

These notes refer to the Small Business, Enterprise and Employment Act 2015 (c.26) which received Royal Assent on 26 March 2015

SMALL BUSINESS, ENTERPRISE AND EMPLOYMENT ACT 2015

EXPLANATORY NOTES

BACKGROUND AND SUMMARY

Part 2: Regulatory Reform

Review of business appeals procedure

44. The Act creates a duty on the relevant Minister of the Crown to appoint a person (“Small Business Appeals Champion”) to each non-economic regulator in scope. The aim is to ensure that there are clear and effective procedures and processes in place so that a business can challenge regulatory decisions, should they feel they have been treated unfairly.
45. This was announced by the Government in December 2013 in the ‘*Small Business: Great Ambition*’ publication and addresses issues identified by the *Focus on Enforcement Programme*, which found that businesses were not always confident that there was a clear pathway to challenge decisions by a regulator.
46. Further details of the proposal were published in April 2014 in a consultation entitled ‘*Small Business Appeals Champion and Non-Economic Regulators*’. The Government’s response to the consultation was published on 4 June 2014.
47. The Act provides that the Small Business Appeals Champion will be responsible for reviewing the complaints and appeals processes of the relevant regulator, ensuring that these meet the needs of business, and must produce a yearly report including any recommendations for how these processes could be improved. The regulators will be required to respond to this report. Both the report and the response will be published by the relevant minister of the Crown for each regulator.