

Guidelines for State Agency Management of Volunteer Activity

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Introduction

Volunteering is an integral part of Tasmanian society and has significant benefits both to the community and to individuals.

The Tasmanian Government believes that the contribution of volunteers is crucial to the development and strengthening of our communities.

The importance of volunteering has been highlighted by the community through Goal 5.3 of *Tasmania Together*: “Recognise and value the many contributions that volunteers and unpaid workers can - and do - make to their community”.

As a key initiative in promoting volunteering and supporting *Tasmania Together* benchmarks, the Government signed a Partnership Agreement with Volunteering Tasmania in May 2003.

The principal objectives of the Agreement are to:

- encourage people to volunteer;
- encourage more volunteer opportunities;
- help volunteers and volunteer organisations enhance the quality of volunteering; and
- improve our understanding of the benefits that volunteering brings to society.

The Volunteering Partnership Agreement includes a commitment by both parties to improve the management of volunteer activity across both the State and non-Government sectors. It recognises that volunteers assisting Tasmanian Government Agencies are vital to providing important services to the community.

Volunteers make an enormous contribution to health and community services, as well as in areas such as sport and recreation, the environment, arts, education and emergency services. In fact, a survey in 2001 estimated that almost 20 000 Tasmanians were participating directly in State Government Agency volunteer programs, with a further 84 000 involved with community-based organisations funded or supported by the Government.

Across the volunteer sector, there is an increasing emphasis on raising the quality of volunteer management with resulting benefits for volunteers themselves, the communities they serve and the long term future of volunteering. In donating their time, volunteers have a right to expect a high standard of management of the activities in which they participate and an effective partnering relationship between volunteers and the organisation in undertaking those activities.

These guidelines have been developed to help Government Agencies that operate volunteer programs in managing their relationship with volunteers and delivering volunteer services. They reflect the principles of the National Standards for Involving Volunteers in Not-for-Profit Organisations published by Volunteering Australia (see Appendix I).

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The National Standards establish a range of principles that Agencies may wish to consider when developing procedures for engaging volunteers including:

- policies on the management of volunteers;
- operating procedures;
- clear lines of authority and responsibility;
- coherent documentation of volunteer related policy;
- a commitment to quality improvement in the management of volunteers; and
- the collection and analysis of data relating to volunteers engaged by the Agency.

The guidelines are designed to establish broad principles for and suggested approaches to volunteer management in the public sector, while allowing the flexibility to accommodate the range of different types of volunteer programs. They recognise that some Agencies and unique volunteer based services, such as the State Emergency Service and the Tasmania Fire Service, have in place or are developing more detailed, best practice operational guidelines to cover volunteering in their organisations.

The guidelines include the following:

- definition of volunteering and the scope of volunteering within Government;
- the rights and responsibilities of volunteers and Agencies;
- recruitment, selection and induction of volunteers;
- managing and supporting volunteers in Agencies, including reimbursement of expenses, risk management and insurance, occupational health and safety and recognition of volunteer effort;
- training and development for volunteers; and
- planning the delivery of services involving volunteers.

Scope and Definitions

Volunteering is defined as a service or activity undertaken, formally or informally:

- to benefit the community;
- freely out of personal choice; and
- without financial payment (beyond agreed reimbursement of costs).

The coverage of these guidelines is limited to those volunteers directly engaged by Agencies in programs and service delivery.

The guidelines are not intended to cover:

- short-term work experience opportunities in Agencies;
- broad strategies for general community involvement to support Agency programs (eg Neighbourhood Watch);
- participation in advisory boards and committees; or

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- volunteering by Agency employees in organisations outside of the Tasmanian Government, for example participation in the Volunteer for a Day program.

It is recognised that State Government Agencies also support a large number of other volunteering activities in the community sector through funding and other forms of assistance. Agencies do not have operational management responsibility for these activities and cannot apply the guidelines or their own Agency volunteering policies. However, the adoption of best practice volunteer management by community organisations, based on the National Standards, should be encouraged.

Relationship between Agencies and Volunteers

Not all Agencies require the services of volunteers. The decision to engage volunteers is a matter for each Agency to determine. However, Agencies that involve, or propose to involve, volunteers should:

- establish the role of prospective volunteer activities within the overall strategic plan of the organisation;
- weigh up the costs and benefits involved in engaging volunteers;
- identify the relevant skills and/or knowledge volunteers can provide;
- consider whether a probationary period would be appropriate for some roles;
- ensure volunteers are competent to perform the specific tasks required;
- consult with paid staff, unions and volunteers;
- ensure volunteer involvement is adequately resourced;
- consider the potential liability/risk exposure to the Agency in using volunteers; and
- ensure volunteers are not used to displace paid employees.

Some programs involving volunteers in public sector Agencies are directly governed by legislation. Where this is the case, any such legislative provisions take precedence over these guidelines.

Unlike paid employees, volunteers are not covered by the *State Service Act 2000*, State Service Commissioner's Directions, Ministerial Directions¹, *Workers Rehabilitation and Compensation Act 1988* or workplace awards and agreements. However, in contributing their time and effort, volunteers can reasonably expect Agencies to support them during their volunteering activity. A volunteer has the right to:

- operate in a healthy and safe environment;
- have access to and undertake volunteer activities in accordance with equal opportunity and anti-discrimination legislation;
- be provided with adequate personal accident insurance cover;

¹The *State Service Act 2000* applies to officers and employees. It does not apply to volunteers. Accordingly, State Service Commissioner's Directions and Ministerial Directions made under the Act have no legal application to volunteers. However, these instruments may provide useful guidance to Agencies in managing volunteers.

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- be advised of the arrangements protecting volunteers against legal liability (including legal costs) arising from volunteering activities undertaken in good faith;
- be given accurate and complete information about the Agency, a description of the voluntary activity and agreed activity hours, including a clear definition of the role of the volunteer;
- be given a copy of the Agency's volunteer policy (with particular reference to reimbursement) and any other policy that affects their volunteer activity;
- have access to grievance procedures;
- be provided with induction/orientation to the Agency when first volunteering;
- have confidential and personal information dealt with in accordance with the *Personal Information Protection Act 2004* (Tas); and
- be provided with sufficient training and supervision to safely undertake volunteer activities.

Although each Agency will need to develop specific arrangements that meet its own needs, there is evidence that many of the most effective volunteering programs:

- define the different roles, rights and responsibilities of volunteer and paid staff;
- document volunteering policies – including those relating to recruitment, selection and management;
- vest responsibility for volunteer programs in a member of the paid staff who possesses appropriate skills in working with volunteers; and
- ensure that:
 - volunteer's expectations, interests, time commitment and skills match the task to be performed;
 - volunteer staff are consulted on decisions that affect them; and
 - volunteering policies and activities undertaken by volunteers are reviewed regularly.

Recruitment, Selection and Orientation

In recruiting volunteers, policy, procedures and practices should be broadly similar to those for paid employees.

Agencies should establish recruitment and selection processes for volunteers that are appropriate to the duties to be performed and that recognise established Agency practice. The nature of many Agency volunteer activities may not allow or require an extensive selection process. In this event, Agencies are encouraged to establish procedures applicable to these activities. Where possible, these policies and procedures should be published on Agency intranet and internet facilities.

Depending on the nature of their volunteer programs, Agencies may wish to develop codes of conduct that outline the Agency's and the volunteer's expectations and obligations.

Advertising

Agencies may wish to advertise volunteering opportunities. When advertising, Agencies should comply with the Tasmanian Government's Classified Advertising Guidelines and utilise the Master Ordering Arrangement (whole of Government contract) using the public notices section (see www.communications.tas.gov.au) where practicable.

Sponsorship

Agencies considering seeking sponsorship for volunteer activities should consult the Tasmanian Government's Sponsorship/Partnering Guidelines.² These guidelines define sponsorship as "where companies contribute money, goods or services either directly or 'in kind' to have their company associated with an Agency event or service that will enhance their corporate profile." It provides advice on appropriate sponsorship and a checklist for Agencies.

Selection

When selecting volunteers Agencies should bear in mind any potential conflicts of interest that may arise. Such a situation may exist where volunteers have access to information that may be of commercial or financial benefit to themselves, their families or other acquaintances. The existence of a code of conduct, including confidentiality requirements, can address such issues. It is important, however, for Agencies to identify potential problem areas within their own spheres of responsibility.

In some situations, a statement of duties outlining the responsibilities and duties of a volunteer, and of the Agency supervising them, can help to avoid confusion on the part of the volunteer as to what is expected. This document can also allow for formal or informal evaluation of performance if the need arises.

Similarly, as part of any volunteer selection and recruitment process, Agencies may wish to consider seeking a formal acceptance of the volunteer role by those taking up volunteer opportunities. Such a procedure can help to clarify what is expected of a volunteer, what the volunteering role will entail and provide a partial mechanism to end the services of a volunteer.

² See http://www.communications.tas.gov.au/resources/sponsorship_guidelines_jan06.doc

Diversity

When recruiting volunteers, Agencies should apply similar principles of diversity as those applied to paid State Service employees. In particular, Agencies should be aware of the requirement to provide a safe workplace that is free from discrimination and recognises and utilises the diversity of the community it serves.³ Agencies should also bear in mind the possible requirements of the *Anti-Discrimination Act 1998* (Tas).⁴

Age of Volunteers

The Volunteering Partnership Agreement is committed to increasing the participation of young people in volunteering. Agencies should consider their duty of care to young people engaged in volunteer activities. If necessary, policies should be implemented that make provision for parental consent, and for supervision of minors.

Similarly, Agencies should have special regard for older volunteers. Older people possess a valuable store of accumulated knowledge, skills and wisdom. Agencies should ensure there are no barriers to their participation in volunteer programs. Appropriate occupational health and safety procedures are particularly important for older volunteers. Older people may also require different management. For example, they may have different work rates, durations of attendance and amenities needs to younger people. While older volunteers are not necessarily a greater public liability risk, volunteer programs need to be sensitive to the wide range of needs and expectations of their volunteers if continuity of involvement and sustainable, positive outcomes are to be achieved.

Screening of Volunteers

Agencies may require staff undertaking sensitive duties or working with vulnerable sections of the community to undertake police clearances. Similar practices should be adopted in regard to volunteers. Agencies may require that volunteers obtain the check themselves (forms are available from www.police.tas.gov.au).

Agencies may wish to consider reimbursing volunteers for any cost incurred in obtaining a police check. Note that cost savings can be achieved by requests for police checks being coordinated by the Agency sponsoring the volunteer activity. A special volunteer rate is also available for those organisations deemed eligible⁵ (see www.police.tas.gov.au for details).

In formulating their approach to police clearances, Agencies may wish to refer to the *State Service Act 2000* Commissioners' Direction No. 10 for guidance.⁶

³ The *State Service Act 2000* applies to officers and employees. It does not apply to volunteers. Accordingly, while State Service Commissioner's Directions and Ministerial Directions made under the Act have no legal application to volunteers, they may provide useful guidance to Agencies in managing volunteers.

⁴ See <http://www.thelaw.tas.gov.au>

⁵ As at September 2007, the cost of a single National Police History Record Check is \$45, and the volunteer rate is \$5. One free Tasmania Police History Record Check is available to an individual annually, however, if another is required within 12 months a fee of \$20 is charged. The volunteer rate is only applicable for the National Police History Record Check and only applies where the organisation has been previously authorised as a volunteer organisation by Tasmania Police. Applications forms for authorisation as a volunteer organisation are available at <http://www.police.tas.gov.au/permits/criminal-history>

⁶ Refer footnote 3 above. For a copy of CD No.10 see <http://www.oss.tas.gov.au/cd/10-2001.pdf>

Agencies may also consider requesting referee's reports or other assessment processes for long-term volunteers or volunteers undertaking activities with children or other vulnerable sections of the community as a supplement to any police check undertaken.

Privacy and Confidentiality Issues

Many Government Agencies deal with material of a confidential nature. Agencies must ensure that volunteers who have access to such information are aware of the importance of preserving confidentiality and that failure to do so may result in the volunteer not participating in the Agency's activities in the future. Personal information should be dealt with in accordance with relevant State legislation, including the *Personal Information Protection Act 2004*.⁷

Intellectual Property

Agencies engaging volunteers to produce material, written or otherwise, should ensure that volunteers understand the intellectual property rights relating to such material. The Whole of Government Communications Policy states that: "The copyright in materials created by State Government employees in the course of their employment and by any other person under the direction or control of the Crown is owned by the Crown, except where there has been prior agreement to the contrary." Therefore, a volunteer will not have copyright in a product created while volunteering under the "direction and control" of an Agency.

Induction/Orientation

Well-established induction and orientation processes can encourage a better working relationship between Agencies, paid employees and volunteers. These processes can help personnel develop a broad understanding of the operation of which they are a part. They are an efficient means of indicating how voluntary work contributes to the larger strategic goals of the organisation. Agencies should ensure that there are appropriate induction procedures in place in line with the volunteer activity undertaken.

Maintaining the Agency-Volunteer Partnership

It is important for Agencies to encourage an environment where volunteers and paid Agency staff share a mutual respect and understanding of each other's role in the organisation. While volunteers are not intended to replace paid staff, they do perform a vital function in the delivery of services and this should be recognised.

Orientation, training, recognition and a well established system for providing feedback can positively shape the volunteer contribution and make the process more rewarding for all parties involved. To achieve this Agencies should:

- provide an overview of the Agency's mission and objectives;
- inform volunteers about their role in the Agency;
- establish lines of authority and communication;
- establish reporting mechanisms, particularly in regard to OH&S;

⁷ See <http://www.thelaw.tas.gov.au>

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- ensure skill development and contribute towards a safe working environment;
- facilitate feedback on the strengths and weaknesses of the volunteer program;
- conduct regular reviews of volunteer programs to ensure their continuing relevance and effectiveness; and
- create a sense of value and appreciation amongst volunteers and paid staff for the activities that volunteers undertake.

Reimbursement of Costs

The ability of an Agency to reimburse volunteers can have an impact on the capacity of individuals to volunteer. For this reason, it is important that Agencies have a clearly defined reimbursement policy, regardless of whether or not reimbursements are offered. The policy should be communicated to volunteers before they are engaged. In this way volunteers are able to make an informed choice about volunteering with the Agency.

Any decision to establish a volunteer program should be based on a cost/benefit analysis of operating a volunteer program and a realistic assessment of resourcing requirements, including the potential cost of reimbursements.

The range of expenses an Agency may choose to reimburse will vary according to the particular circumstances of the Agency and the type of activity being undertaken by volunteers. Examples include:

- travel costs (this can include travel to and from the place of volunteering);
- parking costs;
- telephone, stationery, postage and other administrative costs;
- uniforms or special clothing;
- child-care;
- training costs, police checks, special driving licenses;
- meals and accommodation; and
- entrance and admission fees.

If an Agency does provide reimbursement for out-of-pocket expenses it should have a clearly stated and documented process by which volunteers apply for and receive reimbursement. Volunteers should be made aware of the reimbursement process.

Feedback to Volunteers and Recognition of Volunteer Effort

Volunteer activities should be assessed regularly in regard to their level of risk, the suitability of the volunteer for the activity and the continuing requirement for the activity. In addition, and where appropriate, individual volunteers should be given the opportunity for a formal appraisal of their particular contribution to the Agency.

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The contribution volunteers make to Agencies can be recognised in a number of ways including:

- through annual reports;
- placing articles in internal newsletters or journals;
- putting notices on Agency websites;
- holding periodic social activities (e.g. a special annual morning tea);
- awarding certificates of appreciation;
- agencies participating in International Volunteers Day celebrations in December each year, or during National Volunteers Week in the second week of May;
- informal, face to face acknowledgement of volunteer services; and
- formally recognising service through excellence awards.

Unsatisfactory Performance or Conduct

Volunteers are not subject to the State Service Code of Conduct but should be expected to abide by its intent. Agencies should consider putting in place appropriate systems whereby any unsatisfactory performance or behaviour on the part of the volunteer can be documented and appropriate action taken by the volunteer's manager or supervisor.

Volunteers should be informed of the nature of the system in place, including the procedures that are to be followed, as part of their induction.

Grievance and Conflict Resolution

Agencies should provide volunteers (ideally as part of their induction) with a clear understanding of the procedures should the volunteer have a grievance with either supervisors or other volunteers. Such procedures should document the series of steps to be followed including:

- discussion with the person with whom the grievance has arisen;
- escalation of the grievance with the immediate supervisor to register a complaint;
- investigation of the complaint; and
- any mediation which may be required to resolve the situation.

A similar series of steps should be in place should a supervisor have a grievance with a volunteer.

This process should not replace the existing Agency policies relating to discrimination or harassment.

Records and Data Collection

Agencies should maintain a system to record volunteer involvement, including activity and duration. Such a system can facilitate the analysis of data collected, including exit interviews (if conducted), to further improve the management of volunteers through a better understanding of volunteers and volunteer activity within the Agency.

Risk Management and Insurance

Agencies should develop and implement appropriate risk management policies and procedures for the management of volunteers. Agencies should identify and assess the risk associated with the volunteer activity to be undertaken and take any steps necessary to eliminate or minimise any risk prior to commencement of the activity. This process should be documented. Risk should be managed in accordance with AS/NZS 4360: Risk Management 2004, which provides a generic guide for establishing and implementing risk management.⁸

Agencies should be aware of the details of cover provided to Agencies by the Tasmanian Risk Management Fund (TRMF) for authorised Agency volunteers. The TRMF is the Tasmanian Government's self-insurance fund. Established in 1999, the TRMF provides a whole-of-Government approach to funding and managing specific identified insurable liabilities of inner-Budget Agencies. This includes the provision of no-fault personal accident and third party liability cover to Agencies for authorised Agency volunteers.⁹

Personal accident cover is designed to protect people who are not covered by workers' compensation (ie who are not employees of an Agency) if they:

- suffer or aggravate an injury that arises out of, and in the course of, their assistance to the Government; or
- contract a disease for which their service to the Government was the major contributor.

Third party liability cover is provided for volunteers acting within the scope of the activities authorised by the Agency and who are under the direct control and supervision of the Agency.

For further information about personal accident and liability cover provided to Agencies see the TRMF page on the Treasury website at www.treasury.tas.gov.au

Indemnity for Legal Costs

Agencies will also indemnify volunteers against costs incurred in responding to legal proceedings arising out of acts done or omissions made in good faith in the performance of volunteering activities. Except where otherwise specified in other legislation dealing with the same subject matter, Agencies should follow the guidelines contained in Ministerial Direction No. 8 issued under the *State Service Act 2000*.

Occupational Health and Safety

Where an Agency accepts the services of volunteers, it will have an obligation to take reasonable care to avoid acts or omissions which it knows or ought reasonably to have known would expose its volunteers to risk of harm, where that risk is not insignificant. That necessarily involves the taking of precautions to avoid such risks. That duty could be discharged by putting in place appropriate systems administered by competent personnel, which together are effective to ensure that the relevant standard of care is achieved. It is essentially a matter of doing what is reasonable in the circumstances.

⁸ Available at <http://www.riskmanagement.com.au/>

⁹ See further <http://www.treasury.tas.gov.au/trmf>

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Further, if the volunteers are to undertake the volunteer activities on premises the Crown occupies, then the general common law duty to take care, which falls upon an occupier of premises in relation to those who enter its premises, may also arise. In this regard Agencies should be aware of Part 6 of the *Civil Liability Act 2002* which is concerned with breaches of duty including a duty of care in tort.

Agencies must also adhere to the provisions of the *Workplace Health and Safety Act 1995* and the *Workplace Health and Safety Regulations 1998* as they apply to the circumstances of each the particular volunteer program and the activities to be undertaken by the volunteers.

Ultimately, it will be a matter for Agencies to consider the particular circumstances of each volunteer program and the activities to be undertaken by the volunteers in order to determine which if any of those obligations apply and importantly what it should do to ensure it meets those obligations. Should an Agency have any doubts in a particular case as to its obligations to its volunteers statutory or otherwise it should seek advice.

Training and Development

The Tasmanian Government encourages the principles of life-long learning and recognises that providing training can benefit both Agencies and volunteers.

An Agency that involves volunteers should ensure that volunteers obtain the knowledge, skills and feedback on activities needed to carry out their responsibilities safely and effectively.

Where specialised training is not needed, Agencies are encouraged to recognise the motivation that draws people to volunteering and adapt training programs and activities accordingly.

The provision of induction programs should be considered by Agencies interested in providing a formalised means of familiarising volunteers with their organisations.

For many volunteers, training can be an opportunity to further enhance existing skills and gain practical experience to support a course of study or training and improve their ability to gain paid employment. Others may wish to use existing skills and may not want or need further training beyond initial induction. Still others will view volunteering, and its associated training, as an opportunity to develop skills and knowledge in an area removed from work or previous experience.

When establishing a training program, issues to be addressed include:

- type and level of training required, both for initial and on-going volunteer activity;
- resources required to fund and support effective training programs; and
- most effective and efficient method of providing training.

Training programs will also need to take into account the needs of diverse groups represented as volunteers.

While it is expected that a paid member of staff will ultimately supervise volunteers, there may be instances where long-term volunteers are supervising newer volunteers. In this instance, Agencies must ensure that they satisfy their duty of care requirements in regard to instruction and training.

Appendix I – National Standards for Involving Volunteers in Not-for-Profit Organisations

Principles

1. Policies and Procedures

An organisation that involves volunteers shall define and document its policies and procedures for volunteer involvement and ensure that these are understood, implemented and maintained at all levels of the organisation where volunteers are involved.

2. Management Responsibility

An organisation that involves volunteers shall ensure that volunteers are managed within a defined system and by capable personnel with the authority and resources to achieve the organisation's policy goals.

3. Recruitment, Selection and Orientation

An organisation that involves volunteers shall plan and have clearly documented volunteer recruitment, selection, and orientation policies and procedures that are consistent with non-discriminatory practices and guidelines.

4. Work and the Workplace

An organisation that involves volunteers shall clearly specify and control the work of volunteers and ensure that their place of work is conducive to preserving their health safety and general well-being.

5. Training and Development

An organisation that involves volunteers shall ensure that volunteers obtain the knowledge, skills, feed-back on work and recognition needed to effectively carry out their responsibilities.

6. Service Delivery

An organisation that involves volunteers shall ensure that appropriate processes and procedures are established and followed for the effective planning, control, and review of all activities relating to the delivery of services by volunteers.

7. Documentation and Records

An organisation that involves volunteers shall establish a system and have defined procedures to control all documentation and personnel records that are related to the management of volunteers.

8. Continuous Improvement

An organisation that involves volunteers shall plan and continually review its volunteer management system to ensure that the opportunities to improve the quality of the system are identified and actively pursued.

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The National Standards and the Implementation Guide can be purchased from Volunteering Australia at a cost of \$35.00 each (inclusive of GST and postage). More information is available by phoning (03) 9820 4100 or via their website at <http://www.volunteeringaustralia.org>.