

## The MarinTrust Fisheries Improver Programme: Application Process & Surveillance Procedures

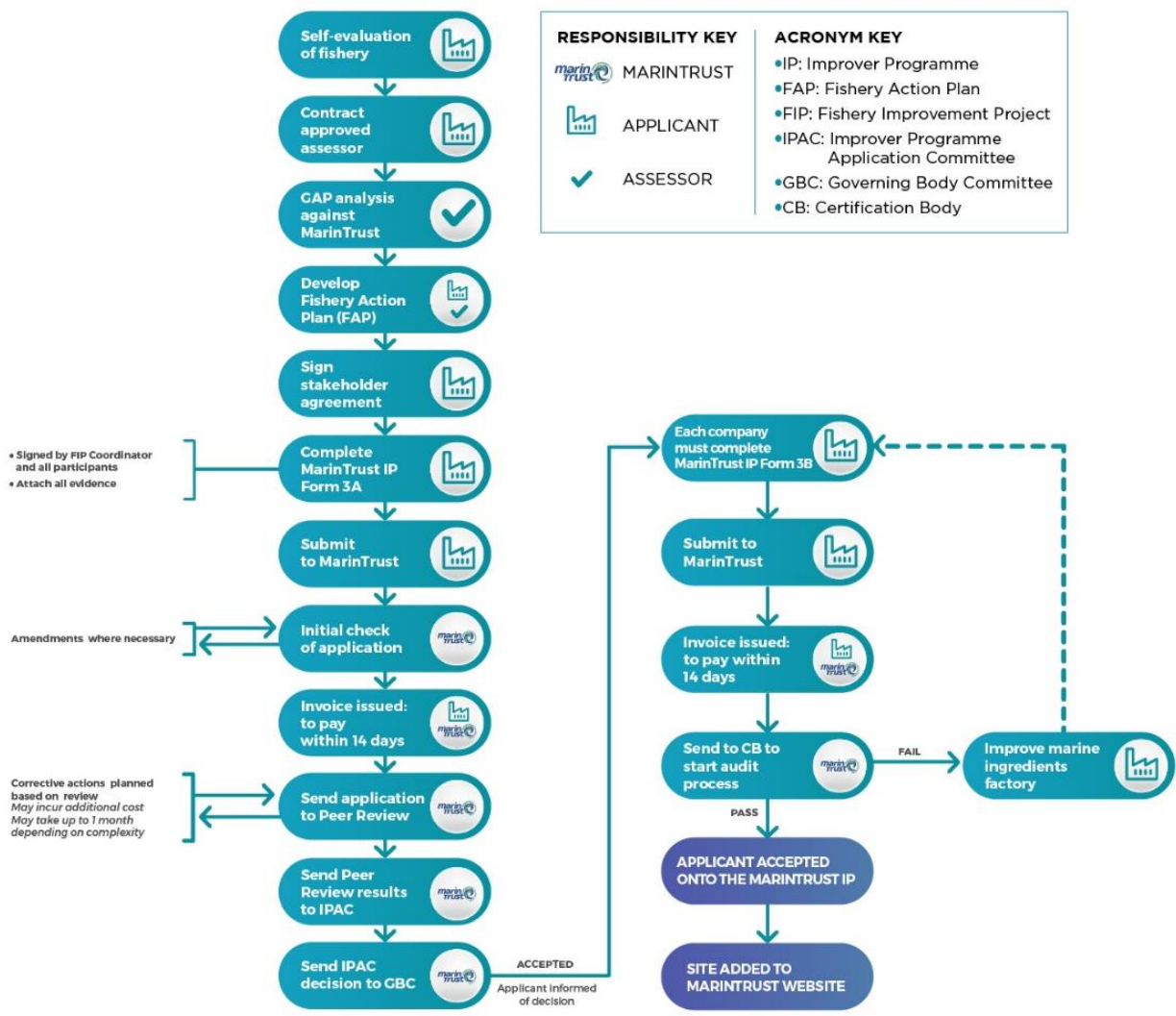
This document sets out the process by which the fishery component of the MarinTrust Improver Programme (IP) is operated. The IP provides a mechanism by which fisheries which do not currently meet the MarinTrust requirements can work towards approval for certification along a structured pathway and in alignment with the MarinTrust Quality Control Manual (providing guidance on good practices). The programme also enables such fisheries to obtain recognition for consistent progress made towards achieving MarinTrust approval. Fisheries approval in MarinTrust is based on meeting the requirements laid out in the FAO's Code of Conduct for Responsible Fisheries (CCRF, <http://www.fao.org/3/a-v9878e.pdf>). The full fishery assessment can be found on the MarinTrust website [here](#).

Those accepted onto the IP and commit to improvement requirements may use approved statements to demonstrate the nature of the production and the link to the MarinTrust brand, however they may **NOT** use the MarinTrust logo (see QMS doc. C4 MarinTrust Logo Management and the MarinTrust Improver Programme Accepted Sites Claims Agreement [here](#)).

The following MarinTrust IP stages make up the core of the process by which fisheries obtain and maintain acceptance on the MarinTrust IP:

1. MarinTrust Fishery Assessment and GAP Analysis
2. Development of a Stakeholder led Fishery Action Plan (FAP)
3. Signed Agreement between Stakeholders
4. Peer Review and Application Committee
5. Fishery Action Plan Tracker & Surveillance Assessments
6. Progress towards Fishery Approval

The main body of this document details the procedures associated with each of these key steps. The diagram below illustrates the overview of the MarinTrust assessment and the MarinTrust IP application process in detail:



## 1. MarinTrust Fishery Assessment & Gap Analysis

The objective of the IP assessment and Gap analysis of an applicant fishery is to determine the areas in which the fishery does not currently align with the FAO’s CCRF objectives and principles, and hence does not meet the MarinTrust fishery assessment requirements. The results of the assessment are designed to highlight information, management and status gaps and are summarised via the gap analysis. The IP assessment report also contains additional information on the background of the fishery (as described below).

### MarinTrust IP Fishery Assessment

The MarinTrust IP fishery assessment is carried out by independent parties with expertise in benchmarking seafood certification schemes, and who are deemed trained, competent and relevant to the MarinTrust standards by the MarinTrust Secretariat in line with QMS doc. B7. For

those without the relevant experience in the MarinTrust standard or Improver Programme process, IP training may be provided by MarinTrust. The purpose of the assessment is to establish the nature of the gaps and deviation from full MarinTrust approval, as well as the feasibility of the unit of assessment being requested to close those gaps within a specified time period (5 years).

The primary objective of the MarinTrust IP fishery assessment is to gather information to support the production of the GAP analysis and, in Stage 2, the Fishery Action Plan.

### **IP Assessor training, briefing, coordination and defining specific roles**

The proposed assessor(s) must either be approved by MarinTrust (see website) or they must meet the required levels of competency outlined in doc. B7 in the QMS ([found here](#)). They must meet the following criteria:

1. An assessor with verifiable experience in one or more areas of fisheries science and/or management, as listed below:
  - i. Local expertise (thorough knowledge of the fishery management organisations, fishery activities and other appropriate expertise); or
  - ii. Specific expertise, either in fishery stock assessment, fishery ecosystem interactions, socio-economic interactions, or fishery resource management practices, depending on the fishery.
2. In order to be a MarinTrust approved assessor, they must be able to demonstrate appropriate knowledge of the MarinTrust IP application process by meeting the following requirements:
  - i. Completion of a full MarinTrust V2 fishery assessment training session
  - ii. Successfully passing the fishery training assessment exam
  - iii. Completion of a full MarinTrust Improver Programme training session

Once an assessor has been accepted by MarinTrust to support a fishery application to the IP, they will remain under probationary approval until such time as they complete a credible FAP, reviewed by MarinTrust. At this point the assessor shall become fully approved to provide further IP support and will not require MarinTrust approval on subsequent fisheries.

Assessors will be briefed on the basis of their specific role in the Assessment Plan. Training and confirmation will be required for all appointed assessors. Potential assessors should declare any potential conflict of interest, and any undeclared conflict may be used as grounds for rejection of the application by the Application Committee.

## MarinTrust IP Fishery Assessment Method

The MarinTrust IP fishery assessment is led and arranged by a MarinTrust approved assessor or relevantly experienced consultant as explained above. Such an assessor will possess relevant knowledge and expertise for the fishery assessment scope.

The assessor shall inform the applicant of the purpose and objectives of the MarinTrust IP assessment process. The objectives of this process are as follows:

1. To understand the status of the fishery in the context of the MarinTrust standard;
2. To inform the applicant of any areas of fisheries management that need to be addressed by the applicant in order to achieve approval of their fishery;
3. To act as a foundation for the formulation and execution of a Fishery Action Plan.

The MarinTrust IP assessment also identifies the fishery stakeholders (those involved in the management of the fishery in particular). The applicant shall facilitate the IP assessment by providing access to supporting information and evidence as required. The MarinTrust IP assessment shall be based on, but not restricted to, reviewing fishery documentation and direct communications with fishery stakeholders.

In addition to completing a full fishery assessment using the standard MarinTrust fishery assessment template, the assessment team shall ensure the following issues are documented:

1. General background information on the history of the fishery, especially including data on landings, vessel numbers and type, gear and any details on harvest controls;
2. General information on the species in the fishery, and where possible their life history strategies within the geographical location of the fishery, and any history of stock population structures in those locations;
3. Current principal management authority governance, including policy objectives and/or relevant regulations;
4. Recent (less than 10 years) fishery landings and the general economic situation of the fishery;
5. Overview of the fishery including an organisation identified with responsibility for the fishery, detail on fishery management practices, scientific assessment of the stocks, and a clear definition of the unit of assessment being proposed;
6. Other relevant fisheries in the vicinity not subject to assessment but that may interact with the fishery being assessed;
7. External factors (any social, economic or environmental issues) that may affect the fishery and its management;
8. A list of key stakeholders in the fishery and their special interests, where relevant; and
9. If relevant, information for any subsequent product Chain of Custody recognition.

The IP assessment report shall include the following:

1. An overview of the fishery management framework with an organisational plan of the principal management organisations, their roles and responsibilities;
2. A review of the availability of data in the various categories to be included;
3. A determination of the overall scope of the full assessment;
4. A description of potential obstacles or problems that may be barriers to approval within an agreed reasonable period of time;
5. Identification of organisations and entities that will be important for engagement in the event of a full assessment.

### Desktop review and analysis of information

Desktop review and analysis of fishery and fishery-related information form a major component of the IP assessment.

#### **Fishery information:**

- Information types and sources can range from legal instruments such as acts, regulations, and laws; official documentation published or required for collection by the management authorities or official organisations (permits, landing declarations, official catch records).
- Review activities may include scientific and statistical information concerning the status of the fishery resource, such as agency reports, stock assessments, and supporting research from state or official scientific sources organisations, including published science or objective information from independent research produced by recognised institutions or otherwise credible sources.

Where possible, independent information should be peer-reviewed and published, although the assessment team must review the validity and importance of information on the outcome of the assessment. 'Softer' unofficial information, either in printed format or contributed verbally at meetings, may also be used in supporting the general body of documented information. The assessment team will be sure to make clear the source of all evidence and remain aware of the source when considering its relevance and reliability. Any concerns, including if information contains conflicting facts with other sources, shall be highlighted to the peer reviewer and IP Application Committee.

- Fishery-based information can come from a number of areas, both directly and indirectly from the client fishery, management organisations, fishery participants and associated entities, and (if required) through on-site interviews and witnessing of management processes.

The IP assessment should proceed according to the procedures set out for the full MarinTrust fishery assessment. This includes the use of the fishery assessment template, guidance, and

associated documentation as outlined in the MarinTrust Quality Control Manual and on the MarinTrust [website](#).

## MarinTrust GAP Analysis

There are two main components to the GAP Analysis: information gaps, and status gaps. Information gaps are those areas in which there is currently insufficient information to enable scoring of the relevant section of the MarinTrust fishery assessment. Status gaps are those where there is sufficient evidence to enable the assessment team to reliably determine that the fishery does not currently meet the requirements of the relevant section.

The assessment team will utilise the results of the IP assessment to assign a Gap Rating (Pass, Status Gap or Information Gap) to each section of the MarinTrust fishery assessment. The Gap Rating signifies the confidence of the assessment team in the quality of information that demonstrates conformity of the fishery at meeting a particular clause.

The definition of Gap Ratings assigned by the assessor shall be as follows:

### Information Gap Rating

Information/evidence is inadequate or contradictory to determining whether an element of the fishery complies with the requirements of this section of the MarinTrust fishery assessment. In these cases an Information Gap rating is assigned. These are areas in which additional information is needed before the assessor can reliably determine whether the fishery meets the MarinTrust requirements, therefore the assessment will be temporarily paused until the Information Gap is closed. These gaps may be solved via discussion with the fishery stakeholders to obtain further information. Alternatively, the generation of additional data (via, for example, a new fishery data collection regime) may form part of the Fishery Action Plan. In either case, the determination in this section will need to be reviewed once sufficient information is available to determine whether the fishery is awarded a Status Gap or a Pass rating.

### Status Gap Rating

Information/evidence is sufficient to reliably demonstrate that the fishery is not in compliance with the requirements of this section of the MarinTrust fishery assessment. In these cases a Status Gap rating is assigned. These are areas in which the status of the fishery is well understood, but does not meet the MarinTrust requirement(s). These gaps will generally be solved via the development and application of the Fishery Action Plan.

### Pass Rating

Pass ratings represent sections of the MarinTrust fishery assessment which have been passed by the fishery during the IP assessment. There is adequate information to reliably determine that



the requirements have been met. These sections will generally not appear in the Fishery Action Plan.

## 2. Development of a Stakeholder-led Fishery Action Plan

The Applicant must develop and implement a Fishery Action Plan (FAP), with an associated and appropriate budget and deadlines, designed to address the deficiencies in the fishery necessary to achieve the project's objectives. An assessor and/or consultant, who has expertise in both the fishery and the MarinTrust fishery assessment process, may be used to assist in the development of the FAP. The applicant may use an approved MarinTrust assessor (as listed on the MarinTrust website [here](#)) or utilise in-house expertise if available and suitably experienced. The applicant may also choose to have their application checked or peer reviewed prior to submission at their own cost. The assessor and/or consultant will have no say regarding the acceptance, or not, of the fishery onto the MarinTrust Improver Programme. After Peer Review by an approved and independent accredited Certification Body, the final decision will be made by the Improver Programme Application Committee (IPAC), who will make this recommendation to the MarinTrust Governing Body Committee (GBC) for the final confirmation.

Once accepted into the programme, the FAP, its associated deadlines and all other pertinent information must be made publicly available via the MarinTrust website and/or other recognised tools such as the FisheryProgress.org<sup>1</sup> website or equivalent, as approved by MarinTrust. Details of where this information can be found should be made available to MarinTrust so they may provide a link on the website.

The budget does not need to be made publicly available, but evidence of an adequate budget for the project must be made available to the peer reviewer. A confidentiality agreement can be put in place if needed.

The Fishery Action Plan must include:

- A set of improvement objectives, based on the gaps identified during the Gap analysis.
- Actions aligned with achieving the improvement objectives.
- Specific tasks under each action (if appropriate).
- Organisations or people responsible for completing each action/task.

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<sup>1</sup> To help fisheries to demonstrate continual progress, MarinTrust is working with recognised online fishery improvement project (FIP) data and information repositories that offer transparency and visibility for fisheries that are making demonstrable progress. One platform we're working with is FisheryProgress, a recently developed resource that provides information on FIP progress. FIPs provide updated data every six months which is used to track progress against a FIP's work plan, and is available for all FIPs including those seeking acknowledgement by third-party certification schemes such as the MarinTrust scheme. FisheryProgress is the first resource to meet this need, though other platforms with similar aims and objectives may be developed in the future. Collaboration between MarinTrust and FisheryProgress is useful because data around responsible environmental and social practices at the fishery level may facilitate the tracking of the fisheries' performance and, therefore, improvement against the relevant MarinTrust criteria. Those data may be used for IP Peer Review as part of the IP Application Mechanism.

- A month/year deadline for completing each action as relevant.

The fishery assessment team must assist the applicant with the confirmation of the following for the Peer Reviewer:

- Actions/tasks align with improvement objectives.
- Timeframes are plausible.
- There are no major red flags or risks to achieving the Fishery Action Plan given the information provided, or any other information that may be available to the team.

### 3. Signed Agreement between Stakeholders

Participants must commit to financially and/or operationally invest in, and make improvements to, the fishery. Commitments should be formalised and may take the form of a signed Memorandum of Understanding (MOU) or other relevant document detailing those commitments made by each participant (fishery stakeholders) involved in the FAP.

The agreement must include active participation by at least one company from each section of the supply chain. Participation means contributing financial or in-kind support to the project and/or a commitment to working on activities in the Fishery Action Plan.

At this point, the improvement effort involving multi-stakeholders, a credible FAP with a plan for regular reporting on improvements within a specified time frame will be termed a Fishery Improvement Project (FIP).

Considered as a whole, the participant organisation(s) are referred to as the Applicant. The Applicant is responsible for submitting the IP application to MarinTrust. In addition to the IP assessment, the GAP analysis, and the Fishery Action Plan, the application must include the following details:

Applicant Name	<p>Accurately reflects the scope of the applicant fishery, being as specific as possible about location, species, and gear.</p> <ul style="list-style-type: none"> <li>• If the applicant does not represent the whole fishery, the name should specify what portion is covered.</li> <li>• If multiple improvement projects exist in the fishery, names should distinguish between them.</li> </ul>
MarinTrust Stage	<p>IP</p> <ul style="list-style-type: none"> <li>• An indication of whether a Fishery Improvement Project (FIP) is already underway, and if so for how long it has been active, and how much progress has been made</li> </ul>



Objective(s)	<ul style="list-style-type: none"> <li>• One or more objectives that define the scope of the FAP.</li> <li>• Objectives must be time bound (include end date), and measurable (e.g., by X date, the FAP will accomplish Y).</li> <li>• Scope of objectives is appropriate for the fishery type</li> </ul>
Description	<ul style="list-style-type: none"> <li>• 3 to 4 sentences providing additional detail on the FAP's scope and objectives entered.</li> </ul>
Primary Applicant Contact	<ul style="list-style-type: none"> <li>• Contact info for at least one public applicant contact entered.</li> </ul>
Project Dates	<ul style="list-style-type: none"> <li>• Expected start date is based on whether there is an existing FIP in place; end date is based on the Fishery Action Plan.</li> <li>• Month/year entered for both.</li> </ul>
Species	<ul style="list-style-type: none"> <li>• At least one primary species selected.</li> </ul>
Gear Type(s)	<ul style="list-style-type: none"> <li>• At least one gear type selected.</li> </ul>
Location(s)	<ul style="list-style-type: none"> <li>• FAO Major Fishing Area completed.</li> <li>• Information on EEZ and RFMOs entered if relevant.</li> <li>• Information on the regulator of the fishery.</li> </ul>

MarinTrust has produced standard Improver Programme application forms (Form 3A and Form 3B) which can be filled out to provide all of the required information.

### **Collaboration within a Fishery Improvement Project FIP**

In some circumstances it may be appropriate for competing applicant organisations to cooperate to form a single robust and stakeholder approved FIP. If multiple industry organisations wish to develop a single FIP within the same fish stock and/or geographical region, the following principles must be adhered to:

- Mutual cooperation to promote FIP development.
- An MOU between all participants/ stakeholders in the FIP to allow collaboration and sharing of pertinent information should be produced.
- A lead Coordinator should be nominated and agreed to by all participants, to facilitate collaboration and communicate application and amendments to MarinTrust.
- Under normal circumstances, new FIP participants should be approved by a consensus, however it may be more appropriate in certain situations for a majority vote. The IP

Application Committee may decide the most appropriate course of action on a case-by-case basis and this process must be fair to all parties involved.

- Duties relating to the FIP, including financial obligations, will be distributed fairly and agreed to by all parties.

Should an additional applicant join after the FIP has been accepted onto the MarinTrust Improver Programme, the nominated FIP Coordinator may submit the MarinTrust IP Application Form 3C to include the details of the new participants.

The MarinTrust IP allows multiple IP projects to be in place on a single biological stock; however, all FIPs will be reviewed by the IP Application Committee to ensure that the stakeholders required to achieve the changes set out in the FAP are engaged and committed to the process and evidence submitted is credible. Any applicant group which has not secured the engagement of all necessary stakeholders (e.g. national or regional governments, scientific organisations, industry groups, etc.) will not be accepted into the Improver Programme. For this reason, during the formulation of the FAP, the applicant should actively seek to include other fishery stakeholders and, where necessary, collaboration between multiple FIPs should take place.

### **Professional Conduct**

The conduct of applicants and other stakeholders as part of the IP process should always be professional and with the aim of maintaining the integrity and credibility of the process. Unprofessional conduct will not be tolerated and may result in sanctions against an application.

## **4. Peer Review & Application Committee**

### **Peer Review**

The IP assessment, Gap analysis outcome, FAP, and other application documentation shall form the application pack, which will be provided for Peer Review by an approved Certification Body Representative.

MarinTrust will arrange for the IP application pack to be reviewed by a peer reviewer from a Certification Body. The peer review team must be considered to be competent in all relevant aspects of fishery resource research and management, to the extent of being able to technically evaluate with confidence the content of the application pack.

Peer reviewers shall be briefed on the review process and be provided with a Peer Review Template and Guidance document (Annex 1), where they will formally report their work. The decision made by the Peer Review will then be recommended to the IP Application Committee for a determination for acceptance of the Fishery. Final acceptance will be confirmed by the MarinTrust GBC.

The following elements shall form the basis of the peer review and confirmation evaluation:

### **Improver Programme Fisheries Application Mechanism**

A Review of the full Gap analysis study conducted on the fishery raw material to confirm the gaps and challenges against the MarinTrust fishery approval criteria (as outlined in the Peer Review Guidance attached as Annex 1 in this document).

B Review of the applicant stakeholder committee, to ensure that it covers a balanced range of stakeholders including the industry value chain, fishery management and NGOs, in accordance with MarinTrust IP criteria. The peer reviewer shall also ensure that any organisation listed as being responsible for an Action in the Fishery Action Plan is part of the stakeholder committee.

C Review of the Fisheries Action Plan (FAP), to ensure it has been approved by the stakeholder committee and includes identification of key issues and stakeholders, prioritisation of actions and agreement on improvement milestones.

D Overall review of all application paperwork, including the application form, to ensure consistency and completeness.

Following the initial peer review results the applicant will be provided with the findings from the peer review and be allowed an opportunity to respond and provide additional information should they feel it appropriate. At this stage if there are very different interpretations of the application pack the applicant and reviewer may have a discussion, facilitated by MarinTrust to ensure an appropriate course of action is agreed. If there any disputes regarding interpretation of the application documents, the IPAC have the authority to make a final determination.

## IP Application Committee

The MarinTrust Secretariat shall convene an Improver Programme Application Committee Meeting with members of appropriate competence and independence as defined in the Improver Programme Application Committee Terms of References (Doc IP2 in the QMS) which can be found [here](#). Such competence shall be recorded in the MarinTrust Secretariat documentation along with statements in respect to potential conflict of interest. The IP Application Committee will provide recommendations regarding approval or rejection of applicants for the MarinTrust Improver Programme to the MarinTrust GBC who will then make the final confirmation of this decision.

The IPAC will make their decisions regarding acceptance onto the programme based on whether they determine the application as a whole (and based on the peer review guidance) has demonstrated that:

- A. it is a genuine attempt to improve the fishery and
- B. the FIP stands a reasonable chance to gain MarinTrust fishery approval within 5 years.

## Approval decision

There are 3 possible Approval outcomes:

**Full Approval:** The IP Application Committee accepts the application pack, the peer reviewer's comments, and any other evidence submitted by the client. At this point the fishery is accepted onto the Improver Programme, where it will remain, subject to continuing to meet the progress and surveillance requirements as detailed below. This decision will be recorded in the IP Application Committee meeting Minutes.

**Pending Approval:** The IP Application Committee is unable to reach a unanimous decision due to concerns raised by the committee or an inadequate Fishery Action Plan and whether these can realistically be corrected within a reasonable amount of time. The committee will provide an explanation of the reasons for the pending approval in order for the applicant to make the necessary adjustments, as described below.

**Reject:** The IP Application Committee or the MarinTrust GBC decides that the fishery improvement initiative cannot be Approved based on the evidence submitted and their concerns cannot be resolved by setting conditions on the fishery. The Applicant will be free to repeat the application process as desired. This will incur the cost of application each time and it will be at the discretion of the Application Committee to consider re-applications.

### **Pending Approvals**

A Pending Approval may be awarded to a fishery where the Application Committee is unable to reach a unanimous decision, where there are concerns relating to the ability of the fishery to meet its commitments as outlined in the FAP, where there is deemed inadequate evidence to support the contents of the application, or where the FAP or any other component of the application is deemed inadequate. The purpose of a pending approval is to allow a fishery applicant an opportunity to correct relatively minor issues without having to re-enter the application process from the start.

A Pending Approval will be subject to one or more specific conditions placed on the fishery. These conditions will be time-limited, with deadlines which do not exceed 6 months from the time the Pending Approval is granted. The conditions will be based on ensuring the fishery corrects whatever issue(s) prevented the Application Committee from awarding a Full Approval, such that once the condition(s) are met Full Approval may be awarded.

A fishery with Pending Approval status will not be a member of the MarinTrust Improver Programme until the condition(s) are met. The fishery may re-submit the application for consideration by the Application Committee at any time that it considers the condition(s) to have been met, and does not have to wait until the deadline.

A conditional approval will only be awarded by the Application Committee and cannot be recommended by the initial assessment team. If the assessment team identifies any barriers to full approval prior to the initial application submission, these should be corrected before submission.

## **Notification of Approval Decision**

All decisions on Approval status will be advised in writing to the respective applicants within 10 working days of the IPAC and then subsequently the GBC meeting by the MarinTrust IP Secretariat. A copy of this correspondence will be held in the applicant's file. At this time, information about the FIP will be uploaded onto the MarinTrust website. Applicants should not publish any information regarding their acceptance onto the MarinTrust IP until it has been formally accepted by the MarinTrust GBC. Once formally recognised as part of the IP, applicants may only publish MarinTrust documents as approved by MarinTrust. If an applicant is found to have violated this, it may result in penalties and potentially an application being declined.

These plans will be reviewed by and approved, in this order, by the assessment team, the peer reviewer, the IP Application Committee and subsequently the MarinTrust GBC.

## **Requirements for production sites as part of the FIP stakeholder group**

The MarinTrust Improver Programme claim is made by marine ingredient production sites once they have complied with the two programme requirements:

- 1) Being a signed member of a MarinTrust accepted FIP
- 2) Pass a MarinTrust audit of the production site<sup>2</sup>

All production site audit applications and site audits shall be carried out according to MarinTrust QMS doc. A2 (Guidelines for CBs managing applications for certification for the MarinTrust Programme) and doc. A4 (Conducting of MarinTrust Factory/Site audits by approved CBs).

If at any time the third party CB withdraws compliance to the MarinTrust standard from the production site, they shall notify the MarinTrust Secretariate who will remove the companies Acceptance Document from the MarinTrust website and the Improver Programme acceptance will be revoked. This will be done in line with the QMS doc. A5 (The issuing and the withdrawal of certificates to the MarinTrust certification programme).

To ensure applicants aim for full compliance with the IP the following condition applies: within 12 months of the FIP being accepted by the MarinTrust Governing Body Committee, at least one marine ingredient production site must pass a MarinTrust audit and satisfy both of the above criteria. If no production site has passed an audit by the 6 month mark, the MarinTrust Secretariat will open a dialogue with the applicant to determine the reasons for the delay. If the situation is not resolved following this communication, the IPAC will be asked to consider the application on a case by case basis to determine if any sanctions should be imposed against the applicant.

The IPAC will have full authority to make any decisions regarding the continuation or not of an applicant on the programme.

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<sup>2</sup> If the country in questions has a lack of access to suitably trained auditors, this will be taken into account during the IPACs determination.

## **Expectations and Recognition for those on the MarinTrust IP**

In order to use the MarinTrust IP claim applicants must comply with the following:

- Apply via the MarinTrust IP process and conform to all assurance steps within it. The applicant may be recognised once the FIP is approved and a MarinTrust audit passed.
- Must meet improvement milestones during the process.
- Must conform to the surveillances and peer reviews throughout the process.

Should the applicant comply with the above expectations and as outlined in this application document, the following recognition will be provided by MarinTrust:

- MarinTrust IP status (listed on the MarinTrust website on the IP accepted sites page, [here](#)).
- A document of acceptance will be provided to the applicant outlining the scope of the acceptance.

## **5. Fishery Action Plan Tracker & Surveillance Assessments**

To ensure that an approved IP fishery remains in compliance with the requirements of the IP, surveillance assessments will take place after 6 months, 12 months, and subsequently at least annually. More frequent surveillance assessments may be conducted if deemed necessary by the peer reviewer or Application Committee. The 6 month surveillance will be carried out by MarinTrust with subsequent surveillances being carried out by external peer reviewers.

The 6 month surveillance will be carried out 6 months after the acceptance of the FIP onto the IP by the MarinTrust GBC. This surveillance will be done by MarinTrust and will check that actions raised during the application process, either by the external peer reviewer or the IPAC, have been completed or initialised (depending on the timeframe imposed). An initial check will also be made on meetings between FIP stakeholder groups and any relevant actions due at the 6 month mark as part of the FAP.

All surveillance assessments following the 6 month check will proceed according to the following process:

### **Surveillance assessment**

The annual surveillance assessment of accepted FIPs may be carried out either by an approved MarinTrust IP assessors or a suitably qualified consultant hired by the applicant as outlined in section 1 of this document.

The assessor should:



1. Familiarise themselves with the IP fishery by reviewing the application documentation, particularly the Fishery Action Plan, and any previous surveillance assessments.
2. Contact the IP fishery a minimum of 1 month before the surveillance assessment is due as a reminder to provide the information required to conduct the surveillance assessment.
3. Conduct a review of the status of the fishery against the tasks and actions which were identified in the Fishery Action Plan.
4. Complete a MarinTrust IP surveillance report, culminating in a recommendation on whether or not the fishery should remain in the Improver Programme according to the surveillance determination approach described below.
5. Submit the surveillance report to MarinTrust who will then arrange for the peer review and review by the Application Committee, as described in Section 4 above.

The surveillance assessment should focus on areas where actions have been defined by the Fishery Action Plan as being due, but also consider any other evidence provided by the fishery and revise areas of the surveillance report accordingly. In areas where there were no defined tasks due and the fishery does not provide any evidence, the surveillance assessment should outline a brief review of publicly available information to ensure no inappropriate actions have been taken.

The assessor or consultant should communicate directly with the MarinTrust FIP fishery to offer an opportunity to address any missing or unclear information as needed. Any enquiries and replies between the reviewer and IP fishery should occur within a reasonable timeframe. If a lack of information provision prevents the completion of the surveillance assessment within 1 month of the date it is due, the IP fishery may be suspended from the Improver Programme until such information is provided and the assessment report is completed.

## Evidence

The fishery must submit the evidence to the surveillance assessor or consultant demonstrating that the fishery has completed the tasks which are defined by the Fishery Action Plan as due to be completed by the relevant surveillance date.

The ultimate decision of whether evidence can be considered reliable will be made by the peer reviewer, who will generally require that evidence which is not publically available be documented in writing, dated, and have a defined source (whether an organisation or individual).

Evidence adequate to demonstrate that a Fishery Action Plan task has been completed will vary depending on the action. The following are potentially valuable sources of evidence:

- Scientific papers or drafts thereof, reports, conference presentations and papers;
- Meeting agendas and minutes;
- Letters sent to or from fishery stakeholders;
- Media articles;

- Fishery legislation or regulation.

### Surveillance determination

An assessment determination is advised by the surveillance assessor via the IP milestone report, reviewed by the peer reviewer, and finally confirmed by the Application Committee. The determination is based on the extent to which the IP fishery has achieved the goals and completed the tasks outlined in the FAP. There are 3 potential surveillance determination outcomes:

- **Maintain IP status.** Where the fishery is able to demonstrate that it has completed the tasks defined by the FAP, the surveillance assessment team should recommend the IP status of the fishery be maintained.
- **Conditionally maintain IP status.** Where the fishery is not able to demonstrate that it has completed the tasks defined by the FAP, one or more conditions will be raised, against which its continuing IP membership will be contingent.
- **Suspend IP status.** Where a fishery has failed to provide sufficient evidence to demonstrate that it has met the requirements set by a Condition placed on it via a previous surveillance assessment, the fishery will be suspended from the MarinTrust Improver Programme.

### Conditionally maintain IP Status

A fishery which is found to have fallen behind the timeline defined by the FAP, as described above, will have one or more conditions raised against its membership of the Improver Programme. The precise nature and timeline of these conditions shall be determined through the usual IP review process (i.e. recommended by the surveillance assessment team, reviewed by the peer reviewer, and finalised by the Application Committee), but will adhere to the following guidelines:

1. Where a fishery has failed to meet a defined milestone or complete a specific task, a Condition will be raised requiring that milestone to be met or task completed.
2. Any Condition raised will be subject to a time constraint in the form of a date by which the Condition must be met. The duration of the period given to meet the Condition shall take into account the individual fishery circumstances and the reason for the Condition being set, but shall not be more than 1 year (or 6 months if arising from the first surveillance assessment).
3. Any Condition with a deadline which does not match an existing surveillance date will be individually assessed by the surveillance assessment team via the surveillance assessment mechanism at the relevant time.

4. Any fishery which has not met a Condition by the assigned deadline will be suspended from the MarinTrust Improver Programme and awarded Suspended IP status, as described above and below.

### **Suspended fisheries**

Fisheries which fail to demonstrate consistent progress along the FAP timeline will be suspended from the IP as described above, and following the procedures in the MarinTrust Quality Control Manual. A suspended fishery may be re-instated to the Improver Programme if it meets the requirements of the Condition(s) which resulted in its suspension within 6 months of the suspension (dependent upon continuing to meet any other requirements, such as surveillance assessments). Re-instated fisheries must adhere to the original improvement timeline.

Any fishery which is unable to meet the Conditions within 6 months of suspension will be fully removed from the Improver Programme. A suspended fishery not able to make the appropriate changes in the 6 month probation period due to extenuating factors (i.e. factors beyond the control of the applicants such as natural phenomenon) may apply to the Application Committee for a time extension to make these improvements. The Application Committee will have the final say on whether to grant this extension or not. A suspended fishery will be eligible to re-apply via the standard IP application process no less than 1 year after the initial suspension. Such fisheries will be subjected to additional scrutiny by the initial assessment team, peer reviewer, and Application Committee, and may be required to demonstrate that they are able to meet the Conditions of their previous accepted status before they are re-admitted. Upon re-acceptance, fisheries may not receive additional time on top of the original FAP timeline.

### **FAP changes**

Changes to the FAP may be necessary while the fishery is in the MarinTrust Improver Programme. Changes may be required to reflect new information (e.g. an improved understanding of the catch composition, new information on discarding, the results of an ecosystem analysis, or an updated understanding of stock structure); changes may also be needed to reflect components of the FAP progressing faster or more slowly than anticipated. In some cases these changes may form a planned component of the FAP, particularly in fisheries which enter the Improver Programme as data-limited fisheries.

Changes to the FAP should be made through a process of collaboration between the surveillance assessment team and the IP fishery similar to that described earlier in this document for the initial drafting of the FAP. Any changes must be highlighted in the next scheduled surveillance report and subsequently approved by both the peer reviewer and the MarinTrust IP Application Committee.

Should there be legislative changes that may impact an accepted FIP (in terms of scope and/or improvement actions), the applicant is responsible for informing MarinTrust as soon as it becomes

aware of such information. The applicant must also adapt their FIP documentation to comply with such legislation changes and submit them to MarinTrust in a timely manner.

## **FAP Extensions**

This section outlines the potential scenarios that may result in a MarinTrust Improver Programme Applicant requiring additional time to complete their FIP and provides guidance for the conditions attached to such extensions. All extension requests will be at the discretion of the Improver Programme Application Committee (IPAC) and will only be granted if the fishery can demonstrate that continuous improvement and previous commitments have been made over the course of the Fishery Action Plan (FAP).

### **Extension conditions**

Due to the nature of fisheries and potential impacts on them, it is understood that there may be times when an extension to the 5 year maximum timeframe is required by an applicant. These should be extenuating circumstances that significantly impact a fishery and/or the industry that the fishery is sourcing to.

An applicant may request up to a 1 year extension for their FIP timeframe, although due to the seasonality of fisheries the time required may be longer. It will be up to the applicant to inform the MarinTrust Secretariat as soon as they become aware of the need for an extension of their intention to extend, so that this may be considered by the peer reviewers and IPAC at the appropriate time.

### **Extension request process**

Should an applicant on the MarinTrust IP feel that they require additional time to complete the actions within their FAP they must submit their intention to request an extension in writing to MarinTrust. This request should be made as soon as the applicant becomes aware of the need for an extension. The MarinTrust Secretariat will then follow up and request additional information and evidence for the reason behind the extension request. In addition, the applicant will be required to provide an outline of how they plan to amend their FAP to account for the additional time, including actions to be extended, timeframes associated with each and those responsible. Once this information has been provided and reviewed by the Secretariat, it will be included in their next annual peer review by an accredited certification body who will consider this request and the proposed changes to the FAP in their review. Should the extension request be during the final year of the original FAP timeline an additional review may be required, although this will be at the discretion of the IPAC.

Following the peer review, the IPAC will then review the request and will have the opportunity to ask for additional information and/or evidence for the reasons behind extension. Once the IPAC

have made a determination of whether to approve an extension, the applicant will be informed in writing by the Secretariat.

There are 2 possible outcomes from the extension request:

### Approved

If an extension is approved, the applicant is informed of the specific requirements from the IPAC associated with the extension which must be complied with to maintain acceptance on the IP during the extension. It is important that these conditions are communicated and agreed to by all FIP stakeholders. Should the applicant fail to do so, it will result in them being removed from the programme.

### Declined

If an extension is declined, the applicant must comply with their original FAP timeframe and aim to complete all improvement actions with the 5 year limit.

### Completed FAPs

Eventually, Improver Programme fisheries should reach the stage where they believe themselves able to meet the full MarinTrust requirements and achieve MarinTrust approval. Fisheries may determine this for themselves, from the outcomes of the surveillance reports, or obtain expert advice from the surveillance assessment team or elsewhere. Fisheries which believe themselves to meet the MarinTrust requirements must apply to the scheme via the standard application process. It is important to note that completing the FAP and MarinTrust IP process does not lead to automatic MarinTrust approval, as a full fishery assessment must be conducted by an approved Certification Body (CB). MarinTrust is an accredited certification programme, and a full fishery assessment conducted by the CB is the only route via which fishery material can enter the full scheme. A fishery successfully completing its FAP is unlikely to have been subjected to a full assessment (by any party) for a number of years, and so this final confirmation by the CB that the fishery has met the MarinTrust requirements is essential.

The maximum time that an accepted fishery may remain on the Improver Programme is 5 years. Should a fishery feel that they are unable to make sufficient improvement within the 5 years, they may appeal for an extension when this becomes apparent as outlined earlier in this document. In such cases, a determination will be made by the MarinTrust Improver Programme Application Committee regarding a possible extension to the timeframe and will only be granted if the fishery can demonstrate that continuous improvement has been made over the course of the FAP.

If a fishery applies for full MarinTrust approval earlier than planned but is not approved, it may re-enter the Improver Programme, either by continuing with an existing FAP or by creating a new one, but may not exceed the overall timeframe of a FIP (5 years) unless this is approved by the IP Application Committee.

## Quality control and appeals process

MarinTrust is committed to consistent, accurate reviews of IP fishery progress, results, and impact. The Peer Review and Application Committee processes serve as additional mechanisms to ensure the accuracy of IP fishery acceptance and surveillance decisions.

If the application/surveillance process described above is completed and the fishery or other stakeholder wishes to appeal against the acceptance or surveillance decision, the fishery or other stakeholder can enter into a formal appeals process to challenge the decision. This process is carried out in line with the QMS doc. A6 (Appeals and complaints procedure for the MarinTrust standard):

- Appeal filed with MarinTrust Secretariat. The IP fishery or other stakeholder files a notice of appeal within 30 calendar days of the IP process outcome.
- Initial review: a majority of the MarinTrust IP Application Committee reviews the appeal and makes a recommendation within 30 calendar days of receiving the appeal.
- If the MarinTrust IP Application Committee does not agree with the appeal, the MarinTrust GBC will convene. Both the raiser of the appeal and a representative of the Application Committee will attend the GBC meeting to present information.
- The decision of the MarinTrust Governance Board will be final.
- Decision communicated: the reviewer communicates the final decision back to the party requesting appeal. The communication will not be public, though the outcomes of the appeal decision will be made public if they affect the IP status of the fishery.



## 6. Glossary

### **Applicant (candidate)**

Marine ingredient producers/ processors involved in a FIP with a signed agreement/ MOU.

### **Participant**

Individual companies as part of the applicant.

### **FIP Stakeholders**

Any interested party within the FIP scope but not necessarily a participant.

### **FIP Coordinator/ Implementer**

A single person in charge of coordinating work as part of the FAP and ensuring all FIP stakeholders are kept informed as well as communicating with MarinTrust on all FIP matters.

### **GAP Analysis**

A Gap analysis identifies the differences between the fishery as it is at present and the ideal end point that the fishery wishes to reach (i.e. MarinTrust approval). This then allows a Fishery Action Plan (FAP) to be produced.

### **Improver Programme Application Committee (IPAC)**

The IPAC are a group of experts from across the fishery value chain convened by the MarinTrust Secretariat to make decisions regarding acceptance into, and retention on, the MarinTrust Improver Programme.

### **Fishery Action Plan (FAP)**

A FAP is a schedule of improvements based on individual aspects of the fishery that require improvements and take place within a specified timeframe.

### **Fishery Improvement Project (FIP)**

A FIP is a multi-stakeholder effort to improve the sustainability of a fishery and may vary in scope and nature. To be a credible FIP it must meet a number of requirements pertaining to participation, funding, transparency, and scientific rigor.

### **Peer Review**

The Peer Review is an evaluation of the FIP including all necessary documentation and will be carried out by an approved Certification Body representative in accordance with specified Guidance documents.

### **Improver Programme (IP) Assessment**

An IP assessment is a preliminary evaluation of a fishery against all performance indicators to provide a picture of the fishery's baseline environmental performance and challenges. This allows a fishery to identify any areas that need to be improved to reach a final end goal.

## Annex 1

### MarinTrust Fishery Improver Programme Peer Review Guidance

The purpose of the Peer Review is to ensure that the contents of an application to the IP are accurate, consistent, and supported by the evidence provided by the applicant. The Peer Review is conducted by an approved Certification Body Representative with expertise covering the MarinTrust fishery assessment process, the Improver Programme, and fisheries management in general.

The following elements shall form the basis of the IP Peer Review evaluation:

- A Review of the full GAP analysis study conducted on the fishery raw material to confirm the gaps and challenges against the MarinTrust fishery approval criteria, including the following areas:
- Ensure the fishery under assessment has been accurately characterised using the best available scientific understanding of the biological stock(s) and the catch composition.
  - Ensure the species characterisation underpinning the structure of the report is accurate and defensible, including making sure that all relevant species have been included in the assessment.
  - Confirm that throughout the report all significant statements and pass/GAP ratings are supported by adequate evidence, including references.
  - Confirm that the report as a whole has been fully completed according to the process described in the MarinTrust fishery assessment guidance.
- B Review of the applicant stakeholder committee, to ensure that it covers a balanced range of stakeholders including the industry value chain, fishery management and NGOs, in accordance with MarinTrust IP criteria. The peer reviewer shall also ensure that any organisation listed as being responsible for an Action in the Fishery Action Plan is part of the stakeholder committee.
- C Review of the Fisheries Action Plan (FAP), to ensure it has been approved by the stakeholder committee and also includes:
- An accurate representation of the GAPs identified during the GAP analysis.
  - A clear set of action(s) which could reasonably be considered to resolve these GAPs, and the timescale over which these actions are planned to occur.
  - Clear identification of the key stakeholder(s) responsible for carrying out each action. The peer reviewer should also confirm that any identified stakeholder is empowered and capable of implementing their action(s) under the circumstances of the specific fishery.
  - An outline of the timeline along which improvements will occur, including milestones indicating the expected status of the fishery after 6 months, 12 months, and then annually.
- D Overall review of all application paperwork, including the application form, to ensure consistency and completeness.

## Annex 2

### **MarinTrust Fishery Improver Programme Application Committee Guidelines**

The purpose of the MarinTrust IP Application Committee (IPAC) is to utilise their expertise and knowledge of fisheries management and science to determine whether fisheries applying to the MarinTrust Improver Programme meet the minimum standards demanded by the MarinTrust Improver Programme. The IPAC considers the application after the peer reviewer has confirmed that the contents of all the documents are reliable, accurate and complete.

A fishery may only be accepted into the Improver Programme if the Application Committee determines that the following requirements have been met:

- 1 – Fisheries must be subject to an active Fishery Action Plan (FAP) which meets the other requirements detailed below.
- 2 – The FAP must include measurable objectives and must outline the deadlines by which the objectives will be achieved. These deadlines must be appropriate for the duration required to achieve the objectives, according to the expert opinion of the members of the IPAC.
- 3 – FAP Objectives must be based on a GAP assessment of the performance of the fishery against the MarinTrust V2 fishery assessment.
- 4 – The areas described in (3) must be covered by a full improvement timeline with long-term objectives corresponding to a status which will enable the fishery to meet the full V2 MarinTrust assessment requirements.
- 5 – The GAP assessment, FAP, and other application paperwork should, when taken together, represent evidence that the fishery is highly likely to be able to meet the requirements of a full MarinTrust fishery assessment within the timeline defined.

## Annex 3

### MarinTrust guidelines for 6 month surveillance check of FAPs

#### Responsibly

The 6-month check on a FIP that has been accepted onto the MarinTrust IP will be carried out internally by MarinTrust.

#### Main aspects of the FIP to check against

MarinTrust will request an update on actions from the FIP Coordinator and ask for relevant documents to verify these. Evidence may include but is not limited to; Meeting Minutes, Summary documents, Assessment reports, Research projects, collected data.

MarinTrust will also:

- Confirm that appropriate actions raised during the Peer Review have been completed.
- Check that appropriate actions raised by the IPAC or GBC have been completed.
- Request confirmation from the FIP Coordinator that relevant meetings have taken place between the FIP stakeholders.
- Verify that specific actions have been carried out (by requesting evidence or checking provided documents) in line with the FAP for the 6-month milestone.
- Check against relevant long-term indicators that action has been initiated.
- Check any available public information that reports on the FIP including but not limited to FisheryProgress.org and FIP's own websites.

The findings of this check will be presented in a table format with expected actions, evidence provided and the status of the action. This will be sent to the applicant to review and they will be given the opportunity to comment on the findings and provide additional information if they feel it is necessary.

Once this 6-month verification document is finalised it will be sent to the IPAC for discussion and approval. Once it has been approved by the IPAC it will be uploaded onto the MarinTrust website here.

#### 6-month verification template

Identifier	Clause	Action identified by*	Proposed action	Evidence	Action status

*\*This is the party that indicated that they wanted to see this action take place, i.e. the IPAC, Peer Review.*

## Amendments Log

**2017/18** *Extensive revisions for Version 2, including:*

*Revision of the Pre-Assessment and Gap Analysis procedures (Section 1)*

*Revision of the Fishery Action Plan Development and Stakeholder agreement requirements (Sections 2 and 3)*

*Addition of Peer Review and IP Application Committee Process (Section 4)*

*Revision of surveillance and progress towards fishery approval procedures (Sections 5 and 6)*

**2020** *Extensive revisions for Version 2.1, including:*

*Rebranding of IFFO RS to MarinTrust*

*Inclusion of the following:*

*Wording added regarding professional conduct*

*Wording added outlining the timeframe for passing a MarinTrust site audit*

*New section added outlining the expectations and recognition for those on the programme*

*Fishery Action Plan Tracker & Surveillance Assessments section adapted to make it less prescriptive*

*Additional wording included outlining the 6 month check of the FIP by MarinTrust*

*New section to include FAP extension requirements*

*Removal of information for site visits to the fishery*

**2021** *References to MarinTrust QMS documents added to text*