

MSC-ASC Joint Seaweed Standard Complaints Procedure Version 1.0

This document is publicly available on the ASC and MSC websites.

Document history

Version	Effective date	Description of amendment	Affected section/ page
1.0	1 st February 2016	New document	n/a

Document: **MSC-ASC Joint Seaweed Standard Complaints Procedure**

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Approved by: Seaweed Standard Committee

Version: 1.0

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Confidentiality: Public

1 Purpose

- 1.1 This procedure sets out the process to be followed for effective and timely resolutions to complaints relating to ASC-MSC's Seaweed Standard Setting activities including review and revision of the resulting standard.

2 Scope

- 2.1 This procedure is for use in any formal complaint meeting the requirements of 6.1-6.2, submitted by any stakeholder, relating to ASC-MSC's Seaweed Standard Setting activities including the review and revision of the resulting standard.
- 2.2 This procedure is not for use in:
- 2.2.1 Complaints/objections about an applicant/accredited certification body including its farm or fishery assessments and certification decisions, which should initially be dealt with under the certification body's own complaints procedure.
 - 2.2.1.1 If the certification body is not able to satisfactorily address the grounds of the complaint, it should be raised with Accreditation Services International (ASI) according to their complaints procedure (<http://www.accreditation-services.com/dispute-management/complaints>).
 - 2.2.2 Complaints regarding the content of the Seaweed Standard and its associated normative documents. These should be sent to seaweedstandard@msc.org and will be reviewed and processed according to the MSC-ASC Joint Seaweed Standard Setting Procedure (<https://www.msc.org/documents/policy-documents/msc-asc-seaweed-standard-setting-procedure>).
 - 2.2.3 Complaints regarding misuse of the seaweed ecolabel(s), which should be sent to: ecolabel@msc.org.
 - 2.2.4 Complaints regarding MSC's logo-licensing company, Marine Stewardship Council International licensing (MSCI), which should be sent to ecolabel@msc.org.
 - 2.2.5 Complaints about Accreditation Services International (ASI), which are dealt with under the ASI Complaints Procedure (<http://www.accreditation-services.com/dispute-management>).

3 Responsibilities

Party	Responsibility
Complainant	Files complaint according to procedure
MSC Secretariat	Processes complaint coordinating ASC assistance
Investigator	Objectively analyses the complaint using all available relevant information and oversees delivery of the corrective action plan
Complaints Panel	Oversees complaint handling until resolution or termination including the assignment of an investigator to each complaint
Seaweed Standard Committee (SSC)	Takes decision to confirm determination of Complaints Panel and adopt proposed corrective action plan

4 Terms and Definitions

- 4.1 All terms and definitions are included in the MSC/MSCI Vocabulary (<https://www.msc.org/documents/scheme-documents/msc-msci-vocabulary>).

5 Associated Documentation

- 5.1 MSC-ASC Joint Notice of Complaints Form [Hyperlink](#) and [Annex 1](#)
- 5.2 MSC-ASC Joint Complaints Log [Annex 2](#)
- 5.3 MSC-ASC Joint Seaweed Standard Setting Procedure [Hyperlink](#)
- 5.4 ASI Complaints Procedure [Hyperlink](#)
- 5.5 MSC/MSCI Vocabulary [Hyperlink](#)

6 Receiving Complaints

- 6.1 To be accepted and classified by the ASC and MSC as a formal complaint, it shall be submitted in writing using the [MSC-ASC Joint Notice of Complaints Form](#) and shall:
- 6.1.1 Be sent by email to complaints@msc.org or by letter to
Marine Stewardship Council
Marine House
Snow Hill
London
EC1A2DH
United Kingdom.
 - 6.1.2 State that it is a complaint.
 - 6.1.3 Be submitted in English. Other languages may be accepted by the MSC and ASC on a case by case basis.
 - 6.1.4 Be specific and include appropriate objective justification and evidence to substantiate any claim.
- 6.2 Complaints based upon hearsay will not be accepted and the ASC and MSC will ask for further information from the complainant.
- 6.3 Within 5 working days of receipt the MSC Science and Standards Director or their delegate will:
- 6.3.1 Ensure the complaint meets the general criteria set out in 6.1 above.
 - 6.3.2 Forward the complaint to the ASC.
 - 6.3.3 Acknowledge receipt of the complaint in writing and inform the complainant whether the complaint has been accepted for investigation or rejected by the MSC Science and Standards Director.
 - 6.3.3.1 If accepted, the complainant shall be informed of the next steps for considering the complaint.
 - 6.3.3.2 If rejected, the complainant shall be informed of the reason and of their options for re-submitting the complaint if they wish.
- 6.4 All complaints received shall be entered by the MSC Science and Standards Director or their delegate into the MSC-ASC Joint Complaints Log.

7 Dealing with Complaints

- 7.1 The MSC Science and Standards Director shall assign each complaint to an ‘investigator’ within 10 days of receipt of the complaint for investigation, according to the following criteria:
- 7.1.1 The investigator shall not be directly implicated in the complaint;
 - 7.1.2 The investigator can be more than one person working as a team;
 - 7.1.3 Depending on the nature of the complaint, such as a complaint giving rise to a conflict of interest, the MSC Science and Standards Director may appoint an investigator independent of the ASC and MSC.
- 7.2 A Complaints Panel shall be formed within 10 working days of receipt of a complaint comprising the MSC Science and Standards Director, the ASC Ombudsman, the investigator and others deemed necessary based on the nature of the complaint.
- 7.3 The SSC shall approve the complaints panel composition before an investigation is initiated.
- 7.4 A copy of the complaint, with all correspondence, shall be passed to Complaints Panel.
- 7.5 The investigator will inform the complainant and any other parties against which the complaint is filed of:
- 7.5.1 The establishment of the Complaints Panel;
 - 7.5.2 Its composition;
 - 7.5.3 Next steps;
 - 7.5.4 Estimated timeline for the process; and
 - 7.5.5 That an appointed investigator (with full name) may contact them to establish the full picture of their complaint/appeal.
- 7.6 The investigator may contact the complainant to determine the full nature and extent of the complaint and to obtain any additional information from whatever source, including the complainant and other stakeholders, as necessary.
- 7.7 The investigator shall objectively analyse and assess the complaint using all available relevant information.
- 7.8 The investigator shall prepare a report including:
- 7.8.1 A proposed determination as to whether the complaint has merit; and
 - 7.8.2 A proposed corrective action plan where appropriate.
- 7.9 The report shall be presented to the Complaints Panel to discuss and agree a recommendation to the SSC.

- 7.10 If the determination and corrective actions are accepted by consensus by the Complaints Panel the recommendation for adoption shall be forwarded to the SSC for final decision.
- 7.11 Where there is no consensus to fully accept the determination and corrective action plan, the Complaints Panel shall report the points of disagreement to the SSC for final decision.
- 7.12 The final decision of the SSC and agreed corrective action plan shall be recorded in the MSC-ASC Joint Complaints Log

8 Implementing corrective action plans

- 8.1 Within 5 working days of the SSC decision, the investigator shall send the complainant the decision of the SSC and the agreed corrective action plan including a timeline for implementation.
- 8.2 The investigator shall oversee the implementation of the corrective action plan.
- 8.3 The Complaints Panel shall verify when the corrective action has been effectively implemented and if so, close the complaint. This shall be recorded in the MSC-ASC Joint Complaints Log.
- 8.4 The MSC Science and Standards Director or their delegate shall notify the complainant and all other parties that the complaint has been addressed and has been closed, and will explain what actions have been taken, within 10 working days of the complaint being closed.
- 8.5 If the complaint was against the MSC/MSCI personnel and upheld, a copy of the correspondence shall be filed in their Personnel File.
- 8.6 There is no provision in this procedure for an appeal against a decision on a complaint.

9 Review

- 9.1 The ASC and MSC together with the Complaints Panels shall review the MSC-ASC Joint Complaints Log and summaries of complaints and appeals from ASI and certification bodies on a yearly basis. Learning from this activity shall be taken into consideration when reviewing this procedure.
- 9.2 Annually, the MSC shall prepare a summary of all the cases, including the nature of any complaint, the broad stakeholder group from which complaints were made, respective decisions and status of those cases. This summary will be reported to the SSC and made available on request to interested parties.
- 9.3 This procedure is open for comments from all stakeholders (email comments to seaweedstandard@msc.org). Comments shall be recorded in the Seaweed Issue Log and taken into consideration when the procedure is reviewed and revised.
- 9.4 Comments shall be acknowledged and the commentators shall be notified and/or consulted with when the procedure is reviewed and revised.

- 9.5 This procedure shall be reviewed at a minimum of every 5 years or sooner where deemed necessary by the SSC.

10 Records

- 10.1 All records generated from complaints will be kept by the MSC on behalf of the MSC and ASC for at least 5 years, including:
- 10.1.1 Complaints.
 - 10.1.2 Acknowledgements and notification to the complainant.
 - 10.1.3 Reports prepared by the investigator including proposed determination and corrective action plan.
 - 10.1.4 SSC decisions.
 - 10.1.5 Annual summaries from ASI and certification bodies.
 - 10.1.6 MSC records of all annual summaries of all complaints relating to the ASC-MSC Seaweed Standard programme.

Annex 1: MSC-ASC Joint Notice of Complaints Form

As required in 6.1, all complaints shall be submitted to the MSC using the current version of the form “MSC-ASC Joint Notice of Complaints Form” found below or at: <https://www.msc.org/documents/policy-documents/msc-asc-complaints-form>

General

In order for us to process your complaint thoroughly and efficiently, please read the following information carefully:

1. This form should be filled out in English (contact seaweedstandard@msc.org if you wish to request submission in another language).
 2. All fields with a * must be completed.
- *Complaints based on hearsay will not be accepted.*
 - *Where multiple complaints are filed with the same underlying issue, these are considered as 1 dispute and will be processed together.*
 - *All filed complaints shall be accompanied by relevant evidence.*

Send the completed form by:

- email: seaweedstandard@msc.org
- or post: **Marine Stewardship Council
Marine House
Snow Hill
London
EC1A 2DH
United Kingdom.**

Your Information

Date:	DD/MM/YYYY
First name*:	
Surname*:	
E-mail address*:	
Telephone number*:	
Mobile number:	
Fax number:	

Organisation (if applicable)*:	
Address:	
House number:	
Postal code:	
City/Country:	

List enclosed evidence: <i>(if applicable)</i>	- <i>Title(s) document(s)</i>
	- <i>Reason enclosed documents are considered evidence.</i>
	1.
	2.
	3.
	4.

Your reason for the complaint

Please enter the reason for your complaint in the field below (max. 400 words)



Annex 2: MSC-ASC Joint Complaints Log

MSC-ASC JOINT COMPLAINTS LOG								
Number	Complainant	Date received	Received by	Complaint	Investigator allocated	Corrective action	Date closed	Other remarks

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