

Information Sheet 1 – How to choose a certification body

The MSC process is more than a simple audit. Going through the certification process is as much about managing the process itself as it is about the results of the fishery assessment.

Compliance with MSC requirements

Certification bodies are accredited by the MSC to conduct fishery certifications. This means that the MSC has audited their competency to assess and certify fisheries using the MSC's standard and methodologies. Only those authorised by the MSC can conduct fishery assessments. A list of certification bodies is available on the MSC website (www.msc.org) or from your nearest MSC office.

The arrangements between you, as the client, and the certification body are purely commercial. The MSC has no role in overseeing the contract between client and its chosen certification body. The MSC receives no money from the certification process. Our role is to ensure that certification bodies meet the MSC's accreditation requirements and follow the rules.

Get quotes and interview certification bodies

The MSC encourages all clients to seek quotes (bids) from more than one certification body before making a decision and signing a contract. It may also be valuable to contact the companies who submit a quote and explore the logic behind each quote.

There is no set fee for a certification assessment and therefore you are free to try to negotiate a fee which is acceptable to your situation. The MSC produces methodological and guidance documents that outline procedures for certification bodies when performing fishery assessments, as well as best practice in the stakeholder consultation phase of the assessment.

It is important that each element of the assessment phase is included in the bid / quote, with an appropriate allocation of the time the certification body says it will take to perform each step of the assessment. As you will have the greatest knowledge about the complexity of your fishery, you need to make sure you are satisfied these aspects are appropriately addressed in the quote. You might also want to explore with the certification body the factors that might lead to changes in cost during the assessment process.

We suggest you look at the "*Guidance to Potential or Actual Clients: The MSC Fishery Assessment Process*". This briefly outlines the main steps in the fishery assessment process. Alternatively you could look at the procedural manual "*MSC Fisheries Certification Methodology*" for more detail. Either of these would provide a basis upon which to begin a critical evaluation of the bids you might be considering. Contact fisheries@msc.org to obtain copies of these documents. Another important source of information is other fishery assessment clients. The MSC website has contact details for key personnel in other client organisations.

Value for money

As in all purchaser/provider situations, the purchaser (client) is responsible for ensuring that the provider is giving value for money and capable of delivering the service. The cheapest quote may not be the best quote. It is possible the cheapest quote demonstrates a lack of understanding of the fishery and this may create problems at a later date.

On the other hand, this may not always be the case as the certification body might be absorbing some of the costs themselves through other activities or they may have funding from other sources that offset your costs. This is another reason why it may be valuable to contact the companies that submit a quote to explore the reasons for the value of the bid.

Making the decision – which certification body?

In deciding upon a certification body and in negotiating a contract, you want to ensure that the certification body:

- identifies its expertise in certification;
- assigns an appropriately qualified individual to lead the work;
- identifies knowledge of the MSC's standard and certification methods and of the fishery in question;
- identifies relevant scope, capabilities and capacity for the assessment;
- agrees to relevant terms for confidentiality;
- demonstrates relevant contract management and review capability;
- demonstrates a capability for effective stakeholder engagement;
- demonstrates an ability to complete the work competently and in a timely fashion.

The certification body should also be able to demonstrate to the client a capacity in:

- defining the scope and area of activity of the client fishery, this includes the unit of certification;
- analysis of the issues arising from fishery activities;
- analysis of the *MSC's Principles and Criteria for Sustainable Fishing* and related issues;
- the competencies needed by the certification body in relation to the fisheries activities and issues.

What to look for in a contract

Once you have chosen a certification body, you will be required to sign a contract with them for the duration of the assessment. The MSC requires that the certification body-client contract has some specific provisions – these are set out in the MSC Accreditation Manual and include the need to set out rights and responsibilities and an overall time frame for the assessment. Beyond those however, the nature and additional content of the contract is not specified by the MSC and is confidential between you and your certification body.

You may want the certification body to include the pre-assessment, the full assessment and the surveillance (annual) audits under a single head of agreement. Alternatively, you may want to have each component separated out. This is up to you and will depend upon your particular situation.

Matters that may also need attention are the roles of related third parties, such as other industry organisations, processors or buyers, and in particular their interests in the timing and progress of an assessment. Occupational health and safety issues for the assessment team during site visits should also be considered.

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The certification body should also be able to make an assessment of the risks of contract failure and relevant safeguards, such as to cover the loss of key certification body personnel, or to cover the failure of contract negotiations over costs or timeframes.

You may also wish the contract to specify when the certification body is expecting to produce a Preliminary Draft Report for your review and likely time frames for the various stages of the assessment process, to avoid any misunderstanding between client and certification body later.

Like most other contracts entered with service providers, you could ensure that payments are linked to demonstrated performance through completed project steps. Similarly, your contract should outline any obligations you have to enable the certification body to complete the assessment project.

Finally, you should probably ensure your contract specifies who owns the intellectual property arising from the assessment process. MSC is of the view that the intellectual property should belong to the client and that the certification body should only own its proprietary information. This will ensure that should you chose to change certification body for a different phase of the assessment or certification process (see below), that the inputs and products of the process you have paid for can be transferred across to the succeeding certification body.

Even though the certification body is providing you with a service, it is an independent body contracted to assess your fishery against the MSC standard. The role of the certification body is not to serve your interests in seeing a fishery certified, but to provide an independent, objective, scientifically verifiable assessment. You should manage your interaction actively as a business relationship.

Using the same certification body for all aspects of the assessment/certification process?

As the client, you are under no obligation to use the same certification body for each step of the process, i.e., pre-assessment, full assessment or post certification surveillance and auditing work. There are, however, benefits in using the same company in that knowledge of the fishery is important for conducting assessments in a timely fashion. An important consideration will be how much work a different certification body may want or need to undertake in order to satisfy itself that the outcomes and results are sound and secure and to 'get up the learning curve'. There may be significant costs attached to changing certification body. As the client, you should ensure that any quotes from new certification bodies include all costs associated with taking over the outcomes or results of work conducted by another certification body. There may also be contractual issues related to intellectual property that need to be sorted out between you and your original certification body before a new one can take over.