



**NL Health
Services**

Compliments and Complaints Handling Guide

Supplier Relationship Management Division – Supply Chain

Updated December 2024

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Introduction

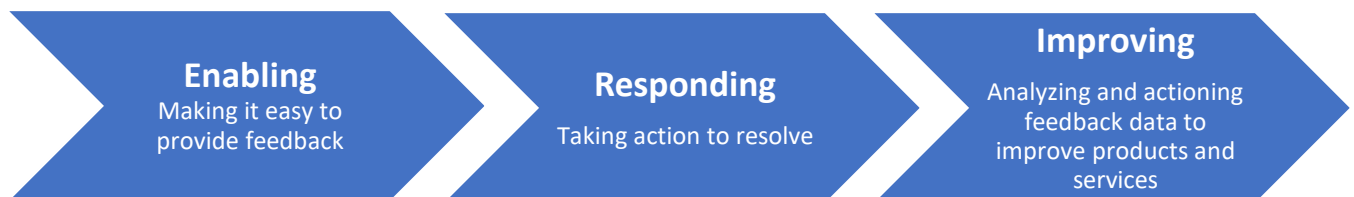
The Supplier Relationship Management division is **responsible for** managing and developing suppliers in line with the vision of the NL Health Services (NLHS) Supply Chain Department. The division builds and maintains a focussed and proactive approach with suppliers. This, in turn, facilitates open and constructive relationships between the supplier community and NLHS which supports contract compliance, continuous improvement and reduces supply chain risk.

The **role** of the Supplier Relationship Management division is to be custodian of NLHS's supplier base. As such, there are two main streams of work related to compliments and complaints handling:

1. Handling supplier and product/service-related compliments and complaints from end users and;
2. Facilitating responses to suppliers who wish to formally file a complaint regarding a procurement process led by Provincial Health Supply Chain. This type of complaint will be referred to as a "supplier complaint" in order to align with Section 25 of the *Public Procurement Regulations*.

Purpose

The purpose of this document is to establish a guideline for the handling of compliments and complaints so that our stakeholders are informed and have a clear understanding of our processes, roles and responsibilities, and the practical steps involved. Three key stages of good compliments and complaints handling are shown below and are used throughout the guide.



This document sets out guiding principles and practical advice for:

- NLHS's Supplier Relationship Management team to constructively respond to compliments and complaints
- Internal stakeholders (i.e. clinicians, end users) submitting compliments and complaints

- External stakeholders (i.e. suppliers, suppliers, contractors) submitting complaints (via PPA legislative process) regarding a procurement process, and/or responding to an end user-driven compliment and complaint facilitated by the Supplier Relationship Management team

The guide also has a broader aim - to encourage all stakeholders to rethink old attitudes to complaints and to see them as an opportunity for improvement, not a threat.

Background

NLHS Supply Chain vision is:

an integrated supply chain model that ensures right products and services are available at the right place and the right time at the best price to support safe, efficient and effective health care

One of the ways in which Supplier Relationship Management supports NLHS's vision as noted above, is by ensuring that concerns raised by stakeholders are treated seriously. If and when things go wrong, they can only be put right if we know about it. Complaints are important as they provide information about the effectiveness of our products, services and suppliers. Our aim is to: reassure our stakeholders that we are committed to properly addressing and resolving problems; maintaining or improving relationships with our suppliers; and improving our transparency and accountability.

Our supplier base is subject to our *Supplier Performance Management Framework* which details our program for monitoring the performance of the NLHS's suppliers in an effort to improve supply chain outcomes for the NLHS, its stakeholders, the Province and the supplier community. As such, suppliers should consider that compliments and complaints data will be used in our performance management reporting.

The Supplier Relationship Management division is responsible for the handling of three types of complaints:

1. **Supplier complaints** – submitted by internal stakeholders regarding the performance of an external supplier
2. **Product complaints** – submitted by internal stakeholders regarding the performance of a particular product (see ISO definition in Section 2)

3. **Supplier-issued complaints** – submitted by external stakeholders regarding their experience with a procurement process led by NLHS

From January 2020 to December 2023, over 900 supplier, product and supplier-issued complaints were handled by the Supplier Relationship Management division. As the division expands so does its processes and this guide will help navigate stakeholders through our current procedures for each of the three complaint types as well as outline our expectations for stakeholder input.

Internally, as an NLHS Service Level Agreement commitment, the Supplier Relationship Management division will acknowledge submitted internal complaints within two business days and endeavour to resolve the issue as quickly as possible following the process as detailed in this guide. Similarly, supplier-issued complaints will be handled as efficiently as possible as detailed in Section 8.

Terms used in this guide

*A **complaint** is an expression of dissatisfaction with the quality, safety, delay or failure of a product or service provided by a supplier.*

Complainant – used to refer to a person, organization or representative who makes a complaint

Compliment – an expression of satisfaction with a good and/or service received from a supplier

Investigation – used to describe a fact-finding process aimed at establishing root-cause of submitted complaint

Product complaint – any “written, electronic or oral communication that alleges deficiencies related to the identity, quality, durability, reliability, usability, safety or performance of a medical device that has been released from the organization’s [manufacturer] control or related to a service that affects the performance of such medical devices.” (ISO 13485:2016)

NLHS – Newfoundland and Labrador Health Services -

Supplier – can be used interchangeably with “Vendor” as defined below; NL’s Public Procurement Agency uses the term Supplier in its legislation hence the use of the term in Section 8 of this Guide

Vendor – a person or organization that provides a good or services required by our RHA’s

Complaints Handling

Complaints have traditionally been viewed in a negative light and their handling has been process driven. We encourage our stakeholders to view complaints as important feedback which can lead to product and service improvements. In fact, we already engage with some suppliers who actively encourage and welcome feedback about their product and/or service performance. At the heart of every grievance is an individual’s genuine concern about a product or service and, therefore, every complaint will: be addressed with the respect it deserves; with the prevailing attitude of constructive feedback; and aim to be resolved as quickly as possible.

For suppliers, complaints are free feedback about what people think of their products and services. Complaints generate data that helps suppliers develop better, safer products and can highlight the need for changes to their practices, or the need to explain them to their customers in a different way.



Well-handled Complaints can:

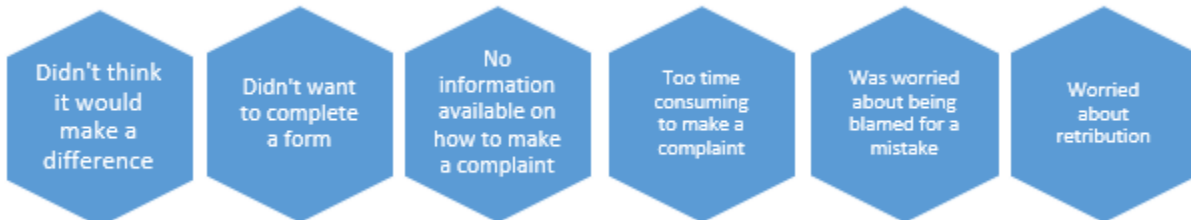
- Restore trust with stakeholders when things have gone wrong
- Lead to product or service improvements
- Improve relationships
- Improve patient safety outcomes



Poorly-handled Complaints can:

- Damage supplier relationships and reputations
- Lead to missed opportunities to improve performance
- Potentially generate to legal disputes

Traditionally, some people have chosen not to make complaints about products or services due to one or more of the following reasons:



The resolution of a complaint should be outcome-focused and on how to best address the concern perceived by the individual making the complaint, not on assigning blame or fault. It is our hope that through advancement of our Supplier Relationship Management division as well as implementation of this guide, that we are removing any perceived barriers to submitting complaints and instead encouraging them. For every complaint received, there may well be other people who have experienced the same situation but have chosen not to voice concern. A product or service may receive only a few complaints but if the complaints are on a similar theme, then there is likely to be a larger problem that needs addressing and without the feedback from our internal stakeholders we have no way of knowing a problem exists or opportunity to correct it.

Expectations of Supplier Relationship Management Team

To maintain high standards of integrity, complaints need to be handled in a consistent, fair and transparent manner, and will ideally be resolved to the satisfaction of the complainant. The Supplier Relationship Management team will be:

- **Listening** to what the complainants are saying;
- **Responding** to the issues they raise; and
- **Improving** our products and services subsequent to the lessons learned for our investigations into their concerns.

This team will lead their work with empathy, patience, resilience, a problem-solving attitude, communication, investigation skills, while also maintaining a reasoned, evidence-based approach. They will communicate with complainants as regularly as required in order to promote transparency and ensure the complainant is informed of process and outcome.

Expectations of Stakeholders

Stakeholders must help us perform our complaints handling work by: providing relevant, accurate and timely information; cooperating with any requests for pertinent follow-up activity; and treating the Supplier Relationship Management team with courtesy and respect.

Understandably, complainants can be frustrated when issuing a complaint about a product or service that has failed in some manner, or when their expectation of a certain outcome was not met. Similarly, there are times when suppliers react negatively to our investigations and feedback. We understand the frustration of both situations; however, offensive and/or disrespectful behaviour towards Supplier Relationship Management staff will not be tolerated.

We encourage our suppliers to remain open to our feedback and make every effort to:

- Value the complaint process and the rich, evidence-based data it can generate regarding your products and services;
- Understand NLHS's and GNL's public procurement process;
- Invest time and effort in developing skills in responding to open calls;
- Act with integrity when dealing with NLHS teams; and
- Not use a formal complaint to second guess how internal teams have assessed technical merits of open calls from other suppliers.

Complaint versus Feedback

A complaint can be feedback, but feedback is not always a complaint. It is important to understand the difference between feedback and a complaint as the process for each will be different.

There will be instances when submitted complaints are handled as a feedback process versus a complaint with an actionable outcome. At times, we receive complaints about items that cannot be changed, perhaps because of contract commitments, legislation or policy, or the nature of the complaint is not significant enough to warrant immediate action. In these situations, the feedback a complaint gives is still valuable. Supplier Relationship Management will provide the information to the supplier(s) concerned, and the feedback may itself be a catalyst for future change in that item's design or production. An example of this could be a product complaint for a particular item that is used in high quantity, such as a face mask. If the mask did not fail in its use, but the complainant is citing discomfort with a component such as ear loops, that information will be shared with the supplier. This information could lead to the manufacturer

making changes to the product but will not necessarily lead to NLHS discontinuing use of current inventory of that mask.

Rest assured all feedback is taken seriously and discussed internally with the necessary departments (e.g. OH&S, Quality & Risk) and escalated to Health Canada when required. Many product complaints are also escalated to internal clinical committees for further review and discussion. Complainants may not get their desired outcome in every situation, but their feedback will be heard, documented and treated fairly.

Compliments

This guide may include a significant amount of content regarding complaints, but complaints are only one type of feedback - we receive compliments as well! In fact, all product, service and supplier feedback is welcome as we are committed to sharing all types of feedback with our suppliers during their performance management discussions.

Supplier compliments can be entered in the same system as supplier complaints (see infographic in Section 6). The submitter will be asked for the supplier name and description of their compliment.

Supplier Complaint Process

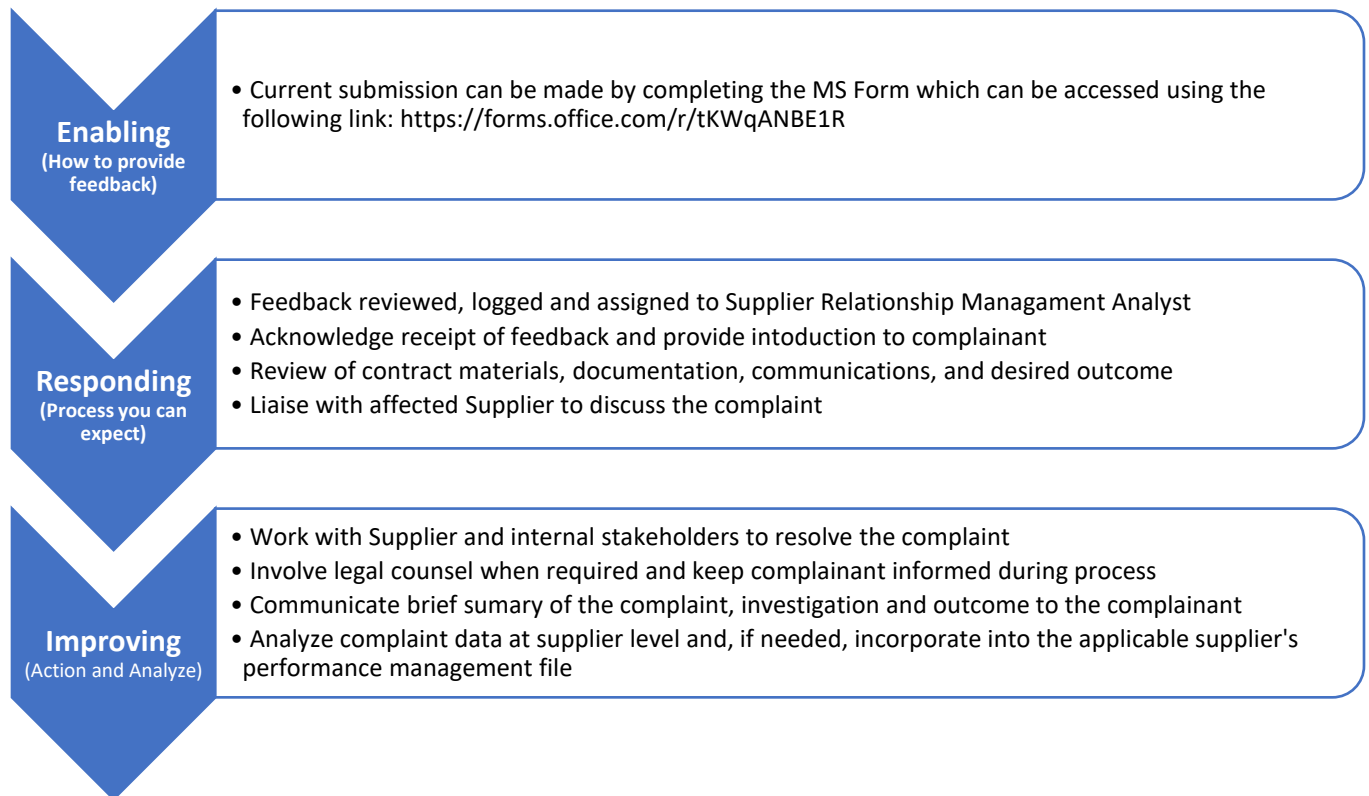
When internal stakeholders have experienced poor performance from a supplier, they are encouraged to notify our Supplier Relationship Management team as soon as possible so our team can help assist in working with the supplier to correct any non-compliance or performance deficiencies.

From receipt of the initial feedback submission, a member of the Supplier Relationship Management team will register and document the complaint and contact the complainant within two business days to acknowledge receipt. After reviewing the details of the complaint the Supplier Relationship Management Analyst assigned to handling the file may need to contact the complainant to seek additional information, documentation, and to ensure that we understand exactly what the issues are and what the complainant is seeking as an outcome.

Analyzing complaint information regularly will help identify areas of improvement – this could mean supplier improvements or lead to a decision to change suppliers or pursue further supplier performance management mechanisms as detailed in our Supplier Performance Management Framework.

Reminders when submitting a supplier complaint:

- Focus on the issue and not the supplier
- Documentation submitted may be subject to subsequent legal proceedings



Product Complaint Process

When internal stakeholders have experienced poor quality, safety, or defects when using a product, they are encouraged to notify our Supplier Relationship Management team as soon as possible so our team can help assist in working with the supplier to investigate and correct the issue. As outlined in the below infographic, submission of complaint can be completed via our Product Complaint and Feedback Electronic Form (available on the NLHS Intranet).

Upon initial complaint submission, a member of the Supplier Relationship Management team will register and document the complaint and contact the complainant within two business days to acknowledge receipt. After reviewing the details of the complaint, the Supplier Relationship Management Analyst assigned to handling the file may need to contact the complainant to seek additional information. **Many suppliers request that defected product be kept for analysis**

therefore, complainants should make every effort to safely store the product and await further instruction from Supplier Relationship Management.

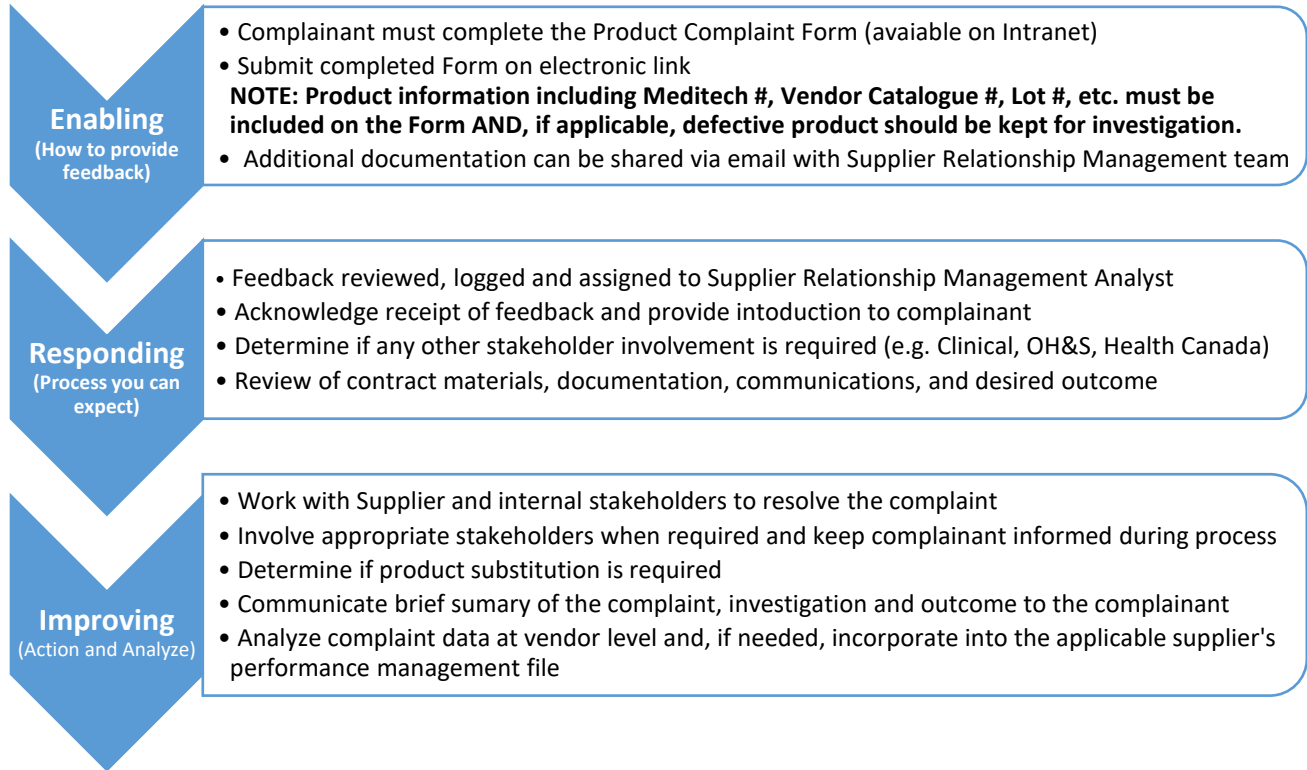
There are circumstances when our follow-up work with suppliers requires our end user involvement. End users are asked to please be prepared to help us throughout the course of our investigation and follow-up work and respond to our inquiries. After a period of 30 days, unanswered follow-up questions may lead to your complaint being closed without final resolution.

When medical devices are the subject of a complaint, there are many factors to consider when triaging complaints:

- The seriousness of the issue raised;
- Likelihood of reoccurrence;
- Need for urgent action, when there are health and safety concerns;
- Need for additional stakeholders to be involved (e.g. OH&S Dept., Quality and Risk Dept., and Health Canada);
- Whether the complaint raises systemic issues; and
- Whether the complaint is subject to other policies or legislation (e.g. Vanessa's Law).

The *Protecting Canadians from Unsafe Drugs Act* (also known as Vanessa's Law) is intended to increase drug and medical device safety in Canada by strengthening Health Canada's ability to collect information and to take quick and appropriate action when a serious health risk is identified. As of December 16, 2019, it became mandatory for hospitals to report serious adverse drug reactions (serious ADRs) and medical device incidents (MDIs) to Health Canada. In our four provincial RHA's, this mandatory reporting to Health Canada is led by our Quality and Risk Departments, but it is important to note that Supplier Relationship Management works with these departments to ensure product complaints and/or medical device incidents are handled appropriately.

Analyzing complaint information regularly will help identify areas of improvement – this could be supplier led in the form of product improvements or lead to decision to change products internally. As noted in Section 4, there will be occasions when the outcome of a product complaint is simply providing the feedback and end-user experience to the supplier.



Supplier-issued Complaint Process

As a public body, Central Health operates under the Public Procurement Act and Regulations. Following Section 25 of the Regulations, NLHS will provide suppliers with an effective, consistent and timely review mechanism where a supplier has registered a complaint with us relative to a procurement process in which the supplier participated and after they have received a debriefing, feel they have been aggrieved. Common complaints include:

- Rejection of bid submission;
- Inconsistent application of procurement procedures;
- Contravention of an applicable trade agreement; or
- Contravention of the framework.

The intent of this complaint process is to provide an opportunity for suppliers to voice complaints and to assist public bodies in identifying and responding to potential problem areas in the application of public procurement policy, procedures and legislation. The process is intended to help resolve issues that involve no significant factual or interpretive disagreement between the parties. Fundamental disputes over facts or legal rights and obligations are not intended to be addressed by this process and should be adjudicated by other means.

Objectives of supplier complaint and review process:

- To define a process that is accessible, fair and transparent
- To ensure consistency, impartiality and timelines of process
- To identify improvements to the procurement process
- To ensure accountability in the procurement process

For clarity, the complaint process will under no circumstances result in any contract award being set aside by NLHS, and no compensation will be awarded to any complainant as a result of this process. In addition, the complaint process set out in the *Regulations* shall not be used to challenge a procurement process in respect of which the supplier has commenced legal proceedings against Central Health.

It is also important to highlight to our supplier community that filing a complaint does not affect the supplier's ability to participate in an ongoing or future procurement activity.

Submission and Review Process

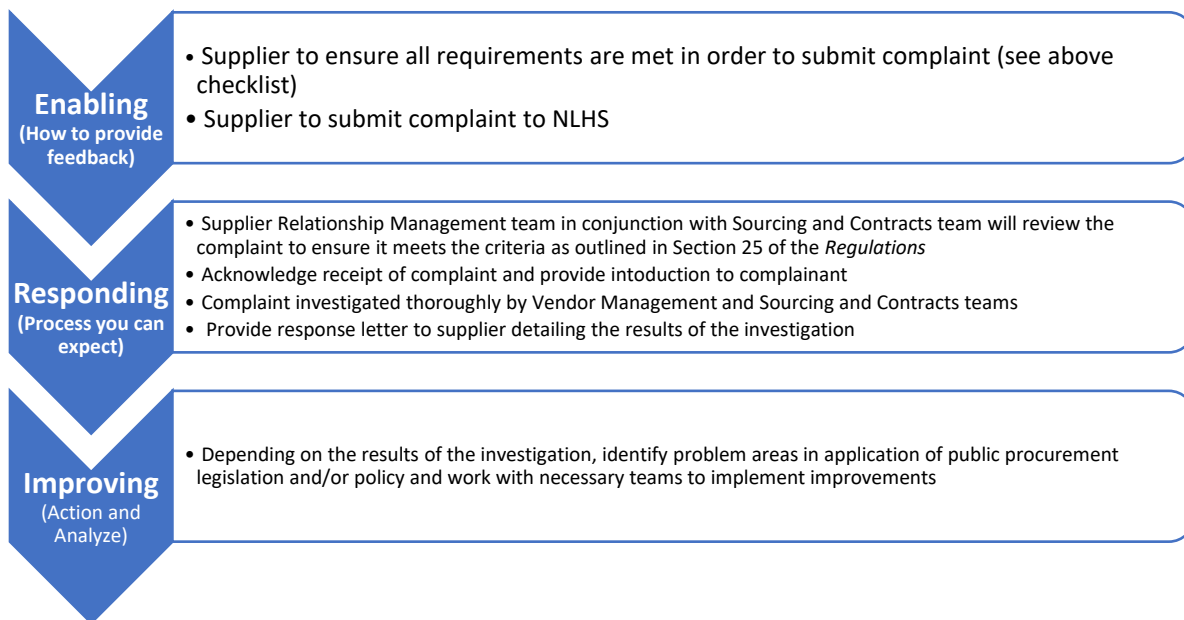
Suppliers must submit their complaints in writing within 15 days of their supplier debriefing. The supplier may choose to submit their complaint in the format of the [Public Procurement Agency complaint template](#) or in letter/email format. The submission must include the supplier's name and business contact information, reference information regarding the procurement activity in question, and a description of the supplier's complaint.

NLHS has the responsibility to review and respond to any supplier complaint regarding their procurement process and will acknowledge receipt of such complaint in writing to the supplier. The complaint will be reviewed and investigated with the assistance of stakeholders who were involved in the procurement process. NLHS also reserves the right to seek further information and clarification from the supplier when required. The supplier complaint will be responded to within 15 business days of receipt of complaint with a copy of the response provided to Government of Newfoundland and Labrador's Chief Procurement Officer.

SUPPLIER SUBMISSION CHECKLIST

- ✓ Participated in the relevant procurement process
- ✓ Requested and attended debrief
- ✓ Ensure submission will be submitted within 15 business days of debrief
- ✓ Submission includes:
 - Supplier Name and Business contact information
 - Reference information respecting the procurement file
 - Description of complaint

There are circumstances when after a review of the complaint, NLHS may, in its discretion, dismiss the complaint on grounds that the complaint did not meet the requirements as outlined in the *Regulations*. If a complaint is dismissed on such grounds, NLHS will respond to the supplier in writing and include the reason(s) for the dismissal with the Chief Procurement Officer in copy.



Complaints during an open call process

If a supplier has concerns during an active open call process, they should raise it with NLHS (open.calls@centralhealth.nl.ca) as early as possible. If the problem is the result of a procedural mistake or oversight, there may be time to correct it. Concerns can often result from a misunderstanding or misinterpretation – NLHS may be able to resolve a supplier’s concern by providing an explanation of process.

Conclusion

It has been shown that good quality complaint handling can create stronger and more positive relationships with our suppliers. It helps all stakeholders learn from deficiencies and improve products, services and outcomes. We would like to thank our internal stakeholders who currently provide feedback and encourage more of you to do the same as it allows the Supplier Relationship Management team the opportunity to support patient and employee safety. We would also like to extend our appreciation to our supplier community who accept and acknowledge our feedback with courtesy and respect. We look forward to advancing our relationships further in the days ahead!

It is our sincere hope that this guide demonstrates our commitment to uphold NLHS’s vision and our belief that compliments, complaints and feedback lead to opportunities and improvements.

*Those making the complaints of today could be providing
the compliments of tomorrow*

Enquiries

Please direct enquiries about this *Compliments and Complaints Handling Guide* to the Supplier Relationship Management division at vendor.relations@centralhealth.nl.ca