Australian Government

Australian Small Business and Family Enterprise Ombudsman

QUARTERLY REPORT

1 July to 30 September 2025

A MESSAGE FROM THE OMBUDSMAN

The new financial year brought a raft of changes impacting small business which included an increase to national minimum wage and super guarantee and ATO interest charges are no longer tax-deductible.

Also in this quarter, the Right to Disconnect laws came into effect for small businesses in August. While the full impacts of these laws are yet to be seen, the sentiment mid-quarter was mixed. I shared through various media interviews what we hear from small businesses – how small business workplaces are close-knit teams and they know what's going on with the operations, and there's usually a mutual understanding about what else is going on in people's lives. This is yet another thing that stretched small business owners need to think about.

The cumulative effects of increases in payroll costs and stubbornly high input costs, continue to challenge business viability and cashflow. These financial pressures, combined with heavy administrative, regulatory and compliance burdens to run a business, are hitting hard.

Encouragingly, the ASBFEO August Small Business Pulse released during the quarter as a recognised small business 'health check', showed an increase of 0.6% in August 2025 – the second consecutive quarterly increase. Over the past 12 months, the ASBFEO Pulse has increased 0.2%.

This reflects cautious optimism with a shift towards durability, growth, innovation and productivity opportunities from technology and artificial intelligence, and a continued focus on cost containment and protecting long-term margins. Business optimism is gaining strength after facing years of headwinds.

We know that for small and family businesses, higher interest rates not only impact their costs of financing but have profound customer implications in terms of their spending, preferences, and confidence. The Reserve Bank of Australia's August decision to further reduce the target cash rate to 3.60% and moderating inflation pressures have supported the shift in small business owners' focus beyond survival to future prospects. This includes comparing options for financing investment in current small businesses and start-ups.

Small business owners are increasingly researching how technology may assist with delighting more customers and boosting productivity by streamlining administrative tasks. Queries about e-commerce, digital and social media marketing and the opportunities artificial intelligence may provide continue to increase rapidly.

The Pulse highlights that small business owners are seeking to diversify their businesses, particularly in those industries that have faced tough conditions for a prolonged period including those that rely on discretionary spending such as retail, and those that rely on favourable weather conditions.

We continue to advocate for changes that support small and family businesses to innovate, invest, grow and thrive. With Government focused on boosting productivity, it's imperative policy settings acknowledge and take into consideration the unique pressures and contributions of small business owners, self-employed individuals, and independent contractors that comprise the sector.

Early in the quarter we emphasised the importance of clear and timely communication from government

MESSAGE FROM THE OMBUDSMAN

agencies to help small businesses navigate tax updates, superannuation changes, and wage adjustments. We also encouraged small business owners to stay informed and compliant by updating their financial software and consulting trusted advisers.

This sustained advocacy, information provision and assistance support, and the opportunities to enhance the value and benefits ASBFEO offers to small and family businesses, stakeholders, regulators and government, was the focus of the requested response provided during the quarter to the ASBFEO Review and its recommendations.

Mid-quarter saw the Economic Reform Roundtable held. To the credit of the Treasurer and his hosting dexterity, a series of agreed objectives titled 'reform directions' emerged, along with intentions to accelerate a number of existing initiatives already in train.

Many of the 'reform directions' encouragingly speak to what small business wants to see and a number are consistent with ASBFEO's '14 steps to energise enterprise'. Worthwhile reform objectives for small business include:

- better (or 'right-sized') regulation
- a better (and more small business-supporting) tax system
- deciding how to make (and support the deployment of) AI (and other digital capabilities) as a national priority
- attracting capital, (better access to finance) and deploying investment
- building a skilled and adaptable workforce (to the benefit of smaller workplaces)
- modernising government services (and improving access to support resources)
- building more homes, more quickly (particularly in regions where a lack of housing in adding to workforce shortages).

I have added the bracketed text to illustrate what small business actually hopes will come out of the work that follows as government seeks to progress these objectives.

Helpfully, this public commitment to 'reform directions' will invite vocal discussion about implementation plans, practical actions and progress signposts. It is a meaningful advance on small business advocates having to call for attention to be given to these critical objectives. It will now be questions about *'how is it going?'* instead of calls for *'how 'bout recognising the need for attention and action here?'*

In a quarter of increased assistance and information requests, we have seen a shift in the cause of business account deactivations on digital platforms increasingly caused by an internal platform-initiated intervention. Small businesses described to us how a 'community standards' algorithm has taken down their account without any apparent human oversight. As digital and AI-enabled business solutions bring new opportunities for small and family businesses, so too does the need to be cyber vigilant, digital-savvy and prepared as many businesses increasingly operate online.

This sustained advocacy, information provision and assistance support, and the opportunities to enhance the value and benefits ASBFEO offers to small and family businesses, stakeholders, regulators and government, was the focus of the requested response provided during the quarter to the ASBFEO Review and its recommendations.

Between July and September, we continued to share through our communications and engagement activities, our 14 steps to energise enterprise. We also shared our views through our submissions to consultations including the Economic Reform Roundtable, Productivity Commission's Five Pillars of Productivity and Reserve Bank of Australia's review of merchant card payment costs and surcharging. Through our consistent communications and submissions, we continued to advocate for better support for small and family business that are conducive to their success and for any regulatory changes to not impose an undue burden on the sector.

We need to energise enterprise to provide enterprising women and men who are the engine room of our economy, with an ecosystem that provides the best possible prospect for their success.

The Hon. Bruce Billson

Australian Small Business and Family Enterprise Ombudsman

Assistance

- We were contacted for information and/or advice 1,943 times. We helped small businesses with a range of issues with payments, digital platforms, franchising and contracts. One of the main problems we see for small businesses in this situation is when they keep all of their business information on a single digital platform. If their account is disabled or suspended, they can no longer access customer contact details and their own intellectual property, like photos. This can stop them from trading for prolonged periods, costing their business thousands of dollars. In some cases, a small business may never be able to recover the information they stored on a digital platform.
- We rolled out new information and guidance resources for small businesses, including on starting a small business, starting a franchise, going to a Court or Tribunal, managing a dispute with an overseas business, and default credit listings.
- We trialled a customer satisfaction survey to give us greater insight into the impact of our services. The survey was distributed to small businesses whose cases were finalised between April and July 2025.

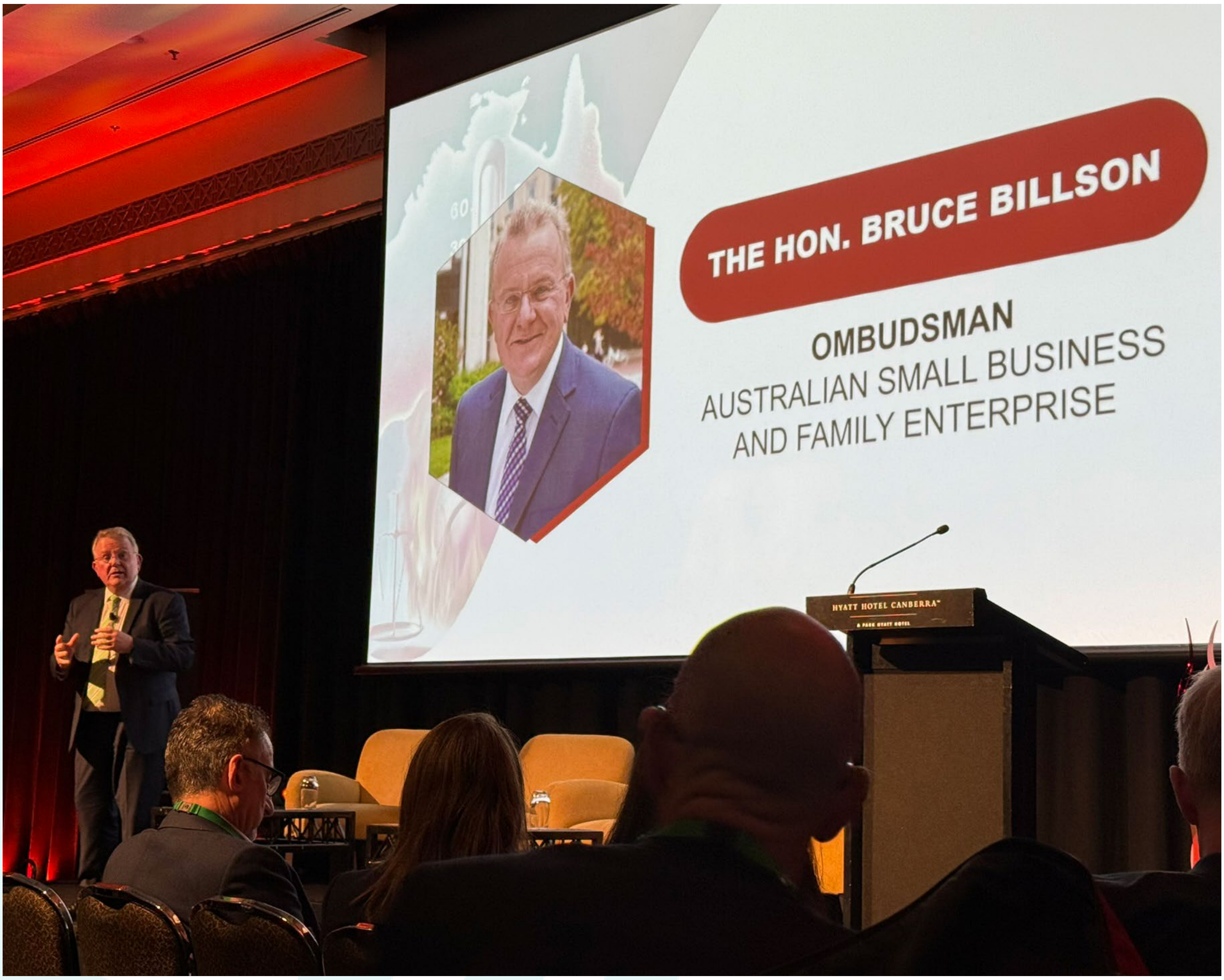
Advocacy

- We continued to advocate for ASBFEO's 14 steps to energise enterprise. In the September quarter we made a submission to the Economic Reform Roundtable and to the preceding Small Business roundtable which the Ombudsman attended. In our submissions we drew attention to the importance of ensuring operating conditions are conducive to small business success and that any regulatory changes do not impose an undue burden on the sector.
- We made 11 submissions during the quarter, including to the:
  - Productivity Commission's Interim Reports on the Five Pillars of Productivity
  - Reserve Bank of Australia's review of merchant card payment costs and surcharging
  - Australian Taxation Office's draft Vulnerability Framework
  - Treasury's consultation on non-compete clauses and other restraints on workers.
    - All the latest submissions can be found under 'Submissions' on the Policy and Advocacy section on the ASBFEO website.

Engagement

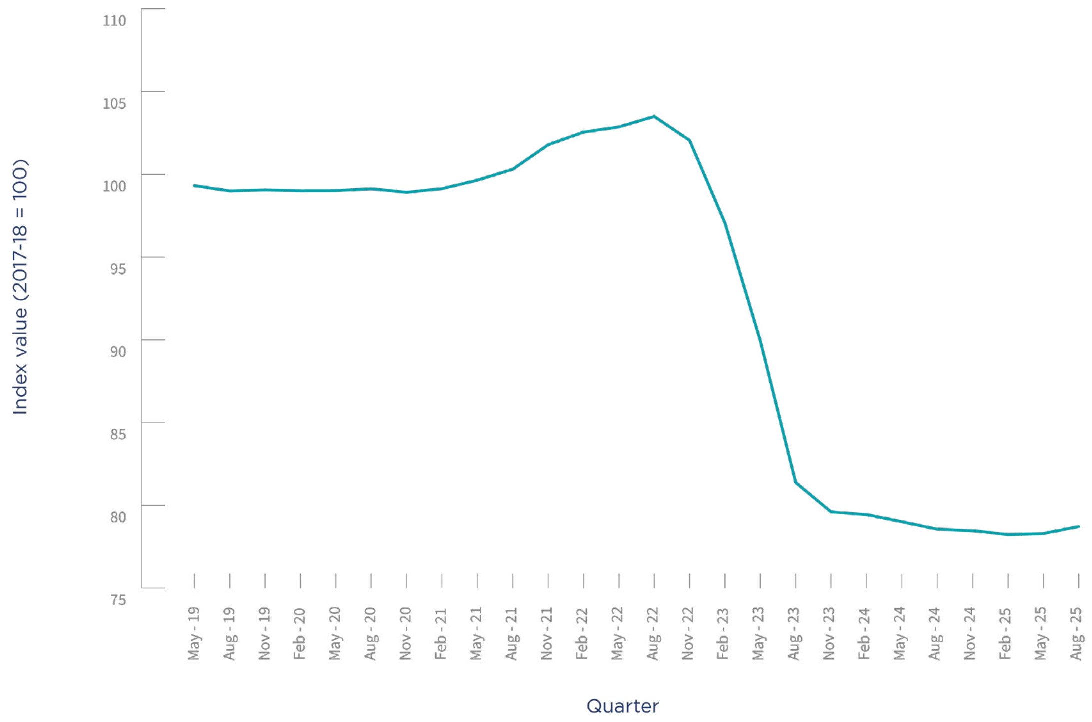
- The Ombudsman delivered 8 presentations, participated in 25 webinars, forums and roundtables, including the Federal Regulatory Agencies Group and the Small Business Commissioners meetings. Presentations were delivered across a wide range of audiences including the Australian Family Enterprise and Office Forum, the Australian Credit Forum and the Association of Independent Insolvency Practitioners Conference.
- We took part in a range of expos, conferences and networking events including:
  - The International Congress of Small Business signature event
  - AuDA Digital Lives of Australian 2025 Research Report Launch and Roundtable
  - ACCI Future Makers – women in small business
  - National Conference 2025 – Mortgage and Finance Association of Australia
  - Small Business Roundtable
  - ASIC Simplification Small Business Virtual Roundtable
  - Association of Independent Insolvency Practitioners Conference

  - Franchising Expo and Start Your Own Business expo
  - Small Business Energy Roundtable
  - Federal Regulators Agencies Group
  - Small Business Commissioners Meeting
  - Sydney SmallBiz Week
  - Australian Family Enterprise and Office Forum
  - COSBOA National Business Summit 2025
  - Amazon Small Business Showcase
  - Australian Credit Forum
  - SA Small Business Week.
- We've been focussing on expanding our social media reach and impact through a revised social and digital media approach, refreshing our website to ensure compliance with the mandatory Web Content Accessibility Guidelines (WCAG) 2.2 and Digital Service Standards, enhancing our newsletter and providing educational and information resources through our engagements and online.



In July, the Ombudsman gave a presentation at the Association of Independent Insolvency Practitioner's (AIIP) annual conference, discussing the pressures facing the hospitality and retail industries, mental health concerns of insolvency practitioners and managing crises.

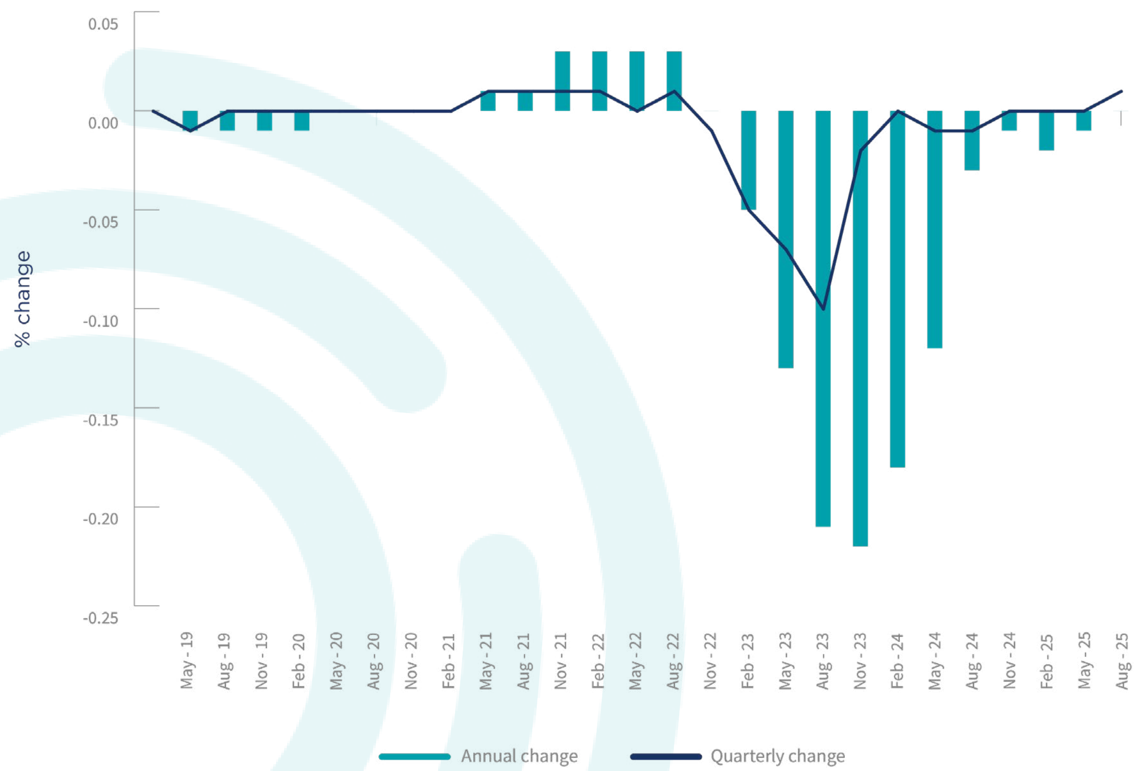
The August 2025 Pulse



Note: Scale starts at 75.0.

Source: ASBFEO, 2025

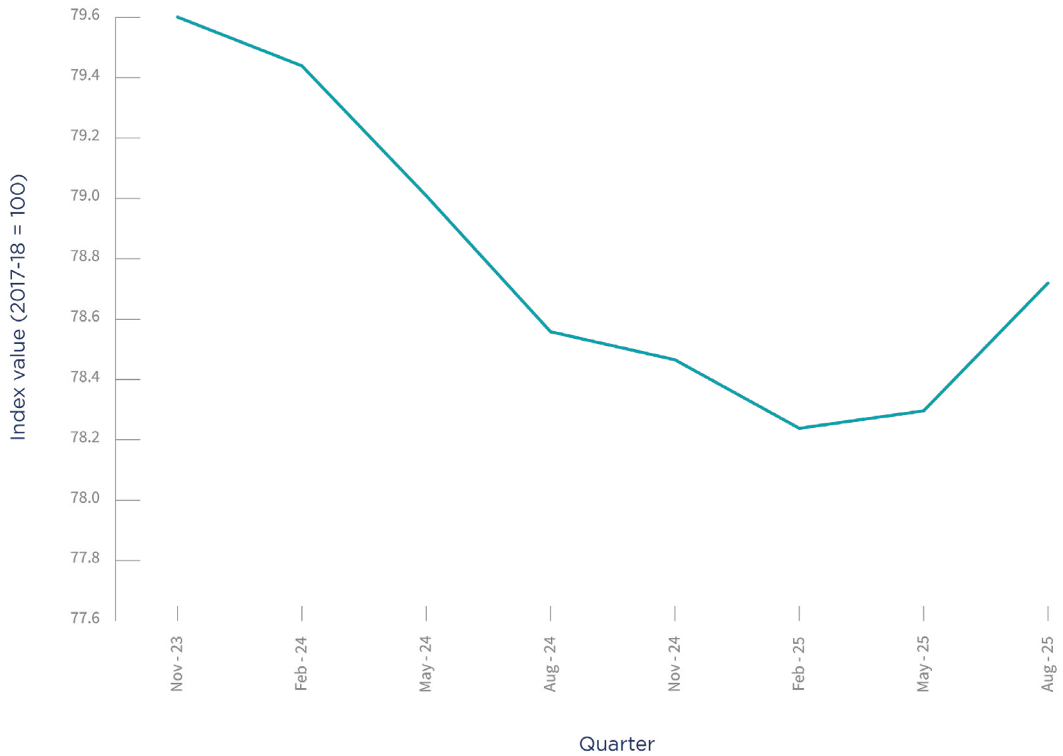
ASBFEO Small Business Pulse changes



Note: The ASBFEO Small Business Pulse did not reflect a fall in 2020 as government support measures outweighed other economic impacts. As economic activity, including insolvencies, have returned to trend levels, the Pulse has reflected these shifts.

Source: ASBFEO, 2025

Spotlight on the last 18 months



Source: ASBFEO, 2025

Trends

The ASBFEO Small Business Pulse increased by 0.6% in August 2025 – the second consecutive quarterly increase. Over the past 12 months it has increased 0.2%.

The Australian Small Business and Family Enterprise Ombudsman, Bruce Billson, said this reflects cautious optimism with a shift towards durability, growth, innovation and productivity opportunities from technology and artificial intelligence and a continued focus on cost containment and protecting long-term margins. Business optimism is gaining strength after facing years of headwinds.

“For small and family businesses, higher interest rates not only impact their costs of financing but have profound implications for customers in terms of their spending, preferences, and confidence. The Reserve Bank of Australia’s decision to further reduce the target cash rate to 3.60% and moderating inflation pressures have supported the shift in small business owners’ focus from survival to durability and growth. This includes comparing options for financing investment in current small businesses and start-ups,” Mr Billson said.

The Small Business Pulse is a health check of objective vital signs for small business while also taking into account the ‘animal spirits’ that drive decision making.

“Small business owners are increasingly researching how technology may assist with delighting more customers and boosting productivity by streamlining administrative tasks. Queries about e commerce, digital and social media marketing and the opportunities artificial intelligence may provide continue to increase rapidly. Small business owners are increasingly seeking to diversify their business, particularly those in industries that have faced tough conditions for a prolonged period. These include industries that rely on discretionary spending such as retail, and those that rely on favourable weather conditions,” Mr Billson said.

“Small business owners are most interested in workshop or face-to-face meetings as the way to explore future business prospects in preference to on-line tools and resources.

“Small business owners are acutely aware of the broader challenges technological change can bring. Queries about using artificial intelligence to support regulatory compliance have continued to increase, along with concerns about the impact of possible regulatory interventions or policy measures aimed at safeguarding the community. Small business owners recognise the risks and are concerned about the impact for their staff. Of employers with at least ten staff, seventy per cent are concerned about technology and artificial intelligence replacing work currently performed by people[1].

“Queries about hiring staff have increased, with a shift from concern about staffing availability to costs. The complex industrial landscape is also a concern, with small businesses seeking information on employment arrangements and entitlements including changes to pay and superannuation. Small business owners are finding new ways of providing employment and opportunity in their communities. Research into employing younger workers, people with disability, and providing part-time and flexible working arrangements has increased[2].

“Concerns about regulatory requirements increased this quarter, with workplace laws, privacy duties, workers compensation and payroll tax obligations just some of many challenging areas facing small businesses. This uncertainty and complexity can constrain growth. Queries about whether sole traders can employ staff and whether small business owners can operate multiple businesses under a single business identifier have increased this quarter[3]. Small business owners continue to report that understanding insurance requirements and accessing suitable affordable insurance remains difficult.

“Sole traders continue to query tax reporting and deduction rules, while inquiries about the tax implications of ‘side hustles’ have increased, including whether to disclose ‘exploratory’ endeavours such as a one-off market stall.

“Small business owners are continuing to research options to reduce high business expenses across their operations. This ranges from researching alternative wholesale suppliers, utilities, and freight options to proactive controls such as inventory management, particularly cloud-based options. Research on finance options to ensure cash flow have increased, including invoice factoring.

“Corporate insolvencies remain relatively high, with unincorporated business insolvencies starting to rise, although remaining below pre-pandemic levels in nominal terms. Small businesses are increasingly seeking information on protections available to trade creditors in case a business that owes them money becomes insolvent. Although the volume of queries from small business owners experiencing financial difficulties has eased, the level of distress remains high. The lasting impact of natural disasters compounds these pressures for many small businesses.

“The rebuilding of business optimism and vitality isn’t marked by a single moment, but by a series of small, upward steps. That’s why we have proposed 14 Steps to ‘energise enterprise’ designed to improve the prospects of success for the nation’s 2.59 million small businesses,” Mr Billson said.

You can find them here www.asbfeo.gov.au/14-steps

MEDIA CONTACT: 0448 467 178 / www.asbfeo.gov.au

[1] Australian Survey of Social Attitudes 2024 Waves 1,2,3 and 4, accessed 25 August 2025.

[2] Department of Industry, Science and Resources Contact Centre Operational Data (June to July 2025).

[3] Department of Industry, Science and Resources Contact Centre Operational Data (June to July 2025).

ASSISTANCE: SUPPORTING SMALL AND FAMILY BUSINESSES

Low-Cost Legal Support Service

Earlier this year, we launched a new **low-cost legal support service** to assist small and family businesses navigate dispute resolution. This initiative was developed in response to the growing need for accessible legal assistance that may help businesses resolve issues early and avoid costly, formal legal proceedings.

We onboarded a panel of **highly qualified and experienced legal practitioners** to deliver this service. The support is available to eligible small businesses at two key stages of the dispute resolution process:

- **Stage 1 – early support**
  Provides low-cost legal assistance to help clarify the issues in dispute and explore alternative dispute resolution (ADR) options.
- **Stage 2 – ADR preparation**
  Offers support to help businesses prepare for ADR processes, including documentation, clarifying what to expect during ADR, identifying the outcomes that the small business is seeking and adopting a negotiation and resolution mindset.

Since its launch, the service has been offered in 37 matters, with just under one-third of eligible businesses choosing to take up the offer. This service has proven particularly valuable in helping businesses move forward in cases where further clarity around the dispute was needed. Implementation of low-cost legal support reflects our commitment to supporting small businesses with practical, affordable solutions that reduce the burden of legal conflict and promote early resolution.

Information resources

In response to trends and insights identified through recent casework, we developed a suite of education resources aimed at addressing common challenges and knowledge gaps faced by small business owners. These resources are designed to provide practical, accessible guidance to help businesses navigate complex issues with greater confidence.

These are the new and updated information guides we published this quarter:

- Resources for starting a business – a foundational guide outlining key steps and considerations for staring a small business
- Default credit listings – explains how credit listings work, their impact, and how to address inaccuracies
- Disputes with an overseas business – offers guidance on resolving commercial disputes with a business located in another country
- Courts and tribunals and free or low-cost legal advice – provides links to courts and tribunals across Australia, along with information on free or low-cost legal advice services to help individuals and small businesses resolve disputes
- Using social media securely (updated) – revised to reflect current risks and best practices for protecting business accounts and reputations online
- Cyber Security (updated) – revised to include new resources and services to help small businesses avoid or reduce the impact of cyber security incidents.

These resources contribute to our ongoing commitment to empower small businesses with the knowledge and tools they need to succeed.

Contact centre

The contact centre has an important role in frontline service delivery and in providing clients with timely, accurate, and consistent information.

As part of our ongoing commitment to enhancing customer experience, we prioritised ongoing staff development, including refreshed training sessions to strengthen capability in managing complex enquiries and dispute resolution. In parallel, a structured process for the regular review and refinement of contact centre scripts has been implemented. This ensures that are kept up to date, policy-aligned, and are responsive to emerging issues.

As our first point of contact, our contact centre staff quite often deal with small business owners who are distressed about their situation and don't know where to get mental health support. The are number of support services available, some of which include:

- New Access for Small Business Owners, a free mental health service developed by Beyond Blue. NASBO offers one-on-one telehealth sessions tailored for small business owners with specially trained mental health coaches providing evidence-based advice on strategies for managing stress.
- the Small Business Debt Helpline operated by Financial Counselling Australia has a team of qualified financial counsellors who can answer calls directly or assist via a web chat function. The helpline provides free, independent and non-judgemental advice by calling 1800 413 828.

CASE STUDY: Community standards algorithm changes on digital platforms

We have seen a shift in the cause of account deactivation in recent months. Previously, they had been caused by an external intervention, in most cases a cyber hack. More recently the cause is increasingly an internal platform-initiated intervention.

There are various reasons for suspension, but many relate to alleged breaches of community guidelines, and small business operators have great difficulty in liaising directly with the platform. Small businesses seeking our assistance describe how a 'community standards' algorithm has taken down their account without any apparent human oversight. Self-service or online application processes often require the small business operator to be signed into their account, which they are unable to do due to the suspension which is when they approach us for assistance.

We recently helped a makeup artist with over 8,000 followers to have her accounts restored. The small business owner would use the digital platform to showcase her portfolio and for her clients to make bookings. The suspension resulted in significant financial impact and emotional distress. ASBFEO were able to contact the digital platform and the accounts were reinstated in under two weeks. The small business wrote thanking us for our assistance, stating 'I am so grateful and thank you so much for dealing with my dispute'.

Quarterly statistics

In this quarter, we had:

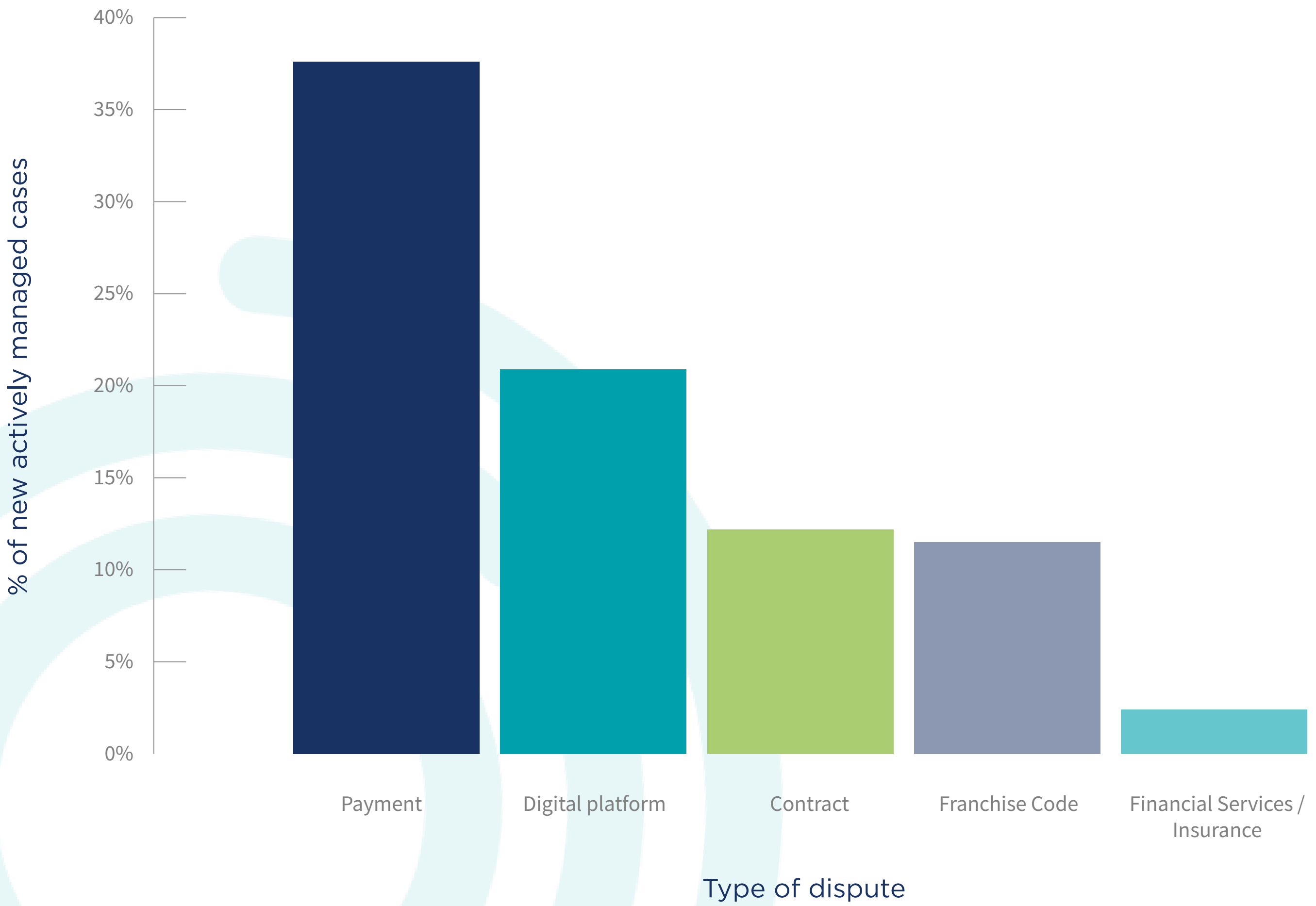
1,526
calls to our contact centre

417
cases that we actively managed

1,943
total requests for assistance

Payment disputes remain the most common type of dispute where ASBFEO provides one-to-one support. They accounted for 37.6% of new actively managed cases in September quarter 2025. Other common types of disputes were digital platforms (20.9%), contracts (12.2%), and franchise disputes (11.5%).

Common types of new disputes actively managed by ASBFEO, September quarter 2025



Nearly one quarter of the new disputes with a dedicated case manager in September quarter 2025 involved a small business owner who spoke a language other than English at home. These were most common in the transport, postal and warehousing and construction industries, and other services including personal care such as hair and beauty services.

Case management outcomes

76.2%
required active case management support, including providing information to progress the dispute

21.0%
referred to a more appropriate agency (usually relevant Small Business Commissioner, or alternative government agency)

2.8%
referred to an ADR practitioner

How we helped callers to our infoline

85.1%
given information and directed to ASBFEO's Dispute Support Tool and web form (for relevant steps to resolve their dispute) or another website

5.8%
referred to ASBFEO case management

9.1%
referred to another party such as a State Small Business Commissioner

Note: Totals do not add to 100% due to rounding.

Industry codes: franchising, horticulture, oil, dairy

We provided franchise participants with information relating to the use of the mandatory dispute resolution process under the Franchising Code of Conduct. We also arranged ADR processes and appointed independent ADR practitioners to disputes as requested. For the quarter, this included:

- responding to 116 enquiries from franchising participants
- actively case-managing 48 new franchise disputes, 36 of which were initiated by the franchisees.

This is the highest number of new franchising disputes requiring active case management since December quarter 2022, when there were 57 new actively managed cases.

Other services and rental, hiring and real estate services accounted for nearly 15% of these new actively managed franchise disputes in September quarter 2025.

We provided participants with information relating to the use of the mandatory dispute resolution process under the Dairy Code of Conduct, Oil Code of Conduct and Horticulture Code of Conduct. We also managed ADR processes and appointed independent ADR practitioners to disputes when requested.

For this quarter, we received one request for information about the Oil Code of Conduct and one for Horticulture Code of Conduct. Additionally, we actively managed one new case related to the Horticulture Code of Conduct and one about the Oil Code of Conduct.

Small Business Tax Concierge Service

Our Tax Concierge Service (TCS) continued providing small businesses with information and assistance about a range of taxation matters. For the quarter, we received:

- 15 requests for assistance from small businesses seeking assistance with ATO negative decision letters received, an increase from 12 requests last quarter
- 6 additional enquiries about the TCS, an increase from 5 last quarter.

The TCS worked with the small businesses and the ATO to help issues to be readdressed and/or referred matters to independent tax lawyers for subsidised advice about appealing negative decisions.

CASE STUDY: Low-Cost Legal Support Service in action

In a franchise dispute, an informal conference between the parties led to the franchisor making the franchisee a resolution offer. The franchisee requested additional time to consider the offer and evaluate next steps. To support informed decision-making, the franchisee was given access to low-cost legal assistance. The legal practitioner provided clear guidance, helping the franchisee better understand the process and engage more meaningfully, as both parties continue to explore constructive options for resolution.

The Ombudsman (right) with Hon Dr Anne Aly MP (left), Minister for Small Business, at Council of Small Business Organisations Australia's (COSBOA) 2025 National Small Business Summit.

Economic Reform Roundtable

The ASBFEO made submissions to the Treasurer's Economic Reform Roundtable and to the preceding roundtable hosted by the Small Business Minister, which the Ombudsman attended. Our submission to the Economic Reform Roundtable emphasised the importance of:

- committing to regulatory reform that includes adopting a risk-based, right-sized mindset to regulatory proposals, the ongoing review and removal of ineffective regulation, and the trial and dissemination of innovative approaches to reducing red tape
- implementing practical measures to uplift small business digital capability, including harnessing artificial intelligence
- supporting small business entrepreneurism, investment and future growth through enhanced policy settings and incentives
- implementing practical, productivity-enhancing reforms that lower costs and increase growth opportunities, for small business that also more seamless economic opportunities domestically and internationally
- enhancing long-term budget sustainability, competition and the opportunities for small business, including through implementing nationally consistent, best practice government procurement
- improving small business access to justice to improve competition and address market power imbalances in Australia's economy.

Productivity Commission's Five Pillars of Productivity inquiries – interim reports

From late July to early August, the Productivity Commission published interim reports on the five inquiries it is undertaking to identify priority reforms and actionable recommendations that support meaningful and measurable reforms to boost productivity:

- Creating a more dynamic and resilient economy
- Building a skilled and adaptable workforce
- Harnessing data and digital technology
- Delivering quality care more efficiently
- Investing in cheaper, cleaner energy and the net zero transformation.

The ASBFEO's submission to the interim reports:

- advocated for a lower company tax rate and encouraged the Commission to explore the feasibility of early-stage tax incentives to support small business growth, but cautioned against introducing a net cash flow tax that would add to complexity by creating a third tax alongside the existing GST and Corporate Income Tax
- called for the impact of proposed policy and regulatory changes on small businesses to be considered early in the policy development process
- supported both the introduction of financial incentives and trial advisory services to improve training uptake and harmonising occupational licensing across jurisdictions as a way of reducing barriers to labour mobility and supporting workforce flexibility
- advised that while small businesses stand to benefit significantly from the promise of emerging data and digital technologies, including AI, the promise will be hampered if additional, complex regulation is imposed that adds to the compliance burden rather than supporting uptake
- highlighted that small businesses have raised concerns about the lack of a clear pathway within the National Disability Insurance Scheme to lodge complaints or resolve disputes

- noted that a reduction in incentives for purchasing energy-efficient vehicles could increase costs for small businesses across multiple sectors
- recommended that if a climate risk database were to be built, it should expand upon, and integrate with, existing frameworks such as the Australian Climate Service and the Australian Disaster Resilience Knowledge Hub.

Reserve Bank of Australia's review of merchant card payment costs and surcharging

In July, the Reserve Bank of Australia (RBA) released its Review of Merchant Card Payment Costs and Surcharging consultation paper, which proposed banning surcharging across all in-person transactions as well as requiring lower, capped interchange fees and greater transparency of merchant service fees. In our submission we supported the government's intention to reduce card surcharges for Australians and small businesses but expressed concerns with the RBA's proposed recommendations. We argued the recommendations would not achieve the stated intention and that ultimately small businesses would pay the price.

The ASBFEO submitted that:

- any proposed surcharge ban be delayed for at least 12 months to allow time for small businesses to secure better payment plan arrangements by taking advantage of the proposed greater transparency of fee structures and overall competition in the market
- the RBA should monitor fee arrangements, including scheme fees and acquirer margins, to ensure merchants and consumers are receiving the full benefit of lower interchange fees
- should the regulatory proposal not be effective in reducing scheme fees, the RBA should set a cap on scheme fees
- the RBA should introduce a formal requirement for dynamic least-cost routing for all in-person transactions, with the ability for merchants to opt out if they wish.

Australian Taxation Office's draft Vulnerability Framework

In July, the ATO released a consultation paper on its draft Vulnerability Framework. The framework is intended to support people experiencing vulnerability, which the ATO recognises can affect a person's ability to meet their tax obligations.

The ASBFEO's submission supported the ATO's commitment to equity and fairness through the development of the framework, however, we expressed concern that the draft framework does not commit to tangible strategies or actions, nor identify any specific changes to current practices. We recommended the framework:

- specifically include small businesses and acknowledge their unique challenges in meeting their tax obligations
- specifically acknowledge and address economic abuse and coercion as a form of vulnerability and that tax liabilities are often incurred without the vulnerable person's knowledge.

Non-compete clauses and other restraints on workers

In September, the ASBFEO made a submission to the Treasury's consultation on proposed reforms to non-compete clauses and other restraints on workers. In our submission we noted that, while workers should not be unreasonably constrained from pursuing career opportunities, there are legitimate business interests that must still be protected.

The ASBFEO submitted that the proposed reforms:

- ensure the definition of a non-compete clause for the purposes of a ban is clear and able to be readily understood by those employers and employees who are neither expert nor experienced in industrial relations or legal interpretation
- ensure the definition of 'employee' for the purpose of a prohibition on non-compete clauses is consistent with the existing ordinary meaning already set out in legislation
- provide for a transition period of at least 12 months from passage of legislation to allow businesses adequate time to
    - review and amend existing employment contracts
    - seek advice on their compliance obligations
    - understand the scope and implications of the ban, including which clauses remain permissible (e.g. non-solicitation and confidentiality clauses)
- ensure disputes relating to non-compete clauses are managed expeditiously and cost-effectively with, in the first instance, the Fair Work Commission being empowered to hear and resolve these disputes
- retain reasonable protections for legitimate business interests and business value such as client non-solicitation clauses.

CASE STUDY: From no communication to a resolution through ADR

We received a dispute between two businesses where one of them spent over $15,000 on website services which was due to be finalised in 6 months. After 10 months, they didn't have a functioning website and asked for a full refund. After initially replying to correspondence, the responding party ceased all communication.

After corresponding with the parties, the dispute remained unresolved. ASBFEO wrote to the parties recommending ADR to help understand the matters in dispute and attempt to resolve the matter. At this point the responding party ceased communicating with ASBFEO and the Ombudsman issued a Notice to Mediate. The responding party again ignored ASBFEO's correspondence, resulting in the Ombudsman writing to advise that he intended to publish the fact that the responding party was not willing to participate is dispute resolution under section 74 of the *Australian Small Business and Family Enterprise Ombudsman Act 2015*. After receiving the notice, the responding party re-engaged and the parties attended mediation and achieved a resolution.

Submissions

Recipient	Number
1 July to 30 September 2021	
The Treasury	4
Australian Taxation Office	1
Australian Transaction Reports and Analysis Centre	1
Productivity Commission	1
Reserve Bank of Australia	1
Safe Work Australia	1
Australian Payments Network and Australian Payments Plus	1
Council of Financial Regulators	1

In August, Assistance team members, Selina (left) and Fleur (right) represented ASBFEO at the Franchising and Start Your Own Business Expo, along with the Australian Taxation Office and the Australian Competition & Consumer Commission.

INFORM: COMMUNICATIONS AND STAKEHOLDER ENGAGEMENT

Highlights for the quarter

Throughout the quarter we have reviewed and redesigned sections of the website to accommodate updated advice and information, and to better support our increased scope of assistance services.

We’ve further built on our cross-government communication through active participation in the Federal Regulatory Agency Group (FRAG) Education and Engagement network and the Top End Business Support meeting. We have also chaired a National Small Business Communications and Media Networking meeting. Through these networks, we’ve identified collaboration opportunities in cross government outreach participation, particularly targeting Indigenous small business. For example, we will participate in a joint government stand at the First Nations Business Showcase in Adelaide in October 2025 and we will do a joint visit with other government agencies to remote communities in the Northern Territory for NT October Business Month.

As our outreach and service offering increases, we have developed a range of new resources to support small businesses and individuals who are looking into starting a business. Some of the resources include:

- Disputes with overseas businesses
- Default credit listings
- Resources for starting a business
- Courts and tribunals and free or low-cost legal advice
- Using social media securely (updated)
- Cyber security (updated).

Social, digital and traditional media statistics

ASBFEO’s social media and digital channels saw strong growth throughout Q3, with substantial increases in followers, engagement, and reach. This performance was driven by a refined content strategy which prioritises platform-specific formats, timely and relevant messaging, and a renewed focus on two-way engagement with audiences. It’s important to note that these results were solely achieved through an unpaid, organic strategy, highlighting the impact of authentic and purposeful communication; resulting in double the government KPIs for social and digital media activities.

Our content pillars strategically align with those of ASBFEO’s core work streams – assistance, advocacy, data, and outreach – to ensure all functions of the office are consistently represented and showcased. Additionally, ASBFEO’s channels seek to amplify key messaging from across government and small business industry stakeholders to support shared goals and broader awareness within the small business community.

The Ombudsman spoke at the International Council for Small Business’s signature event discussing the biggest challenges Australian small businesses face, as well as emerging opportunities to energise enterprise.

Social and digital media subscribers/followers and posts, Quarter 3, 2025

YouTube
637 subscribers
0 videos published

LinkedIn (ASBFEO)
6,151 followers (121 new followers, 2% growth rate)
52 posts
9,039 users reached
8.56% average engagement rate
16,892 page impressions

Ombudsman
5,280 followers (153 new followers, 3% growth rate)
79 posts
14,509 post impressions
3,588 users reached

Facebook
9,106 followers (318 new followers, 3.6% growth rate)
58 posts
14,366 users reached
4.86% average engagement rate
19,551 page impressions

X ASBFEO:
2,073 followers
21 posts

X Ombudsman:
6,742 followers
8 posts

Newsletter
3,868 subscribers
3 editions

Instagram
1,566 followers (138 new followers, 9.7% growth rate)
61 posts
13,507 users reached
10.62% average engagement rate
32,929 page impressions

Website
51,431 visits to the website

Socia media post topic breakdown

	LinkedIn	Instagram	X	Facebook
Small business data	5	5	2	5
ASBFEO educational resources	13	14	3	14
ASBFEO publications (quarterly reports, pulse, op-eds, media releases, newsletters)	16	17	15	16
ASBFEO advocacy submissions	2	2	2	2
Events and sponsorships	12	7	2	11
Stakeholder shares	7	1	0	6
Other (trends etc.)	1	12	1	6

INFORM: COMMUNICATIONS AND STAKEHOLDER ENGAGEMENT

Through our traditional media (print, audio and online) news channels, we continue to achieve national coverage across all jurisdictions, including major capital cities, regional centres and rural communities. We also had our traditional media coverage picked up and re-shared in sectoral and industry association publications.

Traditional media, Quarter 3 2025	
Media releases	2 media releases
Opinion pieces	7 published opinion pieces across Australian Community Media network 3 published opinion pieces in Convenience World Magazine 1 published opinion piece for News Corp 1 published opinion piece for Kochie's Business Builders
Interviews	16 interviews on radio, TV and other media

The Ombudsman addressed COSBOA's National Summit and gave the final wrap up, discussing emerging trends and what's needed to entergise enterprise.

OPINION

"DISAPPOINTING": WHY IT'S EASIER FOR MEN TO GROW A BUSINESS THAN WOMEN IN AUSTRALIA

BY BRUCE BILLSON AUGUST 3, 2022 11:50 PM SHARE

Op-ed by Bruce BIllson, published online on Kochie's Business Builders on 3 August 2025.

Even if these aren't new ideas, we have a chance to shift the conversation

Op-ed by Bruce BIllson, published in The Canberra Times on 4 August 2025.

Economic roundtable's blind spot could cripple nation's engine room

Op-ed by Bruce BIllson, published in The Canberra Times on 13 August 2025.

TRANSCRIPT

Australian Small Business and Family Enterprise Ombudsman Bruce Billson interview with Ben Fordham.

2GB Sydney

Subject: Right to Disconnect Law for Small Business

The Ombudsman was interviewed by Ben Fordham on 2GB Sydney on 26 August 2025.

CHANGES FOR THE NEW FINANCIAL YEAR

The first half of this year has been characterised as a 'test of endurance' for many small businesses, but I'm encouraged by their enduring optimism and the promise of improvement.

By Australian Small Business and Family Enterprise Ombudsman Bruce Billson.

Op-ed by Bruce BIllson, published in Convenience World's August 2025 edition.

RIGHT TO **DISCONNECT**

The "joy" of business ownership and self-employment for many Australians is being dulled by growing and more complex regulatory burdens and the risks of missteps.

By Australian Small Business and Family Enterprise Ombudsman Bruce Billson.

Op-ed by Bruce BIllson, published in Convenience World's September 2025 edition.

TRANSCRIPT

Australian Small Business and Family Enterprise Ombudsman Bruce Billson interview with Leon Delaney.

2CC Canberra

Subject: ASBFEO Pulse

The Ombudsman was interviewed by Leon Delaney on 2CC Canberra on 16 September 2025.

Celebrating the entrepreneurial spirit of family owned businesses on National Family Business Day, 19 September

ASBFEO sent out a media release on 18 September 2025 celebrating the entrepreneurial spirit of family owned businesses in honour of National Family Business Day.

TRANSCRIPT

Australian Small Business and Family Enterprise Ombudsman Bruce Billson interview with Leon Delaney.

2CC Canberra

Subject: National Family Business Day

Op-ed by Bruce BIllson, published in Convenience World's September 2025 edition.

Right-sized regulation for small businesses will boost productivity

Op-ed by Bruce BIllson, published in The Canberra Times on 29 September 2025.

NEXT STEPS

Assistance

- Review the process for transferring assistance cases to ensure small businesses experience a seamless referral process, with minimal delays and clear accountability.
- Continue to enhance the customer relationship management (CRM) system to strengthen our responsiveness to assistance requests, with a focus on improved functionality, user experience, and the integration of feedback from earlier system updates.
- Publish new information and guidance materials for franchisors and franchisees, including on change management, specific purpose funds, and exiting a franchise.

Advocacy

- Continue to advocate for right-sized regulation – i.e. proportionate, risk-based and informed by deliberative consultation with small business.
- In the December quarter ASBFEO will host a Policy Forum entitled *'Regulatory reform — Creating a better operating environment for small business'* with as its objective
    - o identifying how best a small business perspective can be injected into post-Economic Reform Roundtable work on regulatory reform.
- Progress stakeholder engagement to deliver a Federal Small Business and Codes List in the Federal Circuit and Family Court of Australia.

Inform

- Expand and strengthen networks across governments and industry to make messaging timely, consistent and relevant to small businesses. In the next quarter we hope to chair two National Small Business Communications and Media Network meetings as we continue our planning engagement and outreach activities for the first half of 2026.
- Increase the reach and effectiveness of our newsletter by promoting subscriptions at expos and events and tailoring content and approach to increase click-throughs and engagement.
- Build on social media engagement and following.
- Continue to improve the user experience of the website through functional amendments and updates.

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Facebook: @ASBFEO

Instagram: @ASBFEO

LinkedIn: Australian Small Business and Family Enterprise Ombudsman

Youtube: Australian Small Business and Family Enterprise Ombudsman

Our systems have met the International Organisation for Standardization's requirements and are now certified in managing high-quality external dispute resolution services (ISO 10003:2018). This means small businesses can rely on ASBFEO for trusted, high-quality support.

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