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# 1. Supplier Payment Complaint Handling Procedure

Coles values its trading relationship with its suppliers.

To underpin our commitment to supporting our suppliers, Coles is a signatory to Business Council of Australia, Australian Supplier Payment Code (**Code**).

This Complaint Handling Procedure applies to suppliers of goods and services not for resale.

We recognise that, from time to time, issues or disputes may arise and that sometimes these disputes cannot be resolved in the ordinary course of business. This Complaints Handling Procedure outlines the avenues available to you to resolve complaints relating to the **Code**.

## Use of the Complaint Handling Procedure

Certain safeguards are incorporated into the Complaint Handling Procedure to ensure it is used by you for its intended purpose - to resolve commercial disputes as quickly as possible.

You may use the resolution procedures set out in this document provided that:

- complaints are raised by you in good faith; and
- you provide adequate information and documents to enable the complaint to be investigated properly and effectively including:
  - a history of the events leading up to the complaint with relevant dates;
  - a description of any loss suffered or forecast to be suffered as a result of the conduct;
  - the outcome sought; and
  - any other information required to be provided in accordance with the **Code**.

## Applicable Legal Rights

This Complaint Handling Procedure does not:

- preclude you from raising a dispute according to a disputes process agreed with Coles in a supplier agreement; and
- subject to any disputes process in a supplier agreement with Coles, preclude you from commencing proceedings in relation to any complaint that could be, or has been, subject to complaint resolution under this Complaint Handling Procedure; and
- require you to disclose any privileged or confidential information to us or any persons involved in the complaint.

## 2. How to make a formal complaint

In the first instance, we recommend you try to resolve any complaints with your relevant Coles Contract Manager or usual Coles business contact by phone, email or in person.

We are committed to providing a fair and transparent trading environment. If you are unable to resolve your complaint with your Coles Contract Manager or usual Coles business contact, you can formally elevate your complaint to:

- The [Supplier Disputes Resolution Manager](#); or
- a Coles Senior Manager.

### Information you must provide when making a formal complaint

When raising a formal complaint with us under the **Code**, the following information must be provided:

- your company details including company name and relevant vendor number(s);
- your contact details including name, title and telephone number;
- details of the conduct that you want investigated (nature of the complaint);
- details of what action you are seeking in order to resolve the complaint;
- sufficient documentation to support your complaint so that it can be appropriately investigated;
- notification if any or all the information you are providing needs to remain confidential to the receiver; and
- state the complaint is being raised under the **Code**.

### Investigation

Upon receipt of all complaints, we will conduct a comprehensive, independent internal investigation in accordance with the Complaints Handling Protocol set out in Section 5 and propose a resolution.

## 3. Complaints to Supplier Disputes Resolution Manager

The Supplier Disputes Resolution Manager will deal with any complaints made under the **Code**.

We will only appoint a Supplier Disputes Resolution Manager who is independent of and does not have either a direct or indirect reporting relationship to Procurement or Operations functions.

From time to time, the Supplier Disputes Resolution Manager may not be available. In his or her absence, we may appoint an Acting Supplier Disputes Resolution Manager until the appointed Supplier Disputes Resolution Manager returns. The Acting Supplier Disputes Resolution Manager must be independent of, and not have a direct or indirect reporting relationship to the Procurement or Operations functions.

The recommendations made by the Supplier Disputes Resolution Manager are not binding on us unless you agree to their implementation as the mechanism for resolving your complaint.

## 4. Complaints to a Senior Manager

If you believe we have not complied with the **Code**, you can raise the matter with one of the following Coles Senior Managers:

- Head of Supply Chain Procurement - [Ajitpall Singh](#)
- Head of Transformation - [Camilla Woods](#)
- Head of Digital & Indirect Procurement - [Sheila Baker](#)
- Head of Procurement- Store Operations, Capital - [Scott Walker](#)

You can also request a Senior Manager review your complaint if:

- no action has been taken in relation to a complaint made previously to the Supplier Disputes Resolution Manager;
- you are dissatisfied with the outcome of the Supplier Disputes Resolution Manager's investigation;
- you have been given notice by the Supplier Disputes Resolution Manager that he or she believes your issue is vexatious, trivial, misconceived or lacking in substance; or
- the Supplier Disputes Resolution Manager has not provided a summary of action to be taken.

## 5. Coles Complaints Handling Protocol

All supplier complaint investigations conducted by Coles Team Members relating to the **Code** will be in accordance with the following Complaint Handling Protocol. This specifically includes:

- Supplier Disputes Resolution Manager; and
- Coles Senior Managers.

### Managing Supplier Confidentiality

- We will agree confidentiality requirements at the beginning of the investigation.
- We will advise the General Manager of Procurement of any complaint received but will not disclose your identity unless otherwise agreed with you.
- If we must disclose information about your identity or facts of the complaint to other Coles Team Members in order to effectively investigate the issues raised, we will advise you of the information and the Coles Team Members to whom that information is proposed to be disclosed and will obtain your prior consent to the disclosure.
- If we form the opinion at any time during the investigation that the issues raised by you cannot be adequately investigated or resolution achieved without disclosing your identity or facts of the complaint, and you do not consent to the release of those details, we will close the investigation without further action and advise you in writing of the reasons the matter cannot be fully investigated.
- If you agree to any details of your complaint or identity being disclosed to a Coles Team Member, we will notify the recipient of the information that it must be treated confidentially and in accordance with this Complaint Handling Procedure.
- We may disclose information about your identity or the facts of the complaint to Coles' internal legal team on the condition that the information remains confidential.

- At the conclusion of the investigation, any report provided to the General Manager of Procurement will have all references to you and any information that would disclose your identity removed, unless you consent to your details being included in the report.

### Commencing an investigation

- Upon receiving a notice of a complaint under the **Code**, we will provide written acknowledgment within 5 business days, of the receipt of the complaint and will advise you of the steps that will be taken as part of the investigation and the estimated time for completion. The time for completion of the investigation must not exceed 20 business days.
- We will identify the basis of the complaint and the outcome sought by you at the commencement of the investigation.

### During an investigation

- We will keep you reasonably informed during the investigation period.
- If we find the complaint is vexatious, trivial, misconceived or lacking in substance, you will be informed in writing of the reasons for this decision.

### Concluding an investigation

- We will provide a confidential written report to the General Manager of Procurement outlining the issues, findings and recommendations for resolution. The written report will not disclose your identity, unless you have provided your prior consent.
- If we find that we have acted inconsistently with the **Code**, we will discuss with General Manager of Procurement recommendations to resolve the complaint. We will consider the remedies being sought by you and may also make alternative recommendations to resolve the complaint.
- We will provide a confidential report to you within 5 business days of the conclusion of the investigation setting out the issues and findings made, any action we propose to take to resolve the matter and the timetable for any such action.
- If you agree to resolve the complaint in accordance with our recommendation, we will instruct the business to implement the agreed proposals contained in the confidential report provided to you.