



Tender & Contractual Complaints Process

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Why we have a complaints process

The Ministry of Justice is committed to public sector best practice. Competitive processes are governed by EU law and UK legislation. In all commercial activity the Ministry of Justice pursues the highest standards of professionalism, ethical conduct and impartiality. We are always ready to receive feedback on our competitive processes, whether negative or positive, and will respond to complaints using this complaints process.

If you are making a complaint regarding our competitive processes please provide as much detail as you can and state the outcome you envisage.

We are fully committed to maintaining confidentiality and will take appropriate measures to ensure it. If you are currently involved in tendering for work with the Ministry of Justice you can be assured that your comments will not be allowed to prejudice the fair treatment of your tender.

The complaints process is intended to be straightforward. We will acknowledge all complaints in writing within five working days and we will aim to respond within ten working days.

How to complain

Make your complaint in writing to the named contact point for the relevant competitive tender round.

A copy of all complaints should be sent for to the Commercial and Contract Management Directorate (CCMD) Compliance team: commercialcompliance@justice.gsi.gov.uk

Information to accompany a complaint

If you have a comment or complaint about any aspect of a current/recent procurement round please provide in writing full details of the procurement round you are referring to including if possible:

- Any reference details
- Goods / service being tendered for

- Contact details of the relevant commercial contract manager

We will acknowledge all complaints in writing within five working days.

We aim to fully reply within 10 working days. If a full response cannot be issued within this timescale we will contact you to confirm:

- Who is dealing with the complaint
- The reason for any delay
- How long it will be before a full reply will be issued

Please put your complaint in writing to the commercial contract manager shown in the tender documentation.

What happens when I make a complaint?

Your complaint will be investigated by an appropriate person. You will receive an acknowledgement in writing within five working days. We aim to fully reply within 10 working days. If a full response cannot be issued within this timescale we will contact you to confirm:

- Who is dealing with the complaint
- The reason for any delay
- How long it will be before a full reply will be issued
- If we made a mistake we will apologise and take any corrective action we can.

We monitor and report on the complaints we have received. We try to learn from them to improve our competitive processes and intend also that our complaints handling process reflects best practice and opportunities for learning.

If I'm not satisfied with the reply, what can I do next?

Please contact the person who responded to your initial complaint, or there may be a further contact point named in our response made to you. Your complaint will be acknowledged in writing within five working days of receipt. We aim to fully reply within 10 working days. If a full response cannot be issued within this timescale we will contact you to confirm:

- Who is dealing with the complaint
- The reason for any delay
- How long it will be before a full reply will be issued.

If they cannot resolve your complaint they will escalate it to the relevant senior manager.

You should receive a full written explanation and details of any circumstances affecting your enquiry, and any action taken in response to your complaint.

If I still think the Department has got it wrong what can I do?

If you are still dissatisfied, contact the person who responded to your complaint, or there may be a further contact point named in our response made to you.

Depending on its nature Ministry of Justice may refer your complaint to the Legal Services Directorate if appropriate. Your complaint will be acknowledged in writing within five working days of receipt. We aim to fully reply within 15 working days. If a full response cannot be issued within this timescale we will contact you to confirm:

- Who is dealing with the complaint
- The reason for any delay
- How long it will be before a full reply will be issued.

Ministry of Justice code of practice for competitive tendering

The Ministry of Justice will ensure:

- That when contract opportunities are to be competed they are appropriately advertised to the market and suppliers given sufficient time to respond, fair competition is used to select the most suitable solution and value for money obtained for the tax payer;
- The structure of the competitive tendering process will not give any bidder an unfair advantage;
- All bidders are provided with the same access to relevant information;
- Complaints are dealt with impartially and in accordance with the Ministry of Justice Tender and Contractual Complaints Procedure;
- All Ministry of Justice Commercial and Contract Management Staff will act in accordance with the Department's code of ethics;
- Tender processes and documentation are as clear and concise as possible and only ask for the information we need;
- Competitive tenders will use an appointed single point of contact for all contractual communication to ensure a consistent approach.