explained in the LTB's manual/ procedures. The below may assist in meeting all requirements for test design.

TEST SYSTEM
Test instruments need to include appropriate tasks that directly assess how test-takers use language in radiotelephony communication contexts.
<p>NOTE: Why is this important? The ICAO LPRs refer to communication between pilots and air traffic controllers. Assessing proficiency for radiotelephony communication is central to the ICAO LPRs. This is the primary focus of the safety-critical communication contexts which the ICAO LPRs aim to address.</p> <p>What does this mean for test design? Speaking and listening skills in air-ground communication contexts need to be directly assessed through dedicated test tasks that reflect this content, context and type of communication. A substantial component of the test needs to contain content and task types which assess how test-takers communicate in radiotelephony communication contexts – in listening (understanding what pilots or controllers are saying over the radio) and speaking (being able to communicate as pilots or air traffic controllers over the radio) components of the test.</p> <p>The tasks used to assess language proficiency for radiotelephony communication need to be appropriate and reflect the communicative contexts in which pilots or controllers communicate in real-world situations.</p>
Separate test instruments need to be designed for pilots and air traffic controllers.
<p>NOTE: Why is this important? The communication contexts and language needs of pilots and air traffic controllers differ, and therefore these need to be reflected in different forms of the test, catering to the needs of each profession.</p> <p>What does this mean for test design? The structure of test instruments for pilots/air traffic controllers may look similar, however, the content and task requirements need to differ and reflect the language needs and communicative contexts associated with each profession.</p>
Test instruments need to contain tasks dedicated to assessing listening comprehension, separate from tasks designed to assess speaking performance.
<p>NOTE: Why is this important? Listening comprehension represents at least half the communicative load in aeronautical communication. Proficiency in comprehension is determined by a range of different cognitive skills, language skills and knowledge. All of these attributes are internal and cannot be directly observed for assessment purposes. In contrast, speaking skills are more observable and can be assessed directly by observing speaking performance. Therefore, proficiency in listening comprehension is best assessed in contexts which are not affected by speaking ability because basing decisions on what test-takers say may be more of a result of their speaking skills rather than their internal comprehension proficiency.</p> <p>What does this mean for test design? Tests need to contain sections and parts which are designed to only assess listening comprehension. This means test-takers are required to listen to prescribed recordings and then complete follow up comprehension tasks. Such tasks could be on paper, require test-takers to summarise information or answer prescribed written questions asked orally or provided on a test paper/computer screen.</p> <p>It is possible for tests to also evaluate comprehension subjectively in an interactive context in addition to having a dedicated listening test section, but not to the exclusion of including dedicated listening comprehension test sections. In such situations the subjective ratings should be used to support the results of the dedicated listening sections.</p>

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Test instruments need to comprise distinct sections with a range of appropriate test task types.

NOTE:

Why is this important?

Tests need to comprise different sections with different assessment purposes – assessing different skills/levels in a range of communication contexts. Tests which contain a range of different test tasks provide more opportunities to effectively sample the range, complexity and type of communication pilots or air traffic controllers may face. This improves both the fairness and the effectiveness of the test, including the validity of the interpretations made of test results and how these are used. Tests which do not include enough variety are not able to effectively sample test-takers' abilities to engage with the language or communicate in different situations. This undermines the test's overall validity. Such tests can also unfairly disadvantage test-takers who are less familiar or comfortable with certain test tasks which may dominate a test.

What does this mean for test design?

A variety of different task types, items, situations and content needs to be included throughout the test instrument to ensure the domain and range of language proficiency levels are effectively sampled.

Test instruments need to include test tasks that allow test-takers to engage in interactive and extended communication.

NOTE:

Why is this important?

Aeronautical radio communication involves pilots and controllers communicating in interactive situations – responding to issues, enquiring, solving problems, providing advice etc. In all such communication, each participant is required to engage in topics, negotiate meaning and participate in a collective and shared communicative context which develops as a result of the interaction.

What does this mean for test design?

At least some speaking tasks need to provide opportunities for test-takers to participate in interactive communication with a trained interlocutor, i.e., tasks which require the test-taker to contribute to a co-constructed dialogue in the same way that communication occurs in real-world aeronautical contexts. Test tasks which are limited to test-takers responding to isolated questions or disconnected prompts do not allow interactive skills to be evaluated and do not reflect real-world communications. They are therefore not authentic. Authenticity is a key requirement of proficiency testing. Note that in interactive speaking tasks, comprehension should not be assessed, or only be limited to supporting the results of a part of the test dedicated to assessing comprehension separately. Comprehension could be rated and included as a subjective impression to confirm or support the results of a dedicated listening part of the test.

Test instruments need to include tasks and items which allow the assessment to differentiate between ICAO language proficiency levels.

NOTE:

Why is this important?

Content and task types which target the proficiency levels and skills associated with each of the ICAO levels the test aims to assess need to be incorporated into the test.

What does this mean for test design?

Parts and components of tests need to be accessible and achievable for test-takers at different levels, with some parts/tasks/items catering to test-takers with lower proficiency levels (below ICAO Level 4), and other parts for ICAO Level 4 (and above). If the test claims to be able to assess ICAO Level 5 or Level 6, different tasks/items or test parts need to be dedicated to assessing these higher levels and their associated competencies (as reflected in the ICAO LPR rating scale).

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Test instruments need to contain appropriate tasks that assess test-takers' abilities to understand and communicate in real-world contexts.

NOTE:**Why is this important?**

In order for the test to allow valid assessment decisions to be made about how well test-takers are able to communicate in their jobs as either pilots or air traffic controllers, the test needs to ensure the content and task requirements allow for this evaluation to be effective. The closer the test reflects the communicative requirements associated with real-world communication contexts which pilots or air traffic controllers face, the more meaningful the test results are. Test tasks which require test-takers to communicate or use language that is not directly associated with how they communicate in real-world situations are not able to allow meaningful assessment decisions to be made about how well the test-takers can communicate in their jobs as pilots or air traffic controllers.

In high-stakes testing, test-takers respect tests and the results of such tests when the tests mirror real-world communication needs of the test-takers.

What does this mean for test design?

The components of the test need to contain tasks and content that mirror the kind of communication settings and contexts associated with real-world situations that pilots and air traffic controllers may face, both in radiotelephony communication and other job-related communication contexts. The more directly the test tasks mirror real-world communication contexts, including the type of language and how this is used, the more effective a test instrument is in allowing valid interpretations to be made about test performances and test scores.

Test instruments need to have a sufficient number of equivalent versions, with each version of the test representing the test instrument in the same way.

NOTE:**Why is this important?**

Tests which do not draw on a sufficient bank of test versions lack security. Test-takers in a target population can become familiar with test content and therefore prepare and rehearse answers and responses for the test. Obviously, in such cases, the test is not able to accurately assess test-takers' real overall proficiency as testtakers may appear to perform on the test at levels above their 'real' proficiency level. Test banks also need to comprise equivalent test versions. This means that test-takers receive similar results on whichever version of the test they take. If the test bank includes versions which are easier than other versions, the test and the results are not reliable and therefore the overall testing system is not effective.

What does this mean for test development?

Tests need to comprise a test bank where each version of the test has aspects which are unique to that version of the test. Test developers need to ensure that each version of the test is written to a set of specifications so that all test versions are parallel and more or less equivalent in their level of difficulty and the range of language and communicative contexts that they assess. The larger the test-taker population and the more often they need to be tested, the larger the test bank needs to be.

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9.0 Internal compliance checklists

LTBs shall have a compliance checklist to review implementing rules, AMCs, Malta Air Navigation Act (Cap 641), together with its associated Regulatory Instruments issued pursuant to Article 5 and any PEL Notices, as applicable. References to relevant regulations are stated in Section 4.0 and may be used as guidance.

This process adheres to EASA's Best Intervention Strategy (BIS) regarding "Language Proficiency Assessment and Oversight".

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10.0 Records

10.1 Language assessment administration records and certificate

LTBs shall maintain records of the details of the language assessment and the test taker. Language assessment administration records shall include at least the following details:

- Date of assessment,
- Test taker's Surname & Name,
- Identification Document Nr.,
- Assessment score/rating
- Interlocutors' details (if applicable)
- Assessors' details.

These records shall be kept up-to-date and periodically submitted to TMCAD. As a minimum, LTBs shall communicate the above-mentioned records every month.

10.2 ELP certificate

This certificate shall include as a minimum the below:

- Name and approval number of the LTB;
- Name(s) and Surname(s) of the test-taker;
- Date of birth of the test-taker;
- Date of the assessment;
- Achieved level;
- Signature of LTB;
- Assessment protocol, containing each of the six linguistic subskills, the results, as well as the names of all raters.

10.3 Records accessible in Malta

Records shall be maintained in Malta, and these shall be easily accessible for inspections, including any ad-hoc inspection.

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CIVIL AVIATION DIRECTORATETransport Malta-Civil Aviation Directorate, Malta Transport Centre, Pantar Road, Lija LJA 2021 Malta. Tel: +356 2555 5000 cadpel.tm@transport.gov.mt www.transport.gov.mt**11.0 Conduct of Language Proficiency Assessments****11.1 General**

When conducting assessments of test-takers, Language Testing Bodies (LTBs) shall utilise the dual expertise of both an aviation specialist and a language specialist.

In cases where a rater/assessor is qualified both as an aviation and language specialist. TMCAD may consider, with prior approval, an assessment method that is administered by one individual, as an acceptable means of conducting an assessment.

In cases of disagreements between assessors, a third assessor shall be involved. This process shall be documented in the LTB manual.

11.2 Online Testing

The operation of an online language proficiency test can be considered comparable to that of an on-site, if:

- the online test is being recorded at all times (this shall be video, including sound),
- the positive identification of the test-taker is assured,
- adequate hardware and software as required by the LTB,
- the location is noise-free, no external disturbances, and no other person allowed in the room,
- online test versions are securely provided (consideration to cyber-attacks or viruses), and,
- the test tasks, material and instruments are specifically developed or adapted for an online environment.

The Language Testing Body should ensure that the tests are being conducted at the same level as if physically face-to-face. Oral test or remote forms could be used, provided that the system used is the same for all test-takers.

When comparing on-site testing with online testing, it is important to consider procedures for administering a test, such as location(s), identity check and invigilation, assessment discipline, confidentiality or security, and equality of test instruments, tasks and material, all of which are explained in ICAO Doc 9835. The overriding principle here is to attain and protect the integrity of the testing process (cf. ICAO Doc 9835, para. 6.3.5.8). Therefore, an LTO wishing to also (or only) provide online-testing must document all of its procedures, including where necessary, additional security measures and adapted material and tasks, so it can be appropriately compared to its own or other on-site testing. Regarding the prerequisites listed above, this means that for TMCAD's approval to this test, the below shall be conducted:

- An update of the manual, including the procedure for effective tests, interrupted test procedure, suspicious behavior, verification of identity, cheating is ensured not to occur, security of elements of tests submitted to the test-taker, online signatures in accordance with EU No. 910/2014
In protecting the listening test content, an LTB should:
 - o have a repository of test items (item bank) that is continuously expanding (respecting the yearly number of tests to be delivered);
 - o have a program that randomly selects test items from the item bank to create unique test versions with a unique test number for every single test (excluding manipulation),
 - o create/deliver a test version to test-takers/examiners only when the listening test is about to start and not longer than the duration of the test,
 - o ensure a test is not accessible in case of interruption or technical failure,
 - o allow access to test versions only via a secure link and access number,
 - o have the unique test number shown on the test screen for the whole duration of the test (for the purpose of identification in case of any unauthorized publication/disclosure), and
 - o provide automated scoring with no possible manipulation of the scores.

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In protecting the speaking test content, an LTB should:

- create test versions in a similar, randomized way,
 - ensure that all prompt material is unknown to the test taker in that it is original and developed specifically for the test, does not infringe copyright, is not sourced from publicly accessible sites or course material, and/or does not refer to widely known or publicized events or accidents,
 - have the unique test number displayed on the screen all the time,
 - deliver the speaking test in a direct manner, i.e. with examiner and test-taker interacting directly (no indirect, pre-recorded prompts), and
 - provide the test-taker with access to a secure virtual test room via a link (which is only valid for the time of that test).
- A risk assessment on this procedure
 - Demonstration of a “dummy” mock test to an inspector assigned by TMCAD to show elements required above,
 - Access to TMCAD shall always be made available even during actual tests.

11.3 Appeal

Refer to PEL Notice 57.

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In case of any significant non-compliance to the regulations or with the terms of approval which reduces safety or seriously hazards flight safety, TMCAD will raise a Level 1 finding, and thus TMCAD will immediately prohibit, limit or suspend activities of the organisation.

If appropriate, TMCAD take action to revoke the specific approval or to limit or suspend it in whole or in part, depending upon the extent of the category 1 finding, until successful corrective action has been taken by the LTB.

12.1 Non-compliances

A Level 1 non-compliance shall be issued by TMCAD when any significant non-compliance is detected with the applicable requirements, approved organisational structure of the LTB, its processes, procedures or with the terms of the approval certificate that could lower flight safety or impose hazards to flight safety.

A level 1 non-compliance shall include:

- (a) failure to give TMCAD access to the facilities or testing locations as defined in its approved manual during normal operating hours and after two written requests;
- (b) obtaining or maintaining the validity of the approval by falsification of submitted documentary evidence;
- (c) evidence of malpractice or fraudulent use of the approval or in case of bankruptcy;
- (d) the lack of an accountable manager;
- (e) failure to give the TMCAD access to the assessment documentation or records, including audio (or video) recordings after two written requests;
- (f) preventing TMCAD from being present at any live language test without prior notification in two cases;
- (g) conducting language tests without authorization;
- (h) conducting language tests in testing locations not approved by TMCAD;
- (i) conducting language tests that are not compliant with the requirements found in the holistic descriptors in Appendix 1 to Annex 1 or the level descriptors in the ICAO Rating Scale contained in Attachment A to Annex 1;
- (j) any other non-compliance with the approved organisational structure, processes, procedures, relevant regulations or with the terms of an approval certificate, which TMCAD considers to be a level 1 finding.

A level 2 finding shall be issued by TMCAD when any non-compliance is detected with the ICAO guidance material, with the approved Organisational structure, processes or procedures or with the terms of an approval certificate that lowers the quality of language assessment.

The level 2 findings shall include:

- (a) unsuitably trained staff;
- (b) insufficient communication between management and other staff members;
- (c) non-availability of any language assessor for a period longer than one month and by any communication channel;
- (d) unsuitable test material (e.g. containing language errors, language not being at desired level, material taken without permission from a 3rd party source or in breach of copyright, material sourced from publicly available media (including commercially available material, such as language training course books), material referring to well publicized events, omission of tasks that include key interactive communication from the test-taker's operational environment in which LP can be assessed, or the accent or language variety used in the listening part is not sufficiently intelligible for an international community of users.);
- (e) assessment documentation and records not being kept for the period of time determined by TMCAD;
- (f) improper test administration (including improper location(s), identity check and invigilation, assessment discipline, confidentiality or security);

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- (g) any other non-compliance with the approved Organisational structure, processes, procedures or relevant regulations, which TMCAD considers to be a level 2 finding or which is not a level 1 finding.

In the case of category 2 findings, TMCAD shall

- (i) grant the LTB a root cause analysis and corrective action plan period which should be 15 days. At the end of this period, and subject to the nature of the finding(s), TMCAD may extend the 15-day period subject to agreement with TMCAD;
- (ii) grant the LTB a corrective action implementation period appropriate to the nature of the finding(s) that in any case initially should not be more than 3 months. At the end of this period, and subject to the nature of the finding(s), TMCAD may extend the 3-month period subject to a satisfactory corrective action plan agreed by TMCAD; and
- (iii) assess the corrective action and implementation plan proposed by the LTB and, if the assessment concludes that they are sufficient to address the non-compliance(s), accept these.

Where an LTB fails to submit an acceptable corrective action plan, or to perform the corrective action within the period accepted or extended by TMCAD, the finding should be raised to a level 1 finding and action taken as per level 1 non-compliances.

Any findings shall be issued and addressed through Centrik. Access codes shall be provided upon approval of the LTB to the compliance manager.

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13.0 Continued Validity of Approval

LTB approvals are non-expiring; however, this is subject to a continuation recommendation every 12 or 24 months from the date of issue. This is raised by the TMCAD Inspector following the audit programme.

Once an LTB has been issued with an approval, it is subject to continued oversight of the management system, documentation, training and other areas required by TMCAD.

Note: Refer to ICAO Doc 46 for guidance of oversight checklists, test design, specification checks, etc

13.1 Oversight Planning Cycle

The frequency of the audit is based on a risk-based concept. Nevertheless, the first oversight inspection will be conducted after 12 months of the issue date of the LTB.

13.2 Desktop audits, Ad-hoc/ unannounced inspections

TMCAD may, at any point, conduct unannounced or ad hoc inspections as required by the oversight programme.

In accordance with national laws, Regulation (EU) No. 2018/1139 and its relevant implementing rules, organisations shall provide full access to any documentation, records, equipment, aircraft and facilities which the Director may wish to inspect or examine.

In this regard, the interpretation of providing access to documentation for the purpose of examining or inspecting data, may mean one or more of the below:

- Onsite physical access to documents, records, data, a system, facility, etc.
- Direct access to a database or system through password access (NB: only viewing rights are required) for retrieval of data, documents, records, etc.
- Submission to TMCAD, electronic or physical copies of the data, documents or records for an analysis to be conducted offsite.
- Being present at live language tests or reviewing recorded tests.

The means of access to the above shall be agreed upon by TMCAD with the organisation. If access cannot be given, a non-compliance shall be issued.

13.3 Changes to the organisation

All changes requiring prior approval must be submitted to the authority for approval. For other changes not requiring prior approval, the LTB must have a procedure in the manual for these changes agreed on by TMCAD.

Refer to PEL Notice 85 for the procedure for the submission of documentation.

14.0 Guidance Material

- Malta ANA and associated Regulatory Instruments issued pursuant to Article 5.
- PEL Notice 56, 72 and 85
- EU Regulation 1178/2011 – Part FCL
- EU Regulation 2015/340 – Part ATCO
- ICAO Doc 9835 - Manual on the Implementation of ICAO Language Proficiency Requirements
- Language Testing Criteria for Global Harmonization (ICAO Cir 318 AN/180)
- <https://www.alte.org/Materials>
- Manual for Language Test Development and Examining
- Guidelines for the Development of Language for Specific Purposes Tests.
- EUR Doc 46 - Guidance on the harmonized implementation of LPRs and its oversight