

## **Scope of the Procurement Review Unit (PRU) Complaints Policy and Procedure**

The Cabinet Office is committed to providing a high-quality service to everyone we deal with. To ensure we maintain a high standard of service within the PRU, we encourage feedback - this allows us to improve, adapt and deal with complaints swiftly and sensitively.

The PRU complaints process is available to individuals or organisations who may have been directly impacted by our service, or by third parties representing those organisations during the course of our investigations.

We treat each complaint about the PRU seriously and learn from them so that we can continuously improve our service.

A complaint is an expression of dissatisfaction, whether justified or not.

### **Our policy covers complaints about:**

- the standard of service we provide;
- the behaviour of our staff;
- any action or lack of action by staff affecting an individual or group.

### **Our policy does not cover complaints about:**

- matters that have already been fully investigated through this complaints procedure;
- anonymous complaints;
- complaints about access to information where procedures and remedies are set out in legislation, eg Freedom of Information Act 2000, Data Protection Act 2018;
- complaints about the outcome of a Public Procurement Review Service, Procurement Compliance Service or Debarment Review Service investigation, where PRU's procedures have been appropriately followed;
- complaints against a debarment decision, which must be addressed through the appeals process outlined in section 60 of the Procurement Act 2023 or any complaint that relates to a debarment decision that is being appealed, until such time that the appeal is resolved;
- any complaint which should be addressed via a legal challenge against a contracting authority under Part 9 of the Procurement Act 2023 - should a claim be raised under Part 9 of the Procurement Act we will suspend our involvement investigating any related complaint until the appeal is resolved;
- any complaint that is related to a judicial review, until such time as the judicial review is resolved.

## Our standards for handling complaints

- All complaints will be treated seriously, confidentially and fairly.
- You will be treated with courtesy and fairness at all times. We expect that you will be courteous and fair in your dealings with our staff at all times.
- We publish data about complaints received in our annual report. This is an overview of the PRU performance, maintaining a confidential complaints process.

### Confidentiality

All complaints received are confidential and will be handled in accordance with the requirements of the Data Protection Act 2018.

## How to submit a complaint

### Stage 1

This is the first opportunity for the PRU to resolve a complainant's dissatisfaction with our service; the majority of complaints will be resolved at this stage. In the first instance, we will try to get your complaint resolved by the Head or Director of the area or team against whom the complaint has been made. Upon receipt of your complaint we will contact the relevant team Head or Director and ask them to deal with your complaint.

To raise a complaint about the service you have received from the PRU, please email your complaint, along with your case number to: [procurementreview@cabinetoffice.gov.uk](mailto:procurementreview@cabinetoffice.gov.uk)

You will receive an email of acknowledgement within 5 working days and the team will review your complaint.

### Stage 2

If you are dissatisfied with the outcome of your complaint, please contact the Cabinet Office Public Correspondence team who will review your complaint and the outcome. To contact the Public Correspondence team please use the [online contact form](#)<sup>1</sup> or by post to the following address:

Public Correspondence Team  
Cabinet Office  
70 Whitehall  
London  
SW1A 2AS

Please ensure your Stage 2 review request has as much detail as possible, including the original complaint reference number and any relevant documents and correspondence. The review request must also state that you are requesting a Stage 2 review in line with the PRU's Complaints Policy. This will allow for your review to be handled quickly.

---

<sup>1</sup> <https://www.gov.uk/guidance/contact-the-cabinet-office>

The Cabinet Office Public Correspondence team will liaise with the Director of Strategy, Assurance and Standards or the Deputy Director of Strategy and Communication, Standards and Oversight and ask them to review your complaint.

### **Service level agreements for handling a complaint**

#### **Stage 1** - maximum 20 working days

- Acknowledgement within 5 working days.
- Full response within 20 working days.

#### **Stage 2** - maximum 20 working days

- Acknowledgement within 5 working days.
- Full response within 20 working days.

Following any stage of the procedure, a complainant has a maximum of 28 days from the date of the final response to request that their complaint be progressed to the next stage.

### **Extending time limits**

We aim to complete all complaints within the timescales above; however, if a complaint is complex it may require an extension of the time limit. If this is the case, we will keep the complainant informed of progress with the investigation, the reasons for the delay, and the new completion date.

### **If you remain dissatisfied**

If you remain dissatisfied, after following the complaints procedure, you can request to have your complaint reviewed by someone external to the Cabinet Office.

The Parliamentary and Health Service Ombudsman can carry out independent investigations into complaints about government departments, agencies and some public bodies, including the Cabinet Office.

The Cabinet Office provides the government's central link with the [Parliamentary and Health Service Ombudsman](#)

### **Remedies**

When we get things wrong we will act to:

- accept responsibility;
- explain what went wrong and why;
- put things right by making any changes required.

The action we take to put matters right (i.e. redress) in response to a complaint, can include any combination of the remedies set out in the list below. The general principle we follow is that a complainant should, so far as possible, be put in the position they would have been in, had things not gone wrong.

The remedy chosen needs to be proportionate and appropriate to the failure of service, and take into account what people are looking for when they complain. An apology is normally appropriate, but other action may also be necessary:

- a sincere and meaningful apology (explaining what happened and or what went wrong) - an apology is not an acceptance of liability under section 2 of the Compensation Act 2006;
- remedial action, which may include reviewing or changing a decision on the service given to an individual complainant;
- service desired by complainant (immediately, if appropriate);
- putting things right (for example change of procedures to prevent future difficulties of a similar kind, either for the complainant or others);
- training or supervising staff;
- financial compensation.

## Compensation

In the majority of cases, remedies other than financial compensation will satisfy the complainant. Financial compensation is therefore a final option, and will only apply in cases where the loss or suffering is considered to warrant such a payment.

In circumstances where it is decided that our action or lack of action has resulted in maladministration, if the complainant has suffered direct or indirect financial loss, compensation may be payable. In determining this we will have regard to the Parliamentary and Health Service Ombudsman published [Principles for remedy](#)<sup>2</sup>.

Where it is decided following investigation of a complaint, that a complainant has suffered an injustice and or hardship resulting in direct or indirect financial loss, due to maladministration, we will determine whether compensation is an appropriate remedy by looking at all the evidence, including how much the complainant can demonstrate they have lost, or what extra costs they have incurred as a result of our maladministration.

The reason for our decision will be recorded by the decision maker and included in our response.

## Comments

Quality of service is an important measure of the effectiveness of departments and public bodies. Therefore learning from complaints is a good way of helping to improve and develop the way that the Cabinet Office works. As well as learning from your complaints we are also interested in other ideas you may have on how we might do things better.

---

<sup>2</sup> <https://www.ombudsman.org.uk/about-us/our-principles/principles-remedy>

You can make your comments using our [online contact form](#) or by post to the address given above. We will use your comments to help improve our service and the way we do things. However, the 2-stage procedure outlined above does not apply to comments.

## **Unreasonable behaviour**

All complaints will be processed in accordance with this policy. However, during this process staff may have contact with unreasonable complainant behaviour and unreasonably persistent complainants.

The Parliamentary and Health Service Ombudsman defines unreasonably persistent complainants as:

- Those who, because of the frequency or nature of their contact with an authority, hinder the authority's consideration of their or other people's complaints.

## **Recording complaints**

All complaints we receive will be logged so that we can monitor the types of problems, the best way to sort them out and how long we are taking to deal with them. This also helps us to take a closer look at how we can improve our own service delivery. We will handle your information in line with data protection legislation.