

Small Business Commissioners Improving the Quality of the Business Environment in the Digital Economy

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Australian
Small Business
Commissioner

Perspectives on Government Intervention

- Two enduring responsibilities:
 - a) education/information
 - b) justice
- Five policy principles

Concept of Small Business Commissioners

- Unique to Australia
- Developed from review of Victoria's retail tenancy laws
- Distinct characteristics
 - Access to information and education
 - Advocacy to Government
 - Investigation of complaints and behaviour
 - Facilitating resolution of disputes
 - Influencing small business conscious government

Access to Information and Education

- Important sources of information and education
 - Government (eg. business advisory services)
 - Industry and professional associations
 - Chambers of commerce, trading association
 - Academia
 - Professional advice

Advocacy to Government

- Small Business Commissioners are independent and have credibility.
- Receive, diagnose, advocate.
- Individual matters can expose systemic issues.



Investigation of Complaints and Behaviour

- Preliminary inquiry process.
- Victorian study identified seven behaviours to establish and maintain a successful business relationship.

Facilitating the Resolution of Disputes and Access to Justice

- Effective alternative dispute resolution is speedy, low cost, informal and collaborative.
- Small Business Commissioner's success rate consistently around 80%.



Influencing Small Business Conscious Government

- Small Business Commissioners raise government awareness of small business concerns.
 - Consultation on legislation and administration
 - Reports on investigations
 - General advocacy

Influencing the Quality of the Business Environment

- Every participant in the business environment can ‘lift their game’.
 - Small businesses
 - Big businesses
 - Media
 - Academics
 - Industry and professional associations
 - Regulators
 - Government agencies

Small Business

- Two major challenges:
 - Cash flow
 - Management skills

‘No small business should fail through lack of access to information’

Big Business

- Play fair
- Lead by example to set standards of acceptable behaviour.



Media

- Balanced analysis and reporting.

Academics

- Align research outcomes to business needs.
- Threshold questions whether research will:
 - Influence government policy
 - Be used by small business or business advisors as practical assistance

Industry and Professional Associations

- Providers of information and services.
- Lobby government on small business issues and needs.



Regulators

- Behaviour of regulators is important.
- Facilitative approach versus crackdown approach.
- Educate to comply preferable to penalising non-compliance.
- Reduce the need for business to have contact with a regulator.

Government Agencies

- Importance of education/information.
- Access to justice.
- Government agencies should behave as a 'model' business.

Summary Observations

- Small Business Commissioners can be positive catalysts to improve the quality of the business environment.
- Attitude to deal with *'substance rather than technicality'*.
- Resolve disputes by emphasis on commercial reality.
- Influence governments to be exemplars of best practice both:
 - in terms of interventions
 - behaviour as a model business
- Encourage all participants in the business community to lift their game.