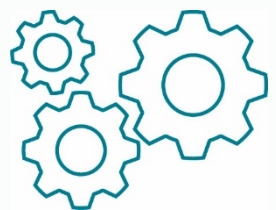


Procurement Complaints Management Procedure

10 November 2020

Version 2.1



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1 Abbreviations and acronyms

CEO	Chief Executive Officer
DCE	Deputy Chief Executive
CM&C	Department of the Chief Minister and Cabinet
DGIR	Director Governance, Information and Reporting
DTF	Department of Treasury and Finance
GIR	Governance, Information and Reporting
OCPE	Office of the Commissioner for Public Employment
TRM	Territory Records Manager

2 Purpose

This procedure is legally required by [Procurement Rule 4: Complaints](#). The purpose of this procedure is to ensure that procurement complaints are handled quickly, fairly and transparently.

3 Scope

This procedure applies to all procurement-related complaints made or referred to the Department of the Chief Minister and Cabinet (CM&C), the Department of Treasury and Finance (DTF) and the Office of the Commissioner for Public Employment (OCPE), collectively called the agencies in this document. It excludes complaints made under the *Independent Commissioner Against Corruption Act 2017*. It applies to all of the agencies' employees and divisions.

4 Procedure

- a) Procurement-related complaints must immediately be referred to the shared services Governance, Information and Reporting (GIR) unit by email:

- a. CMC.Complaints@nt.gov.au
- b. DTF.Complaints@nt.gov.au
- c. OCPE.Complaints@nt.gov.au

or phone 08 8999 7523.

- b) GIR will immediately notify the Chief Executive of the agency where doing so would not be in breach of legislative or regulatory reporting requirements.
- c) The Director Governance, Information and Reporting (DGIR) will review and investigate all procurement complaints in the first instance, unless they relate to the GIR business unit.
- d) Procurement complaints related to the GIR business unit will be immediately provided to the Deputy Chief Executive, Corporate, CM&C. The DCE will manage such complaints in compliance with this process.
- e) The DGIR must handle complaints in line with [Procurement Rule 4: Complaints](#).
- f) The DGIR must ensure that all procurement complaints are investigated quickly (ideally within 14 days), fairly and transparently.
- g) Unless a complainant has asked not to be contacted or has not provided any contact details, they should be kept informed about the progress and outcome of their complaint.
- h) Procurement complaints received in relation to the agencies, which after initial investigation are found to fall within the scope of the agencies' Fraud Control Policy, or the *Independent Commissioner Against Corruption Act 2017*, must be transferred to the appropriate review authority.
- i) When appropriate, the DGIR should report complaint investigation findings to the Audit and Risk Management Committee. The Audit and Risk Management Committee will oversee the implementation of any recommendations that arise from complaint investigations.
- j) The receipt of a complaint must be reported to the agency responsible for procurement policy (the Department of Industry, Tourism and Trade (DITT) at the time of approval of this process) within one week of receipt.

- k) The outcome of the complaint investigation must be reported to the agency responsible for procurement policy (DITT) within one week of resolution.
- l) The agency must ensure receipt or investigation of a complaint does not prejudice a complainant's participation in current or future procurement activities. The DGIR may discuss concerns with agency executives if prejudice is likely or apparent.
- m) Records about procurement complaints must be collected, handled and stored in line with the [Information Act 2002](#). Records must be kept in Territory Records Manager (TRM).
- n) The agencies should report on the number of procurement complaints received, and complaint outcomes in summary, in the agency procurement management plan and the annual report.

5 Related legislation and policy

[Procurement Act 1995](#)

[Independent Commissioner Against Corruption Act 2017](#)

[Information Act 2002](#)

[Financial Management Act 1995](#)

[The NTG procurement framework, including procurement rules](#)

[Treasurer's Directions](#)

[Accounting and property manual](#)

[NTG Central procurement page](#)

6 Document Control

Document title	Procurement complaints management procedure
Contact details	cmsharedservices.CorporateGovernance@nt.gov.au
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Version	Date	Author	Changes made
1.0	14 May 2020	Yasmin Fairbrother	First version
2.0	17 June 2020	Yasmin Fairbrother	Updated to reflect that complaints are to be reported to the Buy Local Advocate within one week of receipt
2.1	10 November 2020	Kelly Garrett	Updated agency name and contact email address for CM&C