

## PROCEDURE

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# Procurement and Tender Complaints Management

### TARGET AUDIENCE

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All Peter MacCallum Cancer Centre (Peter Mac) staff involved in procurement activities

### STATE ANY RELATED PETER MAC POLICIES, PROCEDURES OR GUIDELINES

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Procurement Governance Policy

Supplier Engagement

Procurement Policy

Procurement Procedure

### ACCEPTANCE OF GIFTS AND BENEFITSPURPOSE

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The purpose of this guideline is to provide guidance on the appropriate management of procurement or tender-related complaints received from suppliers in relation to the process and probity applied by Peter Mac or Melbourne Health, the procurement agent acting on behalf of Peter Mac, when undertaking a procurement activity.

### GUIDELINES

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Where the issue under complaint has been purchased / tendered through Melbourne Health, the Melbourne Health Complaints Management policy shall apply. For any complaints relating to purchasing or tendering without the guidance of Melbourne Health, the Peter Mac 'Procurement & Tender Activity Complaints Management' procedure shall apply.

Any complaint about a Procurement Activity process undertaken by Peter Mac must be submitted in writing (via post or email) to the Chief Procurement Officer (CPO) for Peter Mac.

Peter Mac promotes an effective complaints management process. To ensure transparency, accountability and efficient complaint handling, all complaints will be handled in the following manner.

All complaints must be in writing and include the following material:

- A clear written statement regarding what the complainant considers was unsatisfactory in the procurement process.
- Copies of, or references to, information to support the complaint.
- A statement regarding what the complainant wishes 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 Peter Mac unless the matter is urgent.

Complaints are to be lodged by post or email to:

Chief Procurement Officer

Peter MacCallum Cancer Centre

305 Grattan Street, Melbourne

Victoria 3005

All complaints received must be entered into the Hospital Supplier Complaints Register managed by Procurement & Support Services Department.

The CPO will appoint a senior staff member to investigate the complaint, in which:

- The staff member selected will formally acknowledge complaints within 3 business days;
- The staff member selected will not have been involved in the issue under complaint or that particular purchasing activity;
- The complainant will be contacted and advised of how long the investigation is expected to take, and how the result of the investigation will be communicated;
- The investigation of the issue will be reviewed by the CPO and recommendations for remediation / resolution approved.
- The complainant shall be provided a summary of the investigation, and the recommendations implemented if the outcome is accepted;
- The majority of cases, investigation(s) are to be completed within 20 days; and
- If the investigation is anticipated to take longer than 20 business days the complainant is to be notified of the likely response date.

Health Purchasing Victoria (HPV) will be advised within 5 business days of any complaint that cannot be resolved to the satisfaction of either party.

If the complainant is unhappy with the response given by Peter Mac, and would like to escalate the issue, their complaint can be referred to HPV for its review at the following address;

The Chair

Health Purchasing Victoria Board

Health Purchasing Victoria

Level 34, 2 Lonsdale Street, Melbourne

Victoria, 3000

The complainant may submit their complaint to HPV within 10 days from the date of receipt of the findings by Peter Mac to lodge their complaint with HPV.

Peter Mac will maintain a record of all complaints received (via Supplier Complaints Register) related to each procurement activity indicating whether the complaint was:

- a) Resolved.
- b) Is still under investigation.
- c) Could not be resolved.

This information will be included in an annual report to the Peter Mac Board.

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## **EVALUATION**

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Peter Mac is to ensure that this procedure and all other related policies are to be reviewed on an annual basis or as required in accordance with its Governance guidelines.

Compliance will be monitored by the annual review of supplier complaints and outcomes of each investigation.

## **RESPONSIBILITIES**

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### **All staff**

**Staff involved in procurement activities must minimise the potential for supplier complaints by ensuring that:**

- Staff involved in purchasing activities have sufficient training and knowledge of purchasing processes
- Sufficient time is provided to potential suppliers to prepare and lodge a response to the request ie. Tender, Request for Quote
- All documents are clear as to what is being requested and the terms and conditions on which the request is being made
- Confidential information must be treated appropriately during and after a procurement process
- All conflicts of interest must be declared to Director, Procurement & Support Services
- All purchasing activities are undertaken with probity in mind
- Staff do not make improper use of their position or knowledge they have
- Staff do not put themselves in a position whether perceived or actual where they can be accused of being bias.
- Staff particularly those involved in procurement activities must not accept hospitality, gifts or benefits from current, former or potential suppliers except within the guidelines of the Peter Mac Acceptance of Gifts & Benefits Procedure

### **Director, Procurement & Support Services**

- Provides advice on procurement processes
- Provides staff with templates; ie Tender, Request for Quote
- Registers all supplier complaints in the Supplier Complaints Register
- Receives, registers and manages declared Conflict of Interest
- Assists the CPO with investigations when required
- Notifies Melbourne Health of complaints received by Peter Mac that relate to Melbourne Health procurement processes

### **Chief Procurement Officer (CPO)**

- Oversight and management of the supplier complaints process
- Purchasing activities are undertaken with probity
- PMC purchasing policies and procedures are developed in line with HPV requirements

## **LEGISLATION/REFERENCES/SUPPORTING DOCUMENTS**

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- Health Purchasing Victoria Health Purchasing Policies -  
<https://www.hpv.org.au/assets/General/healthpurchasingpolicies-completenessfile-1.pdf>
- Health Services Act 1988 -  
[http://www.austlii.edu.au/au/legis/vic/consol\\_act/hsa1988161/](http://www.austlii.edu.au/au/legis/vic/consol_act/hsa1988161/)
- Financial Management Act 1994 -  
[http://www.austlii.edu.au/au/legis/vic/consol\\_act/fma1994164/](http://www.austlii.edu.au/au/legis/vic/consol_act/fma1994164/)
- Standing Directions issued under the Financial Management Act -  
<http://www.dtf.vic.gov.au/Government-Financial-Management/Standing-Directions-of-the-Minister-for-Finance/Standing-Directions-of-the-Minister-for-Finance-2016>

## **REFERENCES**

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<https://www.hpv.org.au/resources/health-purchasing-policies/>

## **FURTHER INFORMATION**

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Director, Procurement & Support Services

## **AUTHORISED BY**

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Chief Finance Officer

## **AUTHOR/CONTRIBUTORS**

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Director, Procurement & Support Services

**In Consultation with**  
General Counsel & Corporate Secretary

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