



Revision History	
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Primary Author	CPO Delegate
Sub Authors	CSM
Committee to Review	Executive Leadership
Date of Next Review	Sept 2026
Approved & Endorsed By	Board of Directors 01/02/2023

PROCUREMENT COMPLAINTS POLICY & PROCEDURE

PURPOSE

An established procurement complaints management protocol is a requirement of mandated health services before undertaking any procurement activity. Cohuna District Hospital (CDH) is a mandated health service.

Health purchasing policies are developed by the Health Share Victoria (HSV) Board in accordance with s134 of the Health Services Act 1988. These policies are legally binding, effective from date of publication in the Government Gazette, and must be complied with.

The health purchasing policy framework is based upon the Victorian Government Purchasing Board (VGPB) supply policies and must be complied with in conjunction with s1.4.3 of the Victorian health funding conditions.

A procurement complaints management protocol framework must ensure roles and responsibilities are clearly identified and defined, include the development of procurement strategies and plans, and that these are implemented and monitored for compliance.

DEFINITIONS

Procurement Complaint - an expression of dissatisfaction, issue or concern expressed by a supplier or other interested party in relation to the procurement process and probity applied by CDH when carrying out a procurement activity. Procurement complaints must be lodged in writing.

Chief Procurement Officer (CPO) is the Corporate Services Manager – The Chief Procurement Officer role is established by the Chief Executive Officer of a mandated health service. The role has visibility and oversight of the entire non-salary spend profile of the health service.

Health Share Victoria (HSV) - Established in 2001 to improve the collective purchasing power of Victorian public health services and hospitals. HSV achieves 'best value' outcomes in the procurement of health-related goods, services and equipment through more than 65 contract categories.

Personnel to which this policy applies:

All CDH Employees



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PROCEDURE

Procurement Complaints Management

As a mandated health service, CDH is required to have a complaint management process that can investigate and respond to complaints made in relation to procurement processes.

All investigations of complaints and subsequent responses should be overseen by a person not involved in the subject matter of the complaint.

The Complaint Management System Outlines:

- how the investigation will be dealt with;
- required documentation for the Health Service to investigate;
- specifies contact and lodgement details;
- specifies timelines for conducting the investigation and providing response;
- provides a range of outcomes available to the organisation providing the response;
- provides a process for review by Health Share Victoria (HSV) if the findings and actions taken by the organisation do not resolve the matter to the satisfaction of the complainant; and
- advises other government bodies that may be able to assist.

The CPO must ensure that procurement complaints management processes exist and that complaints are managed according to protocol.

CDH's procurement complaints management policy must be published in a public domain and easily accessible to a complainant.

To minimise or avoid supplier complaints, CDH must:

- ensure clarity of sourcing documentation;
- provide sufficient time to allow potential respondents to prepare and lodge a response to an approach to the market;
- ensure that CDH Procurement Protocols and Purchasing Governance Policies are followed.

However, complaints may still arise and CDH must promote a robust complaints management process. To ensure transparency, accountability and effective complaints handling, CDH must observe the following process in handling complaints received.

- Where a complainant is unhappy with the outcome of the complaint investigation, or would like to escalate the issue, CDH must provide details of other government organisations that can be approached by the complainant.
- There is no financial charge for making a procurement complaint.
- Suppliers and other interested parties are encouraged to complain if they are dissatisfied or feel aggrieved by a procurement practice, process or outcome.
- All complaints will be handled with principles of fairness, accessibility, responsiveness and efficiency.
- Complaints are treated confidentially and there will be no adverse repercussions for a complainant.
- Complaints are valued by CDH because they help to improve its policies, systems and service delivery.



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1. Procurement complaints should as a minimum:
 - be made in writing by letter or email;
 - contain the complainants name and address and the name and ABN of the Supplier or other interested party they represent;
 - include any supporting information and evidence; and
 - be lodged marked 'Procurement Complaint' at the following:

Post: Chief Procurement Officer
Cohuna District Hospital
PO Box 317
Cohuna VIC 3568
Email: info@cdh.vic.gov.au
2. All procurement complaints must be logged on the Procurement Complaints Register that is maintained by the CPO and will record the following information at a minimum:
 - the complainants name and the name and ABN of the Supplier or other interested party they represent;
 - the staff members name (who is conducting the investigation);
 - the nature of the complaint;
 - the procurement process that is the subject of the complaint;
 - time taken to resolve the complaint; and
 - the outcome.
3. All procurement complaints should be acknowledged in writing within 5 working days from the receipt of the complaint.
4. Complaints will be investigated in a time frame that reflects the urgency of the complaint. In general, non-urgent complaints shall be investigated within 20 business days from receipt of the complaint. This time frame may vary depending on the complexity of the complaint and the availability of investigative resources. Urgent complaints will have an investigation commenced within five business days from receipt of the complaint at CDH.
5. CDH is to inform HSV within five working days of any complaint that could not be resolved to the satisfaction of both parties.
6. CDH must disclose in its annual report the following information in relation to each complaint received:
 - procurement activity to which the complaint relates;
 - status of the complaint confirming whether it:
 - i. was resolved;
 - ii. is still under investigation; or
 - iii. could not be resolved
7. A complainant can refer a complaint to HSV for review if not satisfied with the findings and



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actions of CDH. This could be related to the management of the complaint or the application of the Health Purchasing Policies.

8. Complaints submitted to HSV must be in writing and within 10 working days of receiving the outcomes by the health service.

Email or address to:

Chief Executive Health Share Victoria
Level 34, Casselden, 2 Lonsdale Street
Melbourne Victoria 3001

Electronically to: complaints@healthsharevic.org.au

9. For an effective review to occur, the complainant must provide the following material:

- evidence that the mandated health service did not correctly apply Health Purchasing Policies in relation to a procurement activity;
- evidence that CDH complaints management procedures were not applied correctly;
- a copy of all relevant correspondence between the complainant and CDH in relation to the nature of the complaint; and
- any additional material requested by HSV to assist it in its findings.

10. HSV:

- will inform CDH 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 Policies in relation to the procurement activity;
- can inform the Minister of its review of a complaint and advise the Minister of further action that could be taken; and
- note the outcome of a review in relation to any complaint in its annual report to Parliament.

MANDATORY INCLUSION

Personal information and health information as defined in the relevant Victorian law, which is required to be collected, used, disclosed and stored by CDH in order to achieve the Purpose of this policy, will be handled by the Group and its employees in accordance with their legal obligations.

When developing this policy, CDH has taken all reasonable steps to make its content consistent with the proper discharge of its obligations under the Charter of Human Rights and Responsibilities Act 2006.

References

Health Purchasing Policies - As required under s134 of the *Health Services Act 1988 (the Act)*

Health Share Victoria Policies

Charter of Human Rights and Responsibilities Act 2006

Linked documents

Procurement Capability Statement Procurement

Governance Policy Procurement Policy

Purchasing & Central Contract Policy & Procedure



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Accreditation Framework

National Safety and Quality Health Service Standards