

Procurement – Complaints Management

Owner: Chief Executive Officer

Executive Sponsor: Chief Executive Officer

Section: Corporate: Org wide

Endorsing Committee: FRAC

Purpose

In order to maximize probity, Omeo District Health (ODH) aims to conduct a transparent and fair procurement complaints process.

This procedure describes the process for managing complaints that stem from procurement activities at ODH. It provides guidance to ODH staff receiving and managing a procurement complaint and the process for an external party in lodging a procurement complaint and the range of outcomes available to the organization in responding to a complaint.



Staff this document applies to

This procedure is applicable to all staff at ODH who have a professional responsibility for undertaking procurement activities.



Procedure

A procurement complaint is an issue or concern expressed by a supplier in relation to the process and probity applied by ODH in carrying out a procurement activity. The complaint should be lodged with the Chief Procurement Officer (CPO).

The investigation of a complaint and subsequent response must be overseen by a person not involved in the subject matter of the complaint. ODH's procurement complaints management process must be published in a public domain and easily accessible to a complainant.

Complaint Process

The timely investigation and resolution of complaints by suppliers, in accordance with established formal procedures is an essential requirement for maintaining good relationships between ODH and suppliers.

This section is divided into the process for the complainant and the ODH complaints officer.

Complainant

The complainant is required to provide details of the basis upon which the dispute or complaint is being lodged, including:

- A clear written statement regarding what you consider was unsatisfactory in the procurement process
- Copies of, or references to, information to support the complaint
- A statement regarding what you wish to achieve as an outcome from the complaint process
- If further correspondence or information is required, the supplier will be given no less than 15 working days to respond to any communication from ODH unless the matter is urgent

- if the outcome of the investigation is unsatisfactory, the complainant can refer the complaint to Health Share Victoria (see below)

Complaints are to be lodged by post and email to:

Post: Chief Procurement Officer
Omeo District Health
P.O Box 42
Omeo Victoria 3898

Email: reception@omeo.hs.com.au

OHS complaints officer

The CPO will receive and review the complaint and assign a dedicated complaints officer. The ODH complaints officer will have had no involvement with the subject matter of the complaint. Upon receipt of the complaint, this officer will:

- Enter the complaint into Riskman
- Acknowledge receipt of the complaint within 3 working days of receiving it. This acknowledgment will contain the contact's name of the investigating officer, the proposed action and the associated time frames
- If additional correspondence is required, ODH will advise the supplier of this and allow at least 15 working days to respond unless the matter is urgent
- Attempt to resolve the complaint
- The supplier should be advised in writing as to the outcome of the investigation, usually within 28 working days of receiving all written correspondence relating to a complaint. This correspondence should also advise the complaint review and escalation process

Unresolved complaints

Unresolved complaints that specifically relate to Health Share Victoria (HSV) contracts can be directed onto the HSV Board for review. All other complaints can be referred the Victorian Government Purchasing Board (VGPB).

A complainant can refer a complaint to the HSV Board/VGPB for review if not satisfied with the findings and actions of ODH. This could be related to the management of the complaint or the application of procurement policy and procedures.

ODH is to inform the HSV Board/VGPB within five working days of any complaint that could not be resolved to the satisfaction of both parties.

Complaints submitted to the HSV Board/VGPB must be lodged by letter, email or fax within 10 working days of the receipt of the findings by ODH, to:

HSV

The Chair
HSV Board
Health Purchasing Victoria
Level 34, 2 Lonsdale Street
Melbourne Victoria 3000

VGPB

The Chair
Victorian Government Purchasing Board
Department of Treasury and Finance GPO
Box 4379
MELBOURNE VIC 3001

The complainant must provide the following material:

- evidence that ODH did not correctly apply the procurement policy and procedures in relation to a procurement activity
- evidence that ODH’s complaints management procedures were not applied correctly
- a copy of all relevant correspondence between the complainant and ODH service in relation to the nature of the complaint
- any additional material requested by the HSV Board/VGPB to assist it in its findings

The HSV Board/VGPB:

- will inform ODH and complainant of its findings and any further action it intends to take in relation to the matter
- can require the CEO to audit its application of procurement policy and procedures in relation to the procurement activity
- can inform the Minister of Health (HSV complaints) or Assistant Treasurer (VGPB complaints) of its review of a complaint and advise the Minister of further action that could be taken
- may note the outcome of a review in relation to any complaint in its annual report to Parliament

Reporting complaints

ODH is to disclose in its annual report the following information in relation to each complaint received:

- a) procurement activity to which the complaint relates
- b) status of the complaint confirming whether it:
 - was resolved
 - is still under investigation
 - could not be resolved

References/legislation/supporting documents

- Health Share Victoria procurement policy (2017)
- Health Services Act (1988)
- Victorian Government Purchasing Board procurement policy (2020)



Key Aligned Documents

- [Procurement Framework](#)
- [Procurement - Annual Planning](#)
- [Procurement - Policy](#)
- [Asset Procurement Process Flowchart](#)
- [Procurement - Individual Activity](#)
- [Procurement, Hiring, Leasing Policy & Procedure](#)
- [Procurement - Critical Incident](#)
- [Procurement - Collective Purchasing](#)
- [Procurement - Contract Management](#)
- [Procurement - Capability Development](#)
- [Procurement - Supplier Engagement](#)

.....

.....

.....

Author / Contributors

NAME	POSITION	DATE
Mary Manescu	CEO	28/09/2022
Madhulesh Lakhan	Project Officer	28/09/2022