

Procurement Feedback, Enquiries and Complaints Process

Context

This document outlines the process to be followed where a Prospective Respondent or a Respondent wishes to provide Feedback, make Enquiries or lodge a Complaint in respect of a Horizon Power Market Process.

Definitions

Complaint means a formal expression of discontent or dissatisfaction made to Horizon Power by a Prospective Respondent or a Respondent, relating to a specific event within a Market Process.

Enquiry means a request for information submitted by a Prospective Respondent or a Respondent to Horizon Power.

EOI means a response submitted by a Respondent to an EOI Request.

EOI Request means a formal Request for Expression of Interest document issued by Horizon Power in respect of a Sourcing Requirement.

Feedback means information or statements of opinion provided by a Prospective Respondent or a Respondent to Horizon Power regarding a Market Process.

Market Process means either an open EOI Request or open T/Q Request issued by Horizon Power.

Market Process Terms refer to the terms and conditions by which a Market Process is governed, namely Section B of an EOI Request, Section B of a RFT and the Terms and Conditions of a RFQ.

Prospective Respondent means a party who is considering submitting either an EOI to an open EOI Request or a Response to an open T/Q Request.

Response means a response to a T/Q Request submitted by a Respondent.

RFQ means a formal Request for Quotation document issued by Horizon Power in respect of a Sourcing Requirement.

RFT means a formal Request for Tender document issued by Horizon Power in respect of a Sourcing Requirement.

Respondent means a party who submits either an EOI to an open EOI Request or a Response to an open T/Q Request.

Sourcing Requirement means a requirement to procure goods, services and/or works for Horizon Power.

T/Q Request means either a RFQ or a RFT.



Market Process Terms

The procurement Feedback, Enquiries and Complaints process set out in this document (**Complaints Process**) applies to all Horizon Power Market Processes.

This Complaints Process cannot be used to bypass the applicable Market Process Terms.

A Complaint submitted in accordance with this Complaints Process will only be considered by Horizon Power where, during a Market Process:

- a Prospective Respondent has not been treated fairly; or
- Horizon Power has not complied with the applicable Market Process Terms and, as a result, a Respondent who complied with the applicable Market Process Terms has been treated unfairly and/or has been unfairly discriminated against.

Initial Enquiry

Prior to lodging a Complaint, all initial Enquiries should be made to the responsible Horizon Power representative managing the EOI Request or T/Q Request. Alternatively, Enquiries can be made by contacting the Horizon Power Procurement & Supply Chain team.

In most instances, Horizon Power should be able to resolve a Prospective Respondent or Respondent's Enquiries satisfactorily and in an expedient manner at this stage.

It is recommended that a Prospective Respondent or Respondent consider what their requested remedy or desired outcome is before making an Enquiry as this will assist Horizon Power in dealing with the Enquiry.

We will endeavour to resolve all Enquiries without the need to lodge a Complaint. In some instances, Horizon Power may request additional information from the Prospective Respondent or Respondent to resolve an Enquiry. If you are not satisfied with the response(s) to your Enquiry, then you may lodge a Complaint.

Where a Prospective Respondent wishes to lodge a Complaint, this should be done prior to the closing time of the EOI Request or T/Q Request.

Complaints

Complaints lodged by a Prospective Respondent or a Respondent (**Complainant**) should be lodged with the Sourcing & Contracts Manager via askprocurement@horizonpower.com.au, with the following details to be included in the subject line:

Attention: Sourcing & Contracts Manager Re: COMPLAINT HP# (Contract Number).

When lodging a Complaint, the following information must be submitted as part of the Complaint:

- Name and contact details of Complainant including email address and telephone number;
- Company or entity name;
- A factual and concise description of the Complaint;



- The desired remedy or outcome of the Complaint; and
- Details of prior Enquiry with Horizon Power.

Once the Complaint has been lodged, a Complainant will be contacted to provide documentation in support of the Complaint.

Complainant's rights when lodging a Complaint

Complainants have the right to:

- Seek independent legal advice;
- Have their Complaint dealt with fairly, properly and in a respectful manner;
- Be informed of the process of how their Complaint will be dealt with; and
- Be informed of Horizon Power's response to the Complaint, and (if any) subsequent corrective actions.

Conduct by Complainants

Horizon Power respects the right of Complainants to lodge Complaints, however we will not accept unreasonable behaviour. **Unreasonable behaviour** includes:

- Aggressive or abusive language;
- Unreasonable demands for action;
- Recurrent Complaints about an issue that has already been closed without any new information;
- Vexatious Complaints without substantive evidence;
- Unreasonable persistence including refusal to accept an outcome or resolution; and
- Malicious, frivolous or threatening conduct intended to cause damage or harm to individuals or property.

If Horizon Power considers that a Complainant displays Unreasonable Behaviour in their dealings with Horizon Power, Horizon Power may:

- Advise the Complainant that, as a result of the Unreasonable Behaviour, Horizon Power will not deal with the Complaint and that the Complainant may re-submit the Complaint without the use of Unreasonable Behaviour;
- Restrict the ways in which the Complainant is allowed to communicate with Horizon Power, for example by only allowing the Complainant to contact Horizon Power in writing if the Complainant is verbally abusive; or
- Acknowledge the communication through a standardised response, and refuse to engage with the Complainant in respect of repeated Complaints about closed matters.

Any Complaints that are deemed to be inappropriate or clearly intended to intimidate (for example personal abuse, inflammatory statements or materials, or unreasonable demands) will be returned to the sender and not be acted upon.

Complaint Resolution

Horizon Power undertakes to, during the course of a Complaint:



- receive the Complaint, record the details, give it fair and reasonable consideration and deal with it in an effective way to achieve fair outcomes;
- keep all relevant parties informed of progress; and
- take action where appropriate to resolve the Complaint.

Important points to note

The following should be noted in respect of all Complaints lodged with Horizon Power:

- Horizon Power's decision in respect of a Complaint is final;
- Lodging a Complaint will not enable Horizon Power to overturn an awarded contract; and
- Horizon Power will endeavour to provide reasons for its decisions regarding a Complaint or enquiry where possible, however, unless otherwise required by law, it has no general obligation to do so.

Horizon Power will at all times treat all information provided by Prospective Respondents, Respondents and/or Complainants with respect and handle personal information in accordance with [Horizon Power's Privacy Policy](#).

Feedback

Horizon Power is committed to maintaining the highest standards in managing its procurement processes. Your feedback and suggestions are important to Horizon Power. Feedback on our service in terms of our Procurement Feedback, Enquiries and Complaints Process can be made via askprocurement@horizonpower.com.au or by contacting the Horizon Power Procurement & Supply Chain team.

