



Volunteers

Volunteering is at the heart of any developed society. Supporting others for no financial gain can bring many positive benefits not just to the community served, but also to the volunteers themselves.

Many organisations rely on the support of volunteers to function properly. They make an invaluable contribution across many sectors, completing a wide range of varied tasks. Sometimes, meeting health and safety requirements has been seen as a barrier preventing people from volunteering. This shouldn't be the case. However, you may have to think about what precautions are needed to protect them from danger.

Under **common (or civil) law**, voluntary organisations and individual volunteers themselves have a **duty of care** to each other and others who may be affected by their activities. Where something goes wrong, individuals may, in some cases, sue for damages as a result of another person's negligence.

To be successful, the injured person must show that the defendant had a duty to take reasonable care towards them, and they have suffered the injury through a breach of that duty. They must also show that the type of loss or injury for which damages are being claimed was a foreseeable result of the breach of the duty.

In addition to the common law, there is also **criminal (or statute) law** as well. This is the written law of the land, consisting of Acts of Parliament or Rules, Regulations or Orders made under them. Criminal liability can arise for failing to comply with the requirements of these leading to prosecution, fines and – in extreme circumstances – custodial sentences.

The main statutory legislation is the Health and Safety at Work etc. Act 1974, supplemented by more specific regulations made under it. The Act applies to any organisation (including a voluntary one) which has at least one employee. Here, it sets out a number of duties on employers, intended to protect their employees and volunteers if they have them. In these circumstances, you should generally afford the same level of protection to volunteers as you do to any employees. For example, this may mean that you have to provide them with relevant information, training or personal protective equipment.

It is also important to note that certain aspects of the Act may still apply to you even if you do not have employees. In particular, this would be where you control non-domestic premises used as a **place of work** or where **machinery, equipment, appliances or substances** are provided for use by others (e.g. volunteers, members of the public). Here, you must take reasonable steps to make sure that these are safe.

Want to know more?

Further useful resources are available at
www.hse.gov.uk/voluntary/volunteering.htm

Note: if you are in Ireland, Northern Ireland, Jersey, Guernsey or the Isle of Man, then regional variations might apply. In this instance, you should check the guidance provided by the Enforcing Agency for your region. This will be freely available on their website.

Risk advice line

(provided by Ecclesiastical professionals or external specialists)

Phone: **0345 600 7531**

Email: risk.advice@ecclesiastical.com

Risk specialists are on hand to advise you on a range of topics, including:

- property protection, security, business continuity planning
- health and safety, food safety, environmental management
- construction safety, fire safety, occupational health, water safety or asbestos.

Available Monday to Friday 9am – 5pm (excluding public and bank holidays).

For further information speak to your insurance advisor or call us on **0345 60 20 999**

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