

Control Union (UK) Limited

Hiroshima Bay Oyster Fishery

MSC Variation Request

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1 Marine Stewardship Council variation request

Table 1 – Variation request

1	Date submitted to MSC
	23 April 2021
2	CAB
	Control Union (UK) Limited
3	Fishery name and certificate number
	Hiroshima Bay Oyster Fishery – in assessment
4	Lead auditor or program manager
	Hugh Jones
5	Request prepared by
	Hugh Jones
6	Scheme requirement(s) for which variation requested
	FCP v2.2 - 7.16 / G7.16 Site Visit: Team Attendance and March 2021 Covid-19 Pandemic Derogation 3 – Requirements and Guidance - 1.3.b – Submit a variation Request (as per GCR 4.12) to the MSC to conduct initial assessments remotely.
7	How many times has a variation for this requirement been accepted for the same assessment of the same fishery?
	0

Table 2 – Variation justification

1	Proposed variation	
	The CAB proposes that the site visit for this fishery be conducted remotely by the team leader and P2 assessor with the Principle 3 assessor and local language expert on-site visit in Japan.	
2	Additional time requested	
	Original deadline date	N/a
	Modified deadline date requested	N/a
	Length of additional time requested	N/a
3	Justification	
	<p>In response to COVID-19, the MSC instated a derogation to ensure that site visits planned between the 28th March 2021 and 28th March 2022 could be held remotely, if Covid-19 restrictions prevent on-site assessments. For initial assessments a VR is required (this document) and risks identified and mitigated (accompanying document).</p> <p>Considering the above derogation the justification for conducting a remote site visit as part of this assessment are as follows:</p> <p>Travel Restrictions: The fishery takes place in local waters of Hiroshima Bay, Japan. At the time of writing, new entries to Japan by foreign nationals from the majority of countries, including the UK, is currently not permitted - https://www.gov.uk/foreign-travel-advice/japan cited 21/04/2021. One out of the two team members for this assessment are based in the UK. This specific team has been selected because CU UK believes they are the well qualified, experienced assessors in their respective disciplines, and are in the best position to conduct this full assessment. Whilst Japan has responded exceedingly well to the COVID-19 outbreaks, a current wave is demonstrated at present (22nd April 2021) and entry requirements for foreign nationals are not allowed.</p> <p>Safety: CU UK wishes to mitigate health risk to the assessment team, but the Japan national in the CU UK team is able to travel to the fishery and conduct the site visit in person with the Team Leader and Principle 2 assessor leading the site visit remotely. As such, CU UK therefore request an off-site initial audit, with one team member (already based in Japan) attending the meetings in person while the remainder of the team (1 person) attends remotely. CU UK believes the assessment would not be adversely affected by this arrangement.</p> <p>The client has made it clear that the intention is to proceed with this assessment after having reviewed the ACDR. The main information gap identified in the ACDR pertains to Fishery Co-operative fisheries management, and interviews with scientific and management institutes. These interviews will be led by the local P3 assessor in all cases with questions from the team leader and P2 posed beforehand as the P3 assessor will be conducting these interviews in Japanese.</p> <p>For Principle 1 as a CAG fishery without translocation and seed sourced from spat collectors this Principle is not scored as per the requirements of ANNEX SB.</p>	

	<p>For Principle 2 (assessor offsite), the vast majority of the information required is available from published reports and information submitted as part of the Client Document Checklist, which the team has already reviewed and scored in the ACDR. Some specific questions to the client and scientists remain, though these can all be asked by the onsite assessor or answered remotely. A detailed list of questions will be sent ahead of when the fishery is announced.</p> <p>For Principle 3 (assessor onsite) – All P3 elements of the Assessment will be conducted onsite by the P3 assessor.</p> <p>Traceability – the client group has already provided detailed responses to traceability including details of packaging, processing and the workflow. These will be confirmed by the P3 assessor in visiting the ports during the site visit.</p> <p>CU UK would like to highlight that we have conducted remote full assessments without issue during the period of the first COVID-19 derogation, and there is no reason to believe that full assessments could not be carried out this way during the current derogation.</p>
4	Implications for assessment
	<p>Keeping the team leader off-site will not have any implications for the timeline of the assessment. In terms of information collection and stakeholder facilitation, CU UK believes the solution outlined above allows for a high level of stakeholder interaction without jeopardising the ability of the team to collect the information needed. Stakeholder interaction is likely to be at a national / local level only and therefore any interview requests can be accommodated by the P3 assessor onsite.</p>
5	Mitigation of the implication for assessment
	<p>To ensure that the site visit runs smoothly, all required attendees can attend and provide the adequate data, the Team Leader has already begun planning for the site visit agenda by contacting multiple stakeholders to ensure that they will be able to attend. The client fishery has employed a local fishery consultant for this purpose. Some discussions have begun to form an agenda for the meetings to fulfil the information gaps. The team will ensure that a wide range of well-informed and very relevant stakeholders at the site visit will ensure that the data gaps and potential issues in the fishery have been fully assessed.</p>
6	How many conditions does the fishery have and will their progress be affected (positive or negative)?
	N/A
7	What is the status of the current assessment?
	In assessment
8	Further comments
	N/A
9	If applicable, additional information added after MSC's request
	See table 3

2 Appendix 1 – Risk assessment

Table 3 Key risks and mitigation explained. Key risks are identified by using the MSC’s September 2020 Covid-19 Pandemic Derogation – Requirements and guidance (Table 1).

Key Risks	Risks and mitigation explained
Ability to verify information remotely	<p>As per Table G1:</p> <ul style="list-style-type: none"> - Client and stakeholder input: the ability to verify information remotely is low risk as there will be multiple opportunities to engage with the client and stakeholders via videoconferencing, phone conferencing, email and phone. This has been successfully conducted for several CU UK assessments in the past. - Fishery reports, government documents and/or other relevant reports: The majority of the data required has been sourced by the client and provided to the team. All documents can be remotely accessed and electronic copies are available. Therefore, this is low risk. - All information related to determining P2 (including VMS data, observer data, logbooks) can be transferred electronically and easily interpreted. Therefore, this is low risk. - For P3 the outstanding areas of information relate to fishery Co-operative operations and management. However, interviews with the onsite Principle 3 assessor are planned with co-operative representatives and therefore the risk is mitigated. Low risk.
Ability to engage with stakeholders, deliver a robust stakeholder consultation process and conduct interviews with stakeholders. Please refer to FCP 4.2, GFCP 4.2, and 7.16.	The client has provided significant input to the stakeholder list. As per FCP, the assessment will provide multiple opportunities in the assessment process. The site visit offers opportunities for stakeholders to speak with the assessment team independently and confidentially.
Ability to gather information and carry out stakeholder consultations if the Risk Based Framework (annex PF) is being used to assess data-deficient PIs.	RBF will be required to assess PI 2.2.1 on 3 species. An Information pack will be addressed to stakeholders and is currently in preparation in order to present them as much elements to be able score this PI and run the RBF in the best conditions.
Availability of information - FCP 7.10.2.h requires CABs to indicate the availability of information used to score each PI and to highlight potential information gaps. If the CAB identifies a large number of information gaps in the ACDR the CAB should consider if a remote site visit will be sufficient to obtain the necessary information.	The about to be published ACDR was compiled in April 2020 and identifies a certain number of gaps on the P2. This ACDR was not published at that time because of clients facing the global pandemic and not having capacity to focus on the MSC full-assessment process. However, since that time, the client has provided an extensive amount of data and organised several remote meeting/working groups that we believe should fill the major gaps in the Principle 2. All together with additional elements obtained during the site visit, the team believes that enough information will be received to adequately assess the fishery.
Ability to understand the context, scale, and intensity of the fishery operations	The scale and intensity of the fishery operation is known through the most recent logbook data collected after compilation of the ACDR. Interviews of the fishermen are already planned during the remote site visit (if allowed) in order to compile even more information on the context of the fishery operations.

Key Risks	Risks and mitigation explained
<p>Availability of information and communication technology (ICT). Competency of assessment teams, auditees, and stakeholders in using ICT. Please refer to IAF MD 4:2018</p>	<p>The CAB ensures that its assessors have access to and are trained in Office 365 facilities, this includes Microsoft Teams as the teleconference software. Stakeholders will not need any licences/ software to access Microsoft Teams as the team will also make itself available through phone calls if necessary. A link will be provided to them in good time to be able to access any calls. Should any stakeholders be unable to use the software, Skype and other teleconference call facilities are also available and CU (UK) use multiple software in cases where Teams is not suitable e.g. when callers need to call in via landline. The assessment team are used to using Office 365 facilities and/or Dropbox with remote stakeholders.</p> <p>As per IAF MD 4:2018, the assessment teams can record calls, will record attendance based on permission provided by those on the call. Confidentiality will be discussed at every call as per the opening meeting requirements. Notes will also be recorded by assessment team members. Documents can be sent real-time via Microsoft Teams. This has been tested and is reliable. Assessment team members will arrive early for calls should any users want to test sound/ video quality and solve any technical issues.</p>
<p>Ability to clearly exchange information between the assessment team, prospective fishery client and stakeholders and to be understood by all parties when parties speak different languages.</p>	<p>The CU UK team includes a French national (Principle 3 assessor) who is also proficient in English, facilitating information collection in one of the areas requiring in depth attention by the team leading up to – and during – the initial assessment meetings. The Team Leader (and P2 expert) is also fluent in French and a native English speaker. Through these measures, CU UK believes to have appropriately covered the language barrier that may arise between some of the team members, and the client and stakeholders.</p> <p>As per FCP, the assessment team will ensure that stakeholders are involved throughout the process, and all of the team have tried to ensure that the stakeholder list is up-to-date as possible.</p>
<p>Ability to schedule remote site visit activities at reasonable mutually convenient times when parties are located across different time zones.</p>	<p>Whilst the assessment team and stakeholders cover multiple time zones, the assessment team are familiar with conducting assessments across these time zones and have proven that they are able to ensure that meetings are conducted at suitable times for these parties.</p>