G 6 - COMPLAINTS PROCEDURE

Note:-

It is important to note that NI Water's formal complaints procedure is not an appeal mechanism for tenderers who are dissatisfied with the outcome of a procurement competition and it must not be used if you are seeking a remedy under the Utilities Contracts Regulations 2016, Procurement Act 2023 or other legal action through the courts.

You are further advised that the process outlined here cannot be used to halt or delay a procurement competition.

Introduction

This document covers the activities of the Commercial Procurement Team and the Capital Procurement Team, which are part of the Infrastructure Delivery (ID) Directorate of Northern Ireland Water (NI Water), hereafter referred to as The Procurement Teams. These teams are responsible for running the procurement process for goods, services and capital works for NI Water, while ensuring that Value for Money is achieved and that Procurement Directives, Regulations and established procurement policy and procedures are complied with.

The purpose of this document is to provide you with information on what we do and the standard of service you can expect when you deal with us. It also sets out a complaints procedure if you, as a supplier or potential supplier, feel that we have fallen short of the standards, values and principles set out in this document.

Who does this Complaints Procedure apply to?

NI Water works with many organisations who are either existing suppliers or potential suppliers of the wide range of goods, services and capital works requirements that we need to run our business. These relationships are important to us, as suppliers play a critical role in enabling NI Water to fulfil its obligations for the supply and distribution of drinking water and the provision of sewage services to domestic, agricultural and business customers throughout Northern Ireland.

Our Responsibilities

The summary responsibilities of The Procurement Teams are as follows:

- To work with suppliers and potential suppliers to help them meet the needs of NI Water
- To negotiate commercial arrangements that represent best value for money for NI Water
- To support contract managers in monitoring contract performance and resolving contract problems and
- To advise on and ensure compliance with procurement policy, procedures and regulations throughout NI Water

Our Values

All those currently doing business or wishing to do business with NI Water can expect The Procurement teams to embrace the following values:

- INTEGRITY
- EXCELLENCE
- CUSTOMER
- RESPECT
- SUSTAINABILITY

First Principles

As an accredited Centre of Procurement Expertise (CoPE), we are committed to these guiding principles, in relation to all our dealings with contractors, suppliers and potential suppliers. These principles govern the administration and conduct of procurement activity in NI Water.

1. Transparency – we will ensure that as far as possible there is openness and clarity in procurement policy and its delivery.

2. Competitive Supply – we will procure using publicly advertised competitions unless there are compelling reasons to the contrary.

3. Consistency - suppliers can expect us to apply our procurement policy consistently for its goods, services and works requirements.

4. Effectiveness – we will meet the commercial, regulatory and socio-economic goals of Government Policy in a balanced manner appropriate to the requirement being procured.

5. Efficiency – we will carry out all our procurement processes as cost effectively as possible.

6. Fair Dealing – we will treat suppliers, and potential suppliers, fairly and equally including protecting commercial confidentiality where required. We will not impose unnecessary burdens or constraints on suppliers or potential suppliers.

7. Integrity – we will ensure that there is no corruption or collusion with suppliers or others.

8. Informed Decision Making – we will base decisions on complete and accurate information and monitor requirements to ensure that they are met.

9. Legality – we will comply with the Utilities Contracts Regulations 2016 or the Procurement Act 2023 where they apply and other legal requirements.

10. Integration – our policies will pay due regard to Government's other environmental, economic and social policies rather than cut across them.

11. Responsiveness – we will endeavour to meet the aspirations, expectations and needs of the community served by the procurement.

12. Accountability – we will ensure that effective mechanisms are in place to enable the Chief Executive, as Accounting Officer for NI Water, to discharge their responsibilities on issues of procurement risk and expenditure.

Your views

We will listen and, where appropriate, act upon your suggestions / comments about the manner in which we conduct NI Water's procurement responsibilities and how we may improve them. If you have any comments, you should contact us via the email addresses below:-

Commercial Procurement Team – sourcing@niwater.com

Capital Procurement Team – EPProcurementTeam@niwater.com

If you have a complaint:-

We aim to provide a top quality, efficient and professional service but, occasionally, things can go wrong.

Stage 1:- If you feel we have fallen short in demonstrating our values or meeting first principles in our dealings with you and you do not receive the standard of service or information you expect or consider you are reasonably entitled to, you should immediately raise the matter with the senior member in the team dealing with the particular procurement exercise.

You should highlight the matter in writing, either by post or e-mail, briefly setting out the details of your complaint. Where possible your complaint will be dealt with immediately. If further investigation is required, we will aim to issue you with a full response within 10 working days. If it is not possible to provide a full response within this time due, for example, to the matter requiring a more detailed investigation you will be advised and kept informed of progress.

NI Water monitors and reports on supplier's complaints and tries to learn from them in order to improve our approach to dealing with suppliers.

Contact details:-

Commercial Procurement –Head of Commercial Eilis Kelly

eilis.kelly@niwater.com

Capital Procurement Team - EPProcurementTeam@niwater.com

Stage 2:- If, after receiving your response, you remain dissatisfied, you may refer your complaint to Tzvetelina Bogoina, Director of Infrastructure Delivery and Head of Procurement.

tzvetelina.bogoina@niwater.com

The postal address is

Northern Ireland Water

Westland House

Old Westland Road, Belfast, BT14 8TE

Clearly indicate the intended recipient

Stage 3:- If you are still not satisfied with the response, you may then refer the complaint to Sara Venning, Chief Executive Officer, at the above address. If you do not receive a satisfactory response to your complaint from NI Water you may ask a Member of the Assembly (MLA) to refer your complaint to the Northern Ireland Ombudsman's Office.

You will be expected to have referred your complaint to NI Water before taking the matter up with Ombudsman.

The postal address is:-

The Ombudsman, Progressive House

33 Wellington Place

BELFAST BT1 6BR

Tel: 028 90 233821, or Freephone 088 343424

Email: ombudsman@ni-ombudsman.org.uk