

# Guide to NSW Procurement Board – General Complaints Handling

Complaints in the first instance should be dealt with by the agency concerned and escalated to the Procurement Board if the complaint cannot be resolved by the agency



## STEP

	<b>STEP 1</b>	<b>STEP 2</b>	<b>STEP 3</b>	<b>STEP 4</b>	<b>STEP 5</b>	<b>STEP 6</b>
	Complaint Lodged with Procurement Board	Board Secretariat sources information from agency	Details of the complaint and agency action are provided to the Board	Board reviews complaint and agency complaint management	Board determines outcomes of investigation	Board advises Supplier and Agency of outcome
	Board Secretariat reviews complaint information and may liaise with supplier to ensure completeness for investigation	Board Secretariat sources information from agency regarding complaint and the process undertaken to resolve the complaint	Board Secretariat combines the information including the complaint and details of action taken by the agency	Board Members review the complaint assessing procedural fairness to ensure agencies have acted appropriately to address the complaint	Board Members review the complaint assessing procedural fairness to ensure agencies have acted appropriately to address the complaint	Board Members finalise review of complaint and advise of outcomes or actions
	Complaints are lodged via NSW Procurement Services Centre. Board targets a response to complaints of 2 months from receipt of complaint information	Information includes Status of the complaint Action taken by the agency to investigate the complaint	Information includes has the complaint been managed in line Procurement Policy Framework and Complaint Management Framework	Review will consider if an agency representative or independent external parties investigated the complaint	Board members may seek additional information or responses to questions to assist in reaching an investigation outcome	Board members may determine that no further action is required or direct the agency to undertake action within an prescribed time



## ACTIONS



## DETAILS



**2 WEEKS**

**4 WEEKS**

**6 WEEKS**

**8 WEEKS**

## KEY POINTS

NSW Procurement Board's responsibilities under the *Public Works and Procurement Act 1912* include investigating and dealing with complaints about procurement activities

- Agencies are responsible for resolving complaints concerning their actions escalating as necessary and engaging external expertise as appropriate
- The role of the Board in complaints management process is to ensure that agencies appropriately review and respond to complaints and that procedural fairness is observed
- The Board may direct agencies to respond to complaints and report back on the outcome
- Complaints of a criminal or corrupt nature should be referred to Police or ICAC for investigation