



Volunteering

Risk Management Guidance

Introduction

Volunteers are an essential support function for many not-for-profit organisations. The range of volunteering work is endless; gardening, digital marketing, cooking, cleaning, social care, education, etc. An invaluable resource that not only supports the community but allows people who volunteer to connect with their community, making it a better place. It can also be a lifeline for some, particularly vulnerable groups such as the elderly, enabling them to keep in regular contact with others and helping to develop a solid support system.

Volunteering means, 'Any activity that involves spending time, unpaid, doing something that aims to benefit the environment or someone (individuals or groups) other than, or in addition to close relatives.

'Employee' includes 'any person...Volunteering to assist or co-opted to assist the Insured' but only when working on the organisation's business, under the direction and control of the organisation.'

The Issues

Volunteer programmes are a key focal point when it comes to risk management. The types of risks associated with volunteer service vary from personal safety risks, to data privacy concerns, reputation risk, youth protection, working with vulnerable persons, public and employers liability risks. Having volunteers does present additional risk to an organisation and therefore, before volunteer recruitment, you should consider the following:

- Why are you involving volunteers?
- Is everyone in your organisation aware of plans to involve volunteers?
- How will people be affected; includes staff, trustees, service users and other volunteers?
- Do you have the human resources to adequately support volunteers?
- Do you have people who are skilled and trained in supporting, managing and supervising volunteers?
- Do you have the necessary space and resources e.g. spare desk or computer?
- Have you considered any risks associated with involving volunteers?
- What policies and procedures do you already have that should be reviewed in the light of involving volunteers?
- Do you need any new policies and procedures such as a Volunteer Policy?

Legal Considerations

As members of the public who give their time freely to a task without financial recompense, volunteers do not have a contract of employment and therefore they do not have the rights to which employees or workers are entitled. However, volunteers do have some basic legal protections:

- Employers must comply with the Data Protection Act's rules on processing of personal data for volunteers;
- The Health and Safety at Work, etc., Act 1974 places a duty of care on employers "to ensure, as far as reasonably practical, that persons not in their employment, who may be affected by their undertaking, are not exposed to risks to their health and safety" and "to give information as might affect their health or safety";
- Common Law – places a Duty of Care on employers;
- Occupier's Liability – could be relevant if the activity involves use of premises;
- Safeguarding – Policies and procedures will be necessary to protect vulnerable persons from harm.

Risk Assessments

All volunteering must be fully risk assessed to identify whether the activities they will be doing will be low or high risk, and where activities are high risk the necessary preventative and protective measures are in place. Risk assessments should be, as a minimum, the same level an employee would be afforded for the same activities but should also take into account things such as lack of previous experiences, age, health, etc. Risk Assessments must consider the risks to both the Volunteer and also the risks the use of Volunteers present to others. Risk assessments must be implemented and monitored. If the volunteers are vulnerable or children, then risk assessments must be tailored to this and induction/ongoing training should be provided. Vulnerable adults and/or children should be supervised at all times by a competent person.

There is a potential that staff may be asked to undertake activities that they are not familiar with or have little or no experience of undertaking. There are significantly increased risks where staff and/or volunteers are asked to perform new work tasks and it is essential that formal safe working procedures are developed. In addition to the task, these procedures will need to extend to include First Aid, accident reporting and RIDDOR considerations.

Training

Employers must ensure staff and/or volunteers are competent to perform the work they carry out. As an initial step, a training needs analysis should be undertaken. Staff will require full and documented training, together with a documented competency assessment to verify it is safe to continue with the proposed role. Ongoing regular refresher training will also be necessary to maintain competence, and periodic observations completed by line management to verify that they remain competent at all times. Where significantly increased risks are present these will need to be carefully controlled through appropriate and documented Safe Systems of Work, Method Statements or use of a Permit System.

Volunteer Employee Schemes

If your organisation runs a scheme whereby it supports employees who volunteer for entities outside the scope of their own employment role, there are some things to consider:

- Does the third-party entity have its own PL insurance? If they do, you should look to confirm that their insurance cover extends to pick up volunteers;

- Your organisation will have no direction or control over the employees when they are volunteering for a third-party and the employee is not working under the direction and control of your organisation so first check your legal position;
- Check with Protector to ensure cover extends to employees when they are 'off-site' and ensure that appropriate health and safety advice has been provided for your volunteers;
- If you are working directly with community organisations to deliver the volunteering opportunities, check whether they are insured;
- Individuals volunteering with children and vulnerable adults will need a Disclosure and Barring Service (DBS) check. Check with the organisation you are volunteering with to confirm whether DBS checks are required, and if they have a process in place to undertake them;
- If cover cannot be provided by the third-party entity who the employee is volunteering for, you should provide Protector with the following information for consideration:
 - I. the identity of the third-party entity;
 - II. the number of volunteers;
 - III. the types of activities they will be doing;
 - IV. what the third-party entity has in place in respect of training, management and support of their volunteers;
 - V. will they be doing risk assessments?

Driving

Your motor insurance provides cover for any person driving with your permission. So as long as they are driving your vehicles, with your permission, on company business, cover will respond. However, you should undertake checks to ensure that they are competent to drive your vehicles. Checks could include drivers licences (checking type/number of endorsements), a health declaration, familiarisation with the highway code, ensuring they have sufficient experience and training for the risk/task/vehicle (for example the highest standards would be expected for minibus drivers), eye-sight tests and ensuring persons are eligible to drive in UK.

N.b. If volunteers use their own vehicles then they will need to ensure they have adequate cover provisions on their own personal insurance such as business cover.

Volunteering Checklist

- Your organisation should have a Volunteer Policy in place which links to the H&S Policy;
- All activities are fully risk assessed;
- Any high-risk activities are agreed in advance with Protector;
- Maintain a register of volunteers;
- Retain documentation on volunteers for the required timeframes;
- A good selection process is in place to ensure the right volunteer for the job;
- Provision of Induction and ongoing training is in place;
- Appropriate support, management and supervision is provided;
- Regular monitoring and evaluation;
- Scrutinise commissioned services that make use of volunteers to ensure they have adequate policies and procedures in place.

Further information and guidance on this subject is available from:

- The Health and Safety Executive - <https://www.hse.gov.uk/>
- <https://www.ncvo.org.uk/get-involved/volunteering/want-to-volunteer/>



For clarification or further information please contact –

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