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## 1. Amendment History

| Date:         | Version: | Summary of Amendment:   |
|---------------|----------|---|
| 16 July 2014  | 1.0      | Final version – comments as received through public consultation processed.   |
| 03 April 2023 | 2.0      | Inclusion of facilitated discussion step, categorisation of complaints introduced, revision of decision-making panel to extend independence for higher category complaints. |

## 2. Effective Date

The procedure will be effective from 03 April 2023.

## 3. Introduction

Resolving complaints using an open and fair system is an important part of operating a credible organisation. Stakeholders can use this procedure to understand the process, know what they can expect from the ASC and what they will need to do to help resolve their complaint. Complaints offer organisations opportunities to improve and as such are welcome where stakeholders believe they have grounds for complaint.

## 4. Purpose

The purpose of this procedure is to detail the process to resolve complaints in an open and fair way.

## 5. Scope

- 5.1 This procedure applies to complaints about ASC activities, including standard setting, operation of its assurance programme and staff/governance conduct.
- 5.2 Activities of those working on behalf of ASC, including consultants contracted to ASC, are also within scope.
- 5.3 Complaints addressed by Assurance Services International (ASI) may be escalated to the ASC Complaints Procedure where the complainant is not satisfied with the outcome of the [ASI Disputes Programme](#).
- 5.4 Table 1 below shows other mechanisms available within the ASC Programme for complaint handling that are outside the scope of this procedure.

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**Table 1: ASC Certification Programme Complaint, Appeal and Dispute Processes**

| Type of feedback  | Handled by  | Intended user                                    |
|---|---|--|
| Complaints about certificate holders' standard compliance                         | CAB complaints procedures as required in ASC CAR        | Stakeholders                                     |
| Complaints about CAB assessment processes   | CAB complaint procedures as required in ASC CAR         | Certificate holders, applicants and stakeholders |
| Complaints about CABs where CAB complaints process has not satisfied complainants | <a href="#">ASI Dispute Programme</a>                   | Certificate holders, applicants and stakeholders |
| Appeals against certification decisions   | CAB appeals procedures as required in ASC CAR           | Certificate holders and applicants               |
| Appeals against accreditation decisions   | <a href="#">ASI Dispute Programme</a>                   | CABs   |
| Complaints about ASC logo misuse  | <a href="#">Logo misuse webform</a>                     | Stakeholders                                     |
| Logo licensing disputes   | ASCI as part of Logo License Agreement disputes process | Licensees, stakeholders                          |

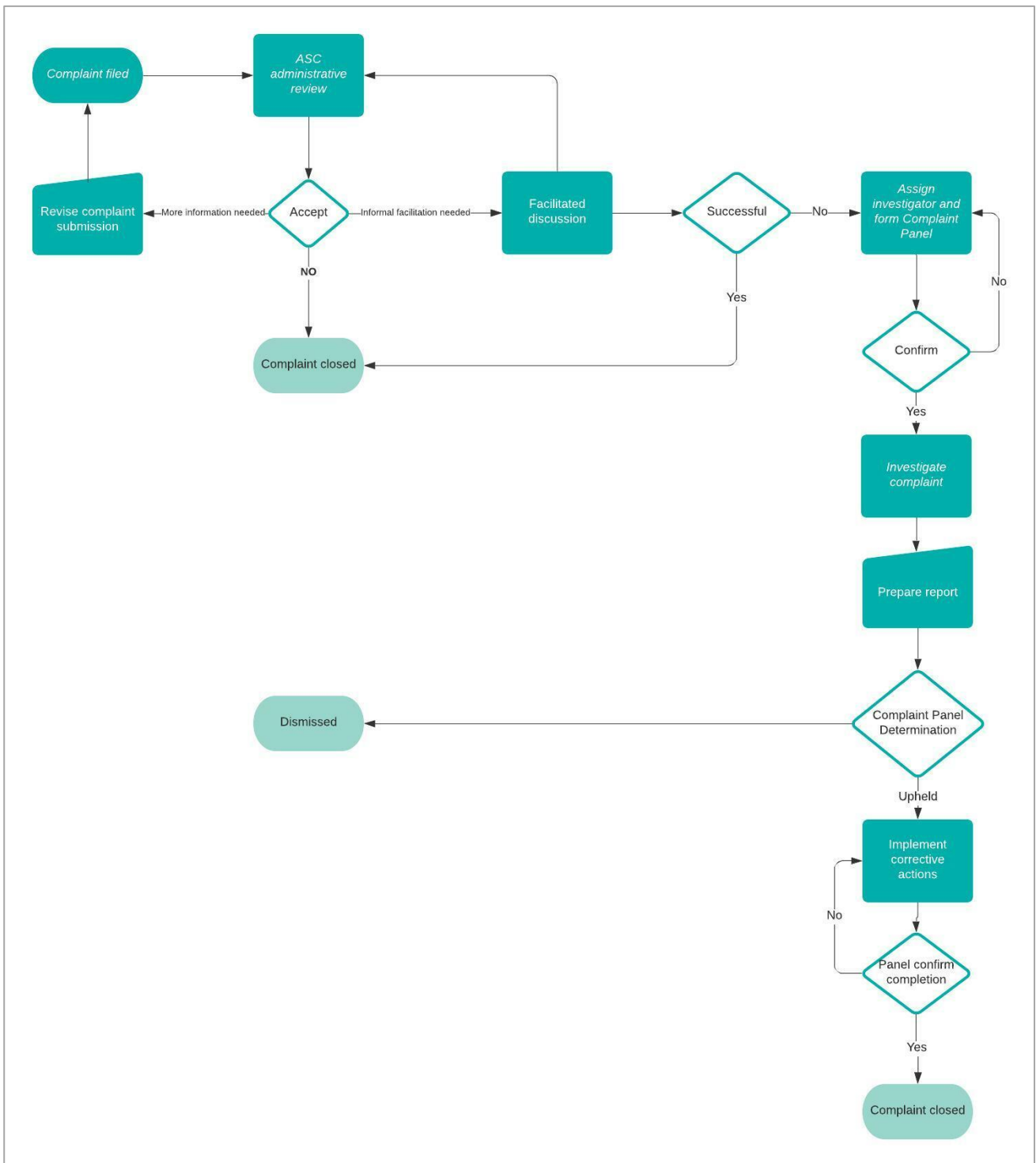
## 6. Terms and Definitions

Table 2 below shows terms and definitions associated with complaint handling.

**Table 2: Terms and Definitions**

| Term                  | Definition  |
|-----------------------|---|
| Complaint             | Any expression of dissatisfaction, by any person or organisation, relating to the activities or lack of activities of ASC, where a response is expected.            |
| Complaint parties     | Person(s) submitting the complaint and anybody against which the complaint is made.   |
| ASC                   | Group of legal entities comprised of the Stichting Aquaculture Stewardship Council Foundation, Aquaculture Stewardship Council, and ASCI Limited.                   |
| Days                  | Working days in the location of the party required to act.  |
| Independent panellist | Person outside ASC staff and governance but with strong understanding of certification systems and experience of dispute handling, assigned to the Complaint Panel. |

## 7. Process Overview



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## 8. General provisions

- 8.1** Complaints should be resolved at the lowest level possible with parties engaging in discussion, negotiation, or informal mediation before resorting to the formal complaint procedure. ASC will retain records of attempts made to resolve complaints in this way.
- 8.2** Complaints management should be fair, and the following expectations apply:
- Parties to the complaint should be given adequate notice about proceedings.
  - Any parties to the complaint and decision makers should declare any interest relating to the nature of the complaint.
  - All parties should act impartially and in good faith.
- 8.3** Timelines may be extended in exceptional circumstances. All parties will be regularly updated.
- 8.4** Related complaints submitted together may be considered as a single complaint. This will be confirmed on a case-by-case basis.
- 8.5** Complaints should be submitted as soon as possible and within twelve months of the event that is the subject of the complaint.
- Complaints where the subject of the complaint occurred outside of this limitation may be considered for category 2 and 3 complaints.
- 8.6** The outcome of a complaint cannot affect the outcome of any assessment process.
- Complaints relating to ASC actions associated with an active assessment process will be initiated once the assessment has concluded.

## 9. Roles

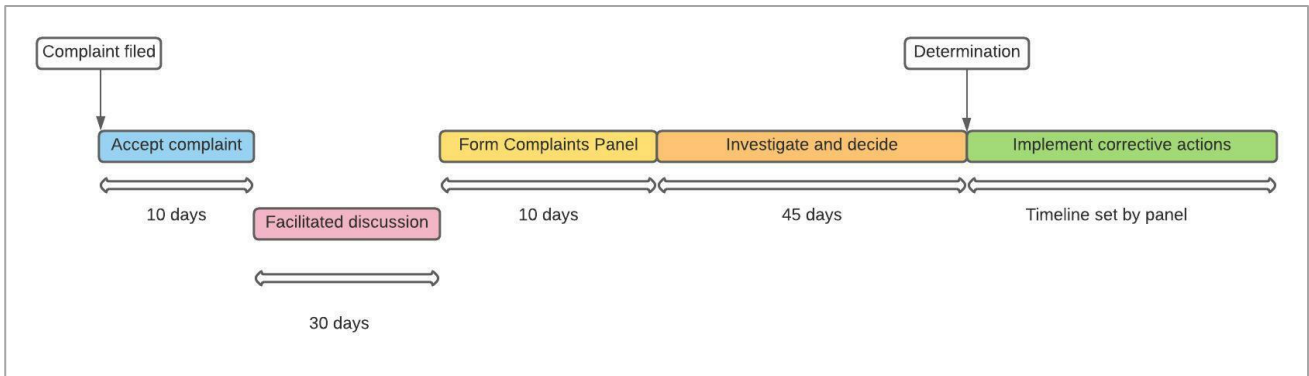
Table 3 below shows the roles and responsibilities of those involved in complaint handling.

**Table 3: Roles and Responsibilities**

| Party            | Role and responsibility   |
|------------------|---|
| Complainant      | Files complaint and provides evidence, reviews complaint report for errors of fact.   |
| Coordinator      | Member of ASC secretariat that administrates the process, supports the parties, Investigator and Complaints Panel.  |
| Investigator     | Compiles all information necessary for the Panel's consideration including development of recommendations in upholding/dismissing complaints and compiling corrective actions for review. |
| Complaints Panel | Considers evidence and determines complaint outcome and adequacy of corrective action plan.   |
| ASC CEO          | Confirms Investigator and Complaint Panel.  |
| ASC Board        | Oversees Complaints Procedure reviewing annual report from ASC.   |

## 10. Procedure

### 10.1 Complaints Procedure Timeline



### 10.2 Complaint acceptance

10.2.1 The Complainant files a complaint by providing the following information to [complaints@asc-aqua.org](mailto:complaints@asc-aqua.org):

- a. Name and contact details.
- b. Details relating to the complaint (include details of those involved and a detailed summary of the issues).
- c. Evidence to support complaint.
- d. Expected outcomes.
- e. Evidence of the steps already taken to resolve complaint.

10.2.2 The Coordinator will acknowledge receipt of the complaint within 5 days of receipt.

10.2.3 The Coordinator will review the complaint assessing:

- a. Whether the complaint is within scope of the ASC Complaints Procedure.
- b. Whether adequate is provided to support the acceptance of the complaint.
- c. Whether the complaint is clear and whether any further information is needed.

10.2.4 If the complaint is not within scope of the ASC Complaints Procedure, the Coordinator will reject the complaint, using Table 1 to redirect the complainant to the appropriate process where relevant.

10.2.5 Where the complaint is within scope, but evidence is insufficient to evaluate whether the complaint should be accepted, the coordinator will respond to the complainant to request more information.

Where additional adequate information is then provided, the coordinator will move to step 10.2.6.

10.2.6 Where the complaint is within scope, adequate evidence is supplied and effort has been made to resolve the complaint directly with the parties, the Coordinator will accept the complaint, notifying the complainant accordingly.

Where no efforts have been made to resolve the complaint informally, the coordinator will work with the complainant to facilitate discussion between the parties. After 30 days, if there is no prospect of resolution through discussion a formal complaint is accepted and the process is initiated.

10.2.7 The Coordinator will log the complaint confirming whether the complaint is accepted, rejected, or returned for further information.

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10.2.8 The complaint acceptance process should be completed within 10 days of complaint submission.

### 10.3 Forming the Complaint Panel

10.3.1 The Coordinator will assign an Investigator.

10.3.2 The Investigator should have some understanding of the processes involved in the complaint.

*Note. The Coordinator can also be the Investigator.*

*Note. The Investigator can be more than one person for complex complaints.*

*Note. The Investigator shall not be directly implicated in the complaint.*

10.3.3 The Coordinator will form a Complaint Panel, considering the nature and seriousness of the complaint using the minimum requirements in Table 4 below.

**Table 4: Minimum requirements for Complaint Panel composition**

| Category | Description of complaint type   | Recommended Panel membership   |
|----------|---|--|
| 1        | Isolated incident with limited impact   | 1 Senior Director + 1 Team lead + 1 staff member with relevant topic expertise |
| 2        | Multiples issues or complaint with significant impact   | 1 Independent + 1 Senior Director + 1 Director                                 |
| 3        | Complaint involves SMT or governance body members, or serious or systemic breaches of ASC procedure/conduct | 1 Independent + 2 governance body members with no connection to issue          |

*Note. Greater independence or seniority can be included in the Panel.*

10.3.4 The CEO or their delegate approves the Investigator and Complaint Panel, confirming their suitability to handle the specific nature and category of complaint impartially.

For Category 3 complaints the ASC Board will approve the Complaint Panel.

10.3.5 Requests are forwarded to Complaint Panel members to ensure their availability to serve.

If any members are not able to serve, 10.3.1 to 10.3.5 are repeated until an appropriate Panel is secured.

10.3.6 The Complaint Panel should be formed within 10 days of the complaint being accepted.

10.3.7 All complaint parties will be notified at this point with the following information:

- a. that a complaint is being investigated,
- b. that they may be contacted for further information,
- c. the establishment and composition of the Complaint Panel,
- d. the name(s) of the Investigator(s),
- e. that they will be notified of the outcome of the complaint and
- f. the anticipated timeline for resolving the complaint.

## 10.4 Investigation

10.4.1 A copy of the complaint, with all correspondence, shall be passed to the Investigator.

10.4.2 The Investigator will gather all information necessary to evaluate the complaint.

If the complainant fails to provide additional requested information within 30 days, the complaint will be dismissed.

10.4.3 The investigator shall objectively assess the information, making an assessment of whether the complaint has merit. For complaints with merit, the Investigator shall determine the cause of the complaint and propose a corrective action plan to resolve the cause of the complaint and prevent its reoccurrence.

10.4.4 The Investigator prepares a draft report including:

- a. a summary of the nature of the complaint,
- b. key evidence and considerations,
- c. a recommended determination of whether the complaint has merit,
- d. recommended corrective actions.

10.4.5 The draft report is circulated to the parties to the complaint to identify any errors of fact with 10 days for response.

## 10.5 Determination

10.5.1 The Complaints Panel meet to consider the report, make a determination of whether the complaint has merit and confirm any necessary corrective actions.

10.5.2 The determination should be made by consensus. Where consensus is not achieved, a simple majority decision is made.

## 10.6 Reporting

10.6.1 The determination is communicated to the complaint parties within 5 days.

10.6.2 The complaint and its outcome will be updated on the Complaints Log and made publicly available where the nature of the complaint relates to standard setting or assurance programme operation.

10.6.3 The Coordinator will track delivery of corrective actions notifying parties on completion.

10.6.4 The complaint is then closed and updated on the Complaints Log.

## 10.7 Record keeping

10.7.1 Records will be retained for a minimum of 5 years.

10.7.2 Records include:

- a. Complaints
- b. Investigator's report
- c. Determination
- d. Corrective Action reports
- e. Complaints Log

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## 10.8 Review

- 10.8.1 This procedure is open for comments from all stakeholders. All comments received will be recorded in an Issue Log and taken into consideration when the procedure is reviewed and revised.
- 10.8.2 Comments will be acknowledged, and the commentators will be notified and/ or consulted with when the procedure is reviewed and revised.
- 10.8.3 This procedure will be reviewed at a minimum of every five years, or sooner if proven necessary.

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