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Ombudsman Review  
Small Business Policy Division  
The Treasury  
Langton Crescent  
PARKES ACT 2600  
By email: [sbombudsmanreview@treasury.gov.au](mailto:sbombudsmanreview@treasury.gov.au)

Dear Sir/Madam,

### **Review of the Australian Small Business and Family Enterprise Ombudsman**

Thank you for giving the Office of the NSW Small Business Commissioner (OSBC) the opportunity to comment on the Review of the Australian Small Business and Family Enterprise Ombudsman (ASBFEO) Discussion Paper. We note that we have also provided verbal feedback to Nous Group as part of the consultation process.

As you are aware, the OSBC is an advocate on behalf of small businesses in NSW and supports small businesses in NSW by providing mediation and dispute resolution services, and speaking up for small businesses within government.

#### **General comments**

The establishment and operation of the ASBFEO in March 2016 has been a positive step for small businesses and raised the profile of small business issues at the national level.

The OSBC believes the ASBFEO has acted as an effective advocate and representative for small businesses and family enterprises at the Commonwealth level and in respect of small business issues that span State and Territory borders. For example, the ASBFEO has led inquiries into issues that have required a national approach, the most prominent examples being the ASBFEO's *Small Business Loans Inquiry* and the *Payment Times and Practices Inquiry*. The work the ASBFEO has undertaken on these two issues has significantly raised the prominence of these significant areas of small business concern.

#### **Collaboration between the ASBFEO and the OSBC**

##### *ASBFEO Inquiries*

The OSBC, together with Small Business Commissioners in other States, is partnering with the ASBFEO in its *Payment Times and Practices Inquiry*. The OSBC is a member of the Reference Group, and has conducted consultations with NSW small businesses to feed into the Inquiry, including promoting the online survey.

The OSBC believes that the collaborative and inclusive manner in which this Inquiry is being conducted by the ASBFEO is indicative of its strong leadership and coordination of a national approach to important issues for small business.

##### *Small Business Commissioners' Group*

The ASBFEO also collaborates with the OSBC and other State Small Business Commissioners through the Small Business Commissioners' Group Meetings, which are

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held regularly throughout the year. In 2016, the Group created a National Agenda that Small Business Commissioners drive to give prominence to key issues across the Commonwealth. The Group shares information and updates, discusses emerging issues, and pursues joint actions on common issues affecting small businesses across jurisdictions.

#### *Operational cooperation*

On a more operational level, the ASBFEO closely cooperates with the OSBC. Matters more appropriately handled by either the ASBFEO or the OSBC due to the jurisdictional reach of the matter are appropriately referred.

Matters referred between the ASBFEO and the OSBC include business disputes and regulatory and policy matters. The disputes referred by the ASBFEO to the OSBC have largely been NSW-based small businesses in dispute with another business.

Both the ASBFEO and OSBC obtain the consent of a small business applicant before the matter is referred and relevant information passed on. This ensures a small business does not have to provide the same information twice to both the ASBFEO and the OSBC. In cases where there is any uncertainty as to whether the ASBFEO or the OSBC is the best place to refer a matter, both Offices enquire first to check that this is indeed the case, ensuring a high level of customer service is provided to small businesses.

The OSBC is highly supportive of the establishment of the ASBFEO and its first year of operation. The OSBC looks forward to continuing to work closely with the ASBFEO to make a difference to small businesses.

To discuss any aspect of this submission please contact Georgos Papanastasiou via email on [georgos.papanastasiou@smallbusiness.nsw.gov.au](mailto:georgos.papanastasiou@smallbusiness.nsw.gov.au) or by phone on 02 8222 4833.

Yours sincerely



**Robyn Hobbs OAM**  
**NSW Small Business Commissioner**

12 April 2017