

Appeals and Complaints Procedure for the MarinTrust Programme

1. Purpose

This procedure defines the method by which complaints and appeals related to the MarinTrust Programme are handled.

2. Scope

This procedure covers a specific set of complaints and appeals.

Complaints are formal expressions that something related to the MarinTrust Programme is incorrect or unsatisfactory. Appeals relate to decisions, either certification or accreditation decisions.

Unless otherwise stated, 'certificate holder' should be taken to include any accepted applicants for certification.

All Certification Bodies (CBs) are required to be compliant with ISO 17065 and to maintain a complaints and appeals process, as set out in ISO 17065.

All Accreditation Bodies (ABs) are required to be compliant with ISO17011 and to implement complaints and appeals processes as set out in ISO 17011.

2.1 Other information and comments

In addition to complaints and appeals, MarinTrust is always open to relevant suggestions, information and comments, including on its standards programme and associated assurance. Please refer to C2 – Standard Development Procedure and C3 – Procedure for Submission of Comments.

3. Complaints

Complaints may be about:

- A certificate issued by an accredited Certification Body or a Certificate Holder (CH)
- An accredited Certification Body
- An approved Accreditation Body
- An auditor involved in relevant certification processes
- The MarinTrust Standard programme and associated assurance

3.1 Complaints about an accredited Certification Body, about a certificate issued by an accredited Certification Body, about a Certificate Holder, or about an auditor involved in relevant certification processes

- Complaints may be submitted by any stakeholder.
- In the first instance the complainant should contact the CB directly.
- Complaints concerning a certificate or the conduct of a Certificate Holder shall be referred directly to the CB's Programme Manager/Administrator who will inform the CB's Senior Management team. The CB will contact the Certificate Holder concerned for additional information and clarification.
- Complaints may be received by either written or verbal means. However, verbal complainants will be requested to submit a written complaint. For complaints received by telephone, the call will be noted on the CB's complaints register and the caller also requested to submit a written complaint. Complaints received by writing shall form the basis of the complainant's file.
- The CB on receipt of a complaint or appeal will raise a Complaint Form and attach this to the written complaint and/or copy of telephone log of the complaint and allocate a Complaint Number. Details of the complaint, name and contact details of the complainant and the date received will be recorded in the Complaints Register by the CB's Certification Systems Manager or equivalent and copied to the Senior Management Team of the CB.
- The CB will acknowledge the complaint in writing within 5 working days and allocate responsibility for investigation and action.
- The CB will allocate a nominated Senior Manager to monitor the progress of the complaint investigation through to closure. This nominated manager will keep the complainant fully informed of the anticipated timescale to complete the complaint investigation. Where this involves formation of a Review Panel the complainant shall be informed of this and the anticipated timescale.
- The complainant shall be updated on the progress of the complaint investigation at least every 14 calendar days.
- On completion of the complaint investigation, the outcome will be signed off by the CB's Chief Executive Officer and recorded in the CB's Complaints Register. The nominated Manager will advise the complainant in writing of the outcome.
- If the complainant is not satisfied with the CB's investigation, they may refer the complaint to the MarinTrust CEO or Executive Directors, if deemed to be of serious concern, where it will be considered on a case-by-case basis.
- A review of the Complaints Register and status of outstanding complaints will be subject to regular audit as part of the CB's Internal Audit Programme and will be included in the CB's Quality System and Management Review Reports.

3.2 Complaints about an approved Accreditation Body

- Complaints may be submitted by any stakeholder.
- In the first instance the complainant should contact the AB directly.
- The AB shall decide on the validity of the complaint, and take effective actions and assess their effectiveness, record all complaints and actions taken, and respond to the complainants.
- If not satisfied after referring the complaint to the AB, the complainant has the option of referring the complaint to the Head of Operations of MarinTrust where it will be considered on a case-by-case basis.

3.3 All other complaints about the MarinTrust Programme and associated assurance

- Complaints may be submitted by any stakeholder.
- All complaints on the requirements, processes or activities of the MarinTrust Programme and associated assurance system design shall be placed in writing and directed to the Chief Executive and escalated to the Executive Director of MarinTrust where deemed appropriate. MarinTrust will acknowledge receipt of the complaint within five working days and where of sufficient importance will discuss the complaint with the MarinTrust Board or Governing Body Committee.
- An annual report of complaints received will be provided to the MarinTrust Board
- MarinTrust will contact the complainant by writing regarding the progress, outcome and decision of MarinTrust in relation to the complaint raised.
- All stakeholders are encouraged to engage with periodic revisions to the MarinTrust Standard. Document C2 – Standard Development Procedure.

4. Appeals

4.1 Appeals

Appeals may be regarding:

- A certification decision
- An accreditation decision

4.2 Appeals regarding a Certification Decision

- Appeals may be submitted only by the Certificate Holder.
- All appeals should be submitted in the first instance to the CB.
- Accredited CBs shall have strict guidelines on what should be included in an Appeal Procedure related to a Certification Decision that they have made.
- The process is as below. Any deviation from this process must be discussed and approved in advance by the Marin Trust Governing Body Committee.
 - A CH shall have the right of appeal against decisions made by the CB Certification Process.
 - Appeals shall be made in writing by the CH to the CB initially, within 14 calendar days of being advised of the decision that they wish to appeal.
 - The CB will acknowledge the appeal and shall have the right to conduct Initial Investigations to check the merits of the appeal.
 - The CB should appoint a Senior Manager to oversee the appeal investigation and if they agree with the appeal then the CB will correct the erroneous decision.
 - If the Senior Manager does not concur with the appeal then an Independent Panel, which can include a MarinTrust representative, is convened to handle the appeal.
 - The CB, including their Programme Manager, MarinTrust representative and the appellant are entitled to attend the Appeals Panel and present information to the Panel.
 - The Appeals Panel is independent and will make its ruling on the information supplied during the hearing.
 - The Appeals Panel will convene within 1 calendar month of the receipt of the appeal.
 - The ruling of the Appeals Panel is binding and final on the CB and the appellant.
- The CB will keep records of all appeals, final decisions and follow-up actions taken.

4.3 Appeals regarding an Accreditation Decision

- Appeals may be submitted only by the CB.
- All appeals should be submitted in the first instance to the AB.
- The AB will follow a procedure as required by ISO 17011. This will comprise:
 - appointing a person or group to investigate the appeal who are competent and independent of the subject of the appeal.
 - Deciding on the validity of the appeal, advising the CB of the final decision of the AB, taking follow-up action where required, and keeping records of all appeals, final decisions and follow-up actions taken.
- If not satisfied after referring the complaint to the AB, the complainant has the option of referring the complaint to the Head of Operations of MarinTrust where it will be considered on a case-by-case basis

5. Records

All complaints and appeals received by MarinTrust in relation to the MarinTrust Standards and Assurance Programme shall be recorded in the Complaints and Appeals Register.

The Complaints and Appeals Register and copies of correspondence relative to complaints will be made accessible for Internal Audit and to Authorised External Agencies.

Certification Bodies and ABs shall follow their own complaints and appeals in accordance with their internal complaints and appeals procedures.

6. Anonymity and Whistleblowing

Accredited CBs are required to maintain a whistleblowing policy.

AMENDMENT LOG

DATE	ISSUE	AMENDMENT	AUTHORISED BY
13/11/2015	1.1	IFFO RS logo heading, footer.	Francisco Aldon
27/11/2017	1.7	Update of wording throughout the document from “assessment” to “audit”.	Francisco Aldon
27/11/2017	1.7	Deletion of “Length of the On-site” has been deleted from point 6.0, second paragraph	Francisco Aldon
27/11/2017	1.7	Update of all of the levels of non-conformity in section 6.0, Audit procedures	Francisco Aldon
27/11/2017	1.7	Updating of section 8.0 Audit Frequency to ensure that it is clear the frequency and length of an audit is not on a risk based term.	Francisco Aldon
27/11/2017	1.7	Rewording of “21 working days” to “28 calendar days” I section 10.0 Non-conformance follow up.	Francisco Aldon
27/11/2017	1.7	Section 11.0, fifth paragraph, rewording of paragraph to “shall also be sent to the IFFO RS Standards Administrator and or IFFO RS secretariat with the same time period of no longer than 3 working days after the Certification Meeting. The Head of Operations shall use these audit reports for standard consistency monitoring purposes also.”	Francisco Aldon
27/11/2017	1.7	Section 11.0, final paragraph, change from “The applicant paying for the assessment shall be regard as the applicant” to ‘The main contact as indicated in the IFFO RS application form	Francisco Aldon
27/11/2017	1.7	Rewording of final paragraph in section 8.0 to “In some cases, where the marine ingredient is not produced continuously, the Re-certification audit shall take place while the factory is producing”	Francisco Aldon
Version 2 edits (MarinTrust conversion)			
18/03/2021	2.0	MarinTrust Header & Footer inserted	Libby Woodhatch
18/03/2021	2.0	Reference of IFFO RS amended to MarinTrust throughout document where applicable	Libby Woodhatch

18/03/2021	2.0	Refining and update of 'Scope' and specific inclusion of references to Accreditation Bodies.	Libby Woodhatch
18/03/2021	2.0	Addition of section 3.1 Other information and comments	Libby Woodhatch
18/03/2021	2.0	Inclusion of defined specific sections to cover complaints and appeals in different instances outlined in the scope of the document.	Libby Woodhatch
18/03/2021	2.0	Update of Records, Section 5, to reflect current practice	Libby Woodhatch
18/03/2021	2.0	Addition of section 6, Anonymity and Whistleblowing.	Libby Woodhatch