

1st December 2016

Tinu Fagbayi
Small Business Commissioner Secondary Legislation
Department for Business, Energy and Industrial Strategy
1 Victoria Street
London
SW1H 0ET

Dear Tinu Fagbayi,

ACS Submission - Small Business Commissioner: Policy for Secondary Legislation

ACS (the Association of Convenience Stores) welcomes the opportunity to submit evidence to the Department for Business, Energy and Industrial Strategy (BEIS) consultation on secondary legislation for the Small Business Commissioner. ACS represents 33,500 local shops across the country including the Co-op, Nisa Retail, Spar UK, Costcutter, and thousands of independent retailers.

ACS supports the introduction of a Small Business Commissioner and the regulatory proposals made in this consultation. Convenience retailers will benefit most from the Small Business Commissioner's role in offering advice to small businesses on contracts and disputes, and to direct small businesses to appropriate services and dispute resolution providers. Convenience retailers are unlikely to use the Small Business Commissioner complaints service as they typically purchase goods from larger businesses, rather than supplying them services.

ACS supports the 50 employees' threshold to allow businesses to use the commissioner's services. Convenience stores employ an average of 7.8 people in-store, so the majority will be eligible to utilise the Small Business Commissioner. ACS welcomes the 12-month time-limit for complaints to be made to the Commissioner and the circumstances under which this limit can be extended. However, the regulations should also establish a time limit for the Commissioner to resolve complaints made to it to encourage timely mediation.

ACS agrees that retailers should be required to include the list of information stated in paragraph 6.16 of the consultation to make a complaint, but encourages the creation of an online form and reporting guidance to make these requirements clear for retailers. ACS supports proposals in the consultation which would allow the Commissioner to exercise discretion when dismissing complaints, without reference to set specified circumstances. However, the Commissioner should set out its reasoning if a complaint is dismissed, referencing Government guidance on complaints.

ACS remains committed to working alongside BEIS on the workings of the Small Business Commissioner. For further information, please contact Steve Dowling, ACS Public Affairs Assistant, via steve.dowling@acs.org.uk.

Yours sincerely,



James Lowman
Chief Executive