Submitting a complaint

If you would like to make a complaint about the conduct of the Marine Stewardship Council (MSC) in managing its certification program, the process of setting its standards, or any other area of operation, you can do so via the MSC Complaints Procedure, which can be found on the following pages.

Complaints should be submitted in writing using the MSC Notice of Complaint Form. When your complaint is received, we will check it to ensure that it is within the scope of our Complaints Procedure, and will inform you of whether your complaint has been accepted as meeting the criteria for investigation. If we need more information to determine whether we can accept your complaint, we will give you the opportunity to re-submit. Please refer to the section further below for types of complaints that cannot be handled using the MSC Complaints Procedure.

If your complaint meets our criteria, we will form a Complaint Panel from MSC staff and/or the Chairman of the Board of Trustees. The Panel will include an investigator, who will objectively analyse and assess the complaint. The Investigator may contact you to request additional information during this time.

The Investigator will report to the Panel, who will recommend to the MSC Executive Committee whether the complaint should or should not be upheld. If the Executive Committee is unable to reach agreement, the MSC Board of Trustees will make a final decision. If your complaint is upheld, the MSC will formulate a corrective action plan to ensure that the cause of the complaint is addressed. If your complaint is not upheld, the MSC may still formulate an improvement plan to address any issues identified during the investigation.

You will be notified of the outcome of the investigation, including any accompanying corrective action plan or improvement plan. If applicable, we will then contact you a final time to inform you when the corrective action plan or improvement plan has been completed.

Other types of complaints or issues that should not be submitted via the MSC Complaints Procedure

- Conduct of Accreditation Services International (ASI) – refer to the ASI Complaints Procedure.
- Conduct of a Conformity Assessment Body (CAB), including during an assessment or audit – refer to the CAB’s own complaints procedure. If the CAB does not satisfactorily address the grounds of the complaint, you should then refer the matter on to ASI via the ASI Complaints Procedure.
- Objection to a fishery certification decision – refer to Annex PD of the Fisheries Certification Requirements v2.1.
- Misuse of the MSC ecolabel – send to ecolabel@msc.org.
- Conduct of the MSC’s logo-licensing company, Marine Stewardship Council International licensing (MSCI) – send to ecolabel@msc.org.
- Content of an MSC standard – send to standards@msc.org.
MSC Complaints Procedure

Version 2.1

This document is publicly available on the MSC website (www.msc.org)
Document history

<table>
<thead>
<tr>
<th>Version</th>
<th>Effective date</th>
<th>Description of amendment</th>
<th>Affected section/page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.0</td>
<td>20 June 2008</td>
<td>New document</td>
<td>n/a</td>
</tr>
<tr>
<td>2.0</td>
<td>8 July 2016</td>
<td>Revision to comply with current MSC assurance system and latest ISEAL, FAO and GSSI requirements</td>
<td>Significant revision. Please request Version 1 for full details of revision</td>
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<tr>
<td>2.1</td>
<td>20 February 2018</td>
<td>Revision to clarify complaints that are within scope of this procedure, and governance arrangements during the investigation process.</td>
<td>Minor revisions to all sections.</td>
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</table>

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The official language of this procedure is English. The definitive version is maintained on the MSC’s website (www.msc.org). Any discrepancy between copies, versions or translations shall be resolved by reference to the definitive English version.

The MSC prohibits any modification of part or all of the contents in any form.

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1 Purpose
1.1 This procedure sets out the process to be followed for the effective and timely resolution of complaints relating to the MSC’s standard-setting activities and to the conduct of the MSC in its other functions, including management of the MSC certification program.

2 Scope
2.1 This procedure shall be for use by any stakeholder in raising a formal complaint relating to one or more of the following activities:
   a. Processes of developing, reviewing and revising MSC standards.
   b. Management of the MSC certification program.
   c. Execution of any other MSC function.
   d. Conduct of MSC employees in executing any of the above.

2.1.1 “MSC employees” includes all employees of the MSC group, with the exception of MSCI (see 2.2.6).

2.1.2 A formal complaint shall also meet the requirements set out in 6.1.

2.2 This procedure shall not be for use in raising:
   a. Complaints or objections about an applicant or accredited conformity assessment body (CAB) including its farm or fishery assessments and certification decisions, which should initially be dealt with under the CAB’s own complaints procedure.
      i. If the CAB is not able to satisfactorily address the grounds of the complaint, it should be raised with Accreditation Services International (ASI) according to the ASI Complaints Procedure.
   b. Complaints about the conduct of Accreditation Services International (ASI), which should be dealt with under the ASI Complaints Procedure.
   c. Complaints about the content of the MSC standards and their associated normative documents, which should be sent to standards@msc.org to enable them to be reviewed and processed according to the MSC Standard Setting Procedure.
   d. Complaints about the ASC-MSC Seaweed Standard, which should refer to the MSC-ASC Joint Seaweed Standard Setting Complaints Procedure.
   e. Complaints regarding ecolabel misuse, which should be sent to ecolabel@msc.org.
   f. Complaints regarding the MSC’s logo-licensing company, Marine Stewardship Council International licensing (MSCI), which should be sent to ecolabel@msc.org.

3 Responsibilities

<table>
<thead>
<tr>
<th>Party</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complainant</td>
<td>Files complaint according to the MSC Complaints Procedure</td>
</tr>
<tr>
<td>MSC Executive</td>
<td>Processes complaint, supports other MSC parties in their roles in executing the procedure, and coordinates annual complaints review</td>
</tr>
</tbody>
</table>

The electronic version of this document held by the MSC is the latest version. All printed material is uncontrolled documentation. It is the individual’s responsibility to ensure that paper copies are the current version.
## MSC Chief Executive Officer (CEO)
- Assigns investigator

## Investigator
- Objectively analyses the complaint using all available relevant information and oversees delivery of the corrective action plan

## Complaint Panel
- Oversees handling of the complaint until resolution or withdrawal. One Complaint Panel is convened per complaint.

## MSC Executive Committee
- Takes decisions:
  - On membership of each Complaint Panel
  - To confirm determination of each Complaint Panel
  - To adopt corrective action plan or recommended improvement(s), if proposed

## Chairman of MSC Board of Trustees
- Performs MSC Executive Committee responsibilities above if complaint involves the MSC CEO

### 4 Terms and definitions
4.1 All terms and definitions are included in the MSC-MSCI Vocabulary ([www.msc.org/for-business/certification-bodies/supporting-documents](http://www.msc.org/for-business/certification-bodies/supporting-documents)).

### 5 Associated documentation

<table>
<thead>
<tr>
<th>Document</th>
<th>URL</th>
</tr>
</thead>
<tbody>
<tr>
<td>MSC Complaints Log</td>
<td>N/A</td>
</tr>
<tr>
<td>ASI Complaints Procedure</td>
<td><a href="http://www.accreditation-services.com/dispute-management/complaints">www.accreditation-services.com/dispute-management/complaints</a></td>
</tr>
</tbody>
</table>
6  Receiving a complaint

6.1  To be accepted and classified by the MSC as a formal complaint, the complaint shall:
   a.  Meet the scope criteria set out in 2.1.
   b.  Be specific, and include appropriate objective justification and evidence to substantiate any claim.
   c.  Be submitted in writing using the MSC Notice of Complaint Form.
   d.  Be submitted in English.
      i.  Other languages may be accepted by the MSC on a case by case basis, with any request to submit a complaint in a different language to be sent to complaints@msc.org.
   e.  Be sent by email to complaints@msc.org or by letter to: Marine Stewardship Council, Marine House, 1 Snow Hill, London EC1A 2DH, United Kingdom.
   f.  State that it is a complaint.

6.2  Any complaint based upon hearsay shall not be accepted.
   6.2.1  In such a case, the MSC shall request further information from the complainant in order to assess whether the complaint has substance.
   6.2.2  If the complainant does not respond within the 30-day timeframe stipulated in the request, the complaint shall be considered withdrawn and therefore closed.

6.3  Within eight calendar days of receipt, the MSC CEO or their delegate shall:
   a.  Ensure the complaint meets the general criteria set out in 6.1 above.
   b.  Acknowledge receipt of the complaint in writing to the complainant, and inform them of whether the complaint has been accepted for investigation or rejected.
   6.3.1  If accepted, the complainant shall be informed of the next steps for considering the complaint per this procedure.
   6.3.2  If rejected, the complainant shall be informed of the reason and of their options for re-submitting the complaint.

6.4  Any complaint received shall be entered by the MSC Executive into the MSC Complaints Log.

7  Handling the complaint

7.1  Within 10 calendar days of receipt of the complaint, the MSC CEO shall assign the complaint to an “investigator” for investigation, according to the following criteria:
   a.  The investigator shall not be directly implicated in the complaint.
   b.  The investigator may be more than one person working as a team.
   c.  Depending on the nature of the complaint, such as a complaint giving rise to a conflict of interest, the CEO may appoint an investigator independent of the MSC.

7.2  A Complaint Panel shall be formed by the CEO or their delegate within 10 calendar days of receipt of a complaint.
   7.2.1  The Complaint Panel shall comprise at least three people appropriate to the nature of the complaint, including the investigator.
7.2.2 If the complaint involves the CEO, the Chairman of the MSC Board of Trustees shall form the Complaint Panel and act in place of the MSC Executive Committee for the purposes of this procedure.

7.3 The MSC Executive Committee shall approve the Complaint Panel composition before an investigation is initiated.

7.4 A copy of the complaint, with all correspondence, shall be passed to the Complaint Panel.

7.5 The investigator shall inform the complainant, and any parties against which the complaint is raised, of:

a. The establishment of the Complaint Panel.
b. The composition of the Complaint Panel.
c. Next steps.
d. Estimated timeline for the process.
e. That they may be contacted to establish the full nature of the complaint.

7.5.1 For any other stakeholders that are relevant to the complaint, the MSC shall determine what information is appropriate to share, balancing the principles of confidentiality and transparency.

7.6 The investigator may contact the complainant to determine the full nature and extent of the complaint.

7.6.1 If the investigator contacts the complainant per 7.6, they shall specify that the complainant has 30 calendar days in which to respond with the requested information.

7.7 If at any time during the investigation process the complainant is non-responsive for more than 30 calendar days following a request for information or acknowledgement, the MSC shall reserve the right to consider the complaint withdrawn and therefore closed.

7.8 The investigator shall objectively analyse and assess the complaint using all available relevant information.

7.9 The investigator shall prepare a report which includes:

a. A summary of the nature of the complaint.
b. A proposed determination as to the validity of the complaint, which shall be one of the following:
   i. Not upheld
   ii. Not upheld, but with improvement plan proposed
   iii. Upheld, with corrective action plan proposed
c. An improvement plan, if proposed per 7.9.b.ii.
d. A corrective action plan, if proposed per 7.9.b.iii.

7.10 The report shall be presented to the Complaint Panel to discuss and agree a recommendation to the MSC Executive Committee.

7.11 If the determination, and the improvement or corrective action plan if proposed, are accepted by consensus by the Complaint Panel, the recommendation for adoption shall be forwarded to the MSC Executive Committee for final decision.

7.11.1 Where the Complaint Panel is unable to accept fully the determination and the improvement or corrective action plan if proposed, it shall report the points of disagreement to the MSC Executive Committee for final decision.
7.11.2 If the MSC Executive Committee is unable to accept fully the determination and the improvement or corrective action plan if proposed, the CEO shall report the points of disagreement to the MSC Board of Trustees for final decision.

7.12 The final decision and agreed corrective action plan shall be recorded in the MSC Complaints Log by the MSC Executive.

8 Implementing a corrective action or improvement plan

8.1 Within seven calendar days of the final decision, the investigator shall send the complainant the decision, along with any agreed improvement or corrective action plan and the timeline for implementation.

8.2 The investigator shall oversee the implementation of any improvement or corrective action plan resulting from their investigation.

8.2.1 The investigator shall report back to the assigned Complaint Panel to check on any milestones as agreed.

8.2.2 If there are no milestones, the investigator shall provide a report to the Complaint Panel at the planned completion date.

8.3 The Complaint Panel shall verify when the improvement or corrective action plan has been effectively implemented and, if so, close the complaint.

8.3.1 This shall be recorded in the MSC Complaints Log by the MSC Executive.

8.4 The MSC CEO or their delegate shall notify the complainant that the complaint has been addressed and closed, and explain what actions have been taken, within 10 calendar days of the complaint being closed.

8.5 If the complaint was against an MSC employee and was 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 Complaints review

9.1 Annually, the MSC shall conduct a complaints review which includes examination of:

a. All complaints recorded in the MSC Complaints Log.

b. The handling of any complaint under this procedure.

c. Summaries of complaints and appeals from ASI and certification bodies.

9.1.1 The complaints review shall be conducted by the MSC Executive and reviewed by all Complaints Panels convened in the last year.

9.1.2 A summary of the findings of the complaints review shall be provided to the MSC Board of Trustees for information.

9.1.3 Learning from complaints reviews 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 complaints, the broad stakeholder group from which complaints were made, and respective decisions and statuses of those cases.

9.2.1 The annual summary of cases shall be signed off by the MSC Executive Committee.
9.2.2 The signed-off annual summary of cases shall be made available on request to interested parties.

9.3 This procedure shall be open for comment from all stakeholders (email comments to standards@msc.org).

9.3.1 Comments shall be recorded in the MSC’s Science and Standards Issue Log and taken into consideration when the procedure is reviewed and revised.

9.3.2 Comments shall be acknowledged and the commentators shall be notified and/or consulted with when the procedure is reviewed and revised.

9.4 This procedure shall be reviewed a minimum of every five years, or sooner where deemed necessary by the MSC Board of Trustees or Executive Committee.

10 Records

10.1 All records generated from complaints shall be kept by the MSC for a maximum of seven years, including:
   a. Complaints.
   b. Acknowledgements and notification to the complainant.
   c. Reports prepared by the investigator including proposed determination and corrective action plan.
   d. Final decisions.
   e. Annual summaries from ASI and certification bodies.
   f. MSC records of all annual summaries of all complaints relating to the MSC program.

10.2 Any personal information submitted by complainants shall be handled in accordance with the UK Data Protection Act 1998 and the General Data Protection Regulation (GDPR).

End of Procedure
Annex 1: MSC Notice of Complaint Form

MSC Notice of Complaint Form

Per 6.1.3 of the MSC Complaints Procedure, all complaints shall be submitted to the Marine Stewardship Council (MSC) using the current version of the form “MSC Notice of Complaints Form” found at: www.msc.org/documents/policy-procedural-documents/msc-complaints-form.

General

So that we can process your complaint thoroughly and efficiently, please read the following information carefully:

1. This form should be filled out in English (contact standards@msc.org if you wish to request submission in another language).
2. All fields with an * 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 one dispute and will be processed together.
- All filed complaints shall be accompanied by relevant evidence.

Send the completed form by:

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

Your information

Date of submission: DD/MM/YYYY

First name*: 
Surname*: 

E-mail address*: 
Telephone number*: 
Mobile number:

The electronic version of this document held by the MSC is the latest version. All printed material is uncontrolled documentation. It is the individual’s responsibility to ensure that paper copies are the current version.
Fax number: 
Organisation (if applicable)*: 
House number: 
Street address 
City and/or region: 
Postal code: 
City/Country: 

List enclosed evidence: (if applicable)
- Title(s) of any document(s)
- Reason enclosed documents are considered evidence.

1. ........................................................................................................
2. ........................................................................................................
3. ........................................................................................................
4. ........................................................................................................
5. ........................................................................................................

Add additional lines as needed.

Your reason for the complaint
Please enter the reason for your complaint in the field below (max. 400 words)
## Annex 2: MSC Complaints Log

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<th>Number</th>
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<th>Investigator allocated</th>
<th>Outcome of investigation</th>
<th>Date closed</th>
<th>Other remarks</th>
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