



Small Business
Commissioner

Having problems with getting paid?



Bring your complaint to us!

Late payment continues to be an ongoing issue for UK small businesses. It costs both time and money, prevents investment, stifles innovation and restricts growth. In the worst cases late payment can result in companies closing.

To help tackle late payment issues Government has introduced a number of measures one of these being the Small Business Commissioner (SBC). The SBC looks at complaints from small businesses about problems getting paid by larger businesses and will work with you to get the matter resolved.

Data on business population estimates that 5.7 million private sector businesses were small businesses and 99.9% were small or medium-sized companies (Oct. 2016). Latest figures report that the overall level of late payment debt owed to small and medium sized businesses stands in the region of £20 billion.

What you need to do

To bring your complaint to us you must:

- have fewer than 50 employees
- be complaining about a customer with 50 or more employees and a UK office.

If you've got more than 50 employees that doesn't mean we can't help, so please [contact us](#) for further advice.

For instance the SBC might still accept your complaint if you have a good reason for not meeting our requirements such as:

- trying to resolve the problem with your customer would have damaged your business
- deliberate delays by your customer stopped you complaining within 12 months of when payment was due.

Your complaint usually needs to be about a problem with a payment:

- that was due within the past 12 months (but not before 6 April 2017)
- that you've already tried to resolve with your customer.

How the Small Business Commissioner can help you

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- that was due within the past 12 months (but not before 6 April 2017)
- that you've already tried to resolve with your customer.

The Small Business Commissioner's complaint handling service is:

- impartial
- independent, is appointed by Government; and,
- **free** to use and **UK-wide**





Small Business Commissioner

Send your complaint to us

Email our [complaints](#) team with the details, remember to include your name, business name, address, telephone and email contact details. Your complaint should also include:

- the customer's business name, address and contact details
- how much they owe you
- the date payment was due
- what you agreed about payment (say if it's in a formal contract or not)
- a summary of goods or services you've supplied or agreed to supply
- a summary of any attempts you've made to resolve the problem – for example, emails or calls to the customer, any attempts to mediate, or any legal action.

Enquiries should be made to the Commissioner directly by the business affected and not via a third party, for example a trade body, or local MP.

How we'll handle your complaint

You'll get an automatic reply, so you know the SBC has received your email. The SBC will follow up within 2 days to let you know if they can take on your complaint. You might be asked for some more details at this point.

A caseworker is assigned to each case. Your caseworker might ask you and your customer for more information or documents, or ask to discuss the situation. This is voluntary for both of you. The caseworker will be in regular contact to update you on progress. The whole process usually takes from 4 to 6 weeks, depending on how complex your case is.

The caseworker will consider the evidence from both sides and decide what's fair. They'll then write to tell you:

- what they've decided and why
- any recommendations they have to resolve the current problem or avoid future problems

The SBC's recommendations are not legally binding. So you can still [take other action](#) (for example go to court) if the recommendations don't help solve the problem. However if the SBC thinks your case is an example that could help change payment practices it might be included in a public report. Details that could damage your business won't be included.

Named or anonymous?

In dealing with your complaint you can ask that we treat you anonymously in our investigation and our communications with the other party. But bear in mind, it can be more difficult for the SBC to resolve anonymous complaints.



Where we can't take on a complaint

In certain circumstances the SBC may not be able to take on your complaint. For example if you're trying to resolve the problem with legal action, mediation, adjudication or arbitration. Alternatively your complaint may fall within the remit of another organisation such as the Groceries Code Adjudicator, or If you're in the construction industry (and not working for a residential occupier) you're probably covered by the Housing Grants, Construction and Regeneration Act 1996.

To find out about how we could help, offer advice, or signpost you to other services that could help your business contact us at:
enquiries@smallbusinesscommissioner.gov.uk

If you are a small business that is adversely affected by a payment-related issue you can submit your complaint to us at:
complaints@smallbusinesscommissioner.gov.uk

Further information

Help and guidance is available on our [website](#).



Small Business Commissioner

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