

Health & Safety for Volunteers

Information taken from the National Council for Voluntary Organisations (NCVO) volunteering information sheet

Introduction

The legal obligations of organisations towards their volunteers with regard to health and safety are less clear than they are for employees. Nevertheless, organisations do have legal obligations towards their volunteers, and it is good practice to treat volunteers with equal consideration when it comes to health and safety.

The duty of care

In English law, an individual may be owed a duty of care by another to ensure that they do not suffer any unreasonable harm or loss as a result of the latter's activity.

If such a duty is found to be breached, a legal liability may be imposed to compensate the victim for any losses they incur.

Generally, a duty of care arises where one individual or group undertakes an activity that could reasonably harm another, either physically, mentally or economically.

A duty of care can arise in many ways that may not always be obvious, for example:

- loaning equipment to others
- charity walks and sponsored runs
- running fetes or fairs
- organising day trips
- selling food at a charity stall.

Health and safety legislation

Health and Safety at Work etc Act 1974

The Health and Safety at Work etc Act 1974 is the primary piece of legislation covering occupational health and safety in the United Kingdom. The Health and Safety Executive (HSE) is responsible for enforcing the act and a number of other acts and Statutory Instruments relevant to the working environment.

Where an organisation, including a charitable or voluntary group, has at least one employee who works under a contract of employment, it is considered to be an employer for the purposes of the act and the regulations made under it.

The act sets out the general duties that employers, the self-employed and people in control of premises have towards their employees and others who may be affected by their activities, including volunteers and members of the public. With respect to non-employees, every employer has a general duty to ensure their health and safety, including providing them with information.

Depending on the activities concerned, an employer may also have a responsibility to carry out a risk assessment. Carrying out a risk assessment will help you to identify what measures you need to take to mitigate the risks associated with that activity. For example, it would determine if volunteers need to be provided with specific information and training.

The level of training and information provided will be proportionate to the kind of role volunteers are doing and the risks associated with it. For example, an employer may have to supply a lot of

information and training to a volunteer in a hospice who will be providing support to patients, but less training and information may be required for a volunteer running a raffle, as the role is less complex and the level of risk is lower.

Organisations with responsibility for buildings and premises

An organisation that owns, controls or is responsible for premises has a duty to make sure that the building is safe to use and complies with all the relevant health and safety regulations (for example, ensuring signs meet the Health and Safety (Signs and Signals) Regulations 1996). This duty applies to premises such as community centres and scout huts, and also to attached car parks, playgrounds etc.

Committing to good health and safety practice

Organisations with paid staff and volunteers

NCVO strongly recommends that, as far as possible, an organisation meets the same health and safety requirements for volunteers as are demanded by law for paid employees.

Volunteer-only organisations

Organisations without employees are not legally required to meet the same standards as an organisation with staff. However, by working towards the same standards the organisation demonstrates to volunteers and the outside world that it values its volunteers and their contribution, and cares about their health and wellbeing.

Health and safety policy

A health and safety policy is the foundation on which to develop procedures and practices. It also announces the organisation's commitment towards good health and safety standards.

Organisations with paid staff and volunteers

Employers with fewer than five employees are not obliged to have a written policy, but are strongly advised to do so. It is good practice for organisations that involve volunteers to include them in the health and safety policy. The HSE has examples of model health and safety policies and a template (<https://www.hse.gov.uk/simple-health-safety/policy/index.htm>) which can be used to create your own.

Volunteer-only organisations

If an organisation has no employees, it is not legally required to have a written health and safety policy, but is strongly recommended to do so. Developing a health and safety policy helps to clarify procedures and responsibilities.

Health, safety and welfare

Organisations with paid staff and volunteers

All employers must provide a safe place to work that is clean and free from risks, to reduce the risk of ill health or injury. A safe system of working is required, for example having proper procedures for handling dangerous substances and adequate guards for machinery. All employers should provide adequate supervision. Employees must be given training and information to give them sufficient skills and knowledge to carry out their work safely.

Volunteer-only organisations

These regulations do not apply to organisations with no employees. However, they do need to ensure that their volunteers work in a safe environment where levels of risk have been reduced to a minimum.

Risk assessment

Risk assessment is a technique for identifying and mitigating potential hazards involved with any activity.

Risk is assessed by identifying a hazard and assessing the degree of harm it could cause against the likelihood of it occurring. The assessment then indicates what measures, if any, need to be put in place to reduce the risk to an acceptable level.

For more information, including templates, visit the HSE website:

<http://www.hse.gov.uk/risk/assessment.htm>

If you have a Mothers' Union office, the HSE provide a risk assessment for low risk office environments which you might find helpful:

<http://www.hse.gov.uk/risk/office.htm>

Organisations with paid staff and volunteers

It is important that risk assessment always involves employees and volunteers who are involved in the activities that are being risk assessed. This will ensure that measures which need to be taken to minimise risk to both employees and volunteers can be identified.

Volunteer-only organisations

Voluntary groups with no employees are not legally required to conduct risk assessments, but should consider doing them anyway if they wish to meet their duty of care. Risk assessments are an excellent way to avoid potential problems becoming real ones. It can also support you to understand how you might better provide support to volunteers in their role.

Control of Substances Hazardous to Health (COSHH)

Using chemicals or other hazardous substances at work can put people's health at risk, causing diseases including asthma, dermatitis or cancer.

The COSHH regulations (www.hse.gov.uk/coshh) require employers to control substances that can harm workers' health.

Organisations with paid staff and volunteers

All employers have a legal duty to assess the workplace for risks to health which may be caused by substances hazardous to health. They must take all necessary steps to control any risks identified. Items such as household bleach may seem harmless, but in the hands of a small child are extremely dangerous.

Volunteer-only organisations

Voluntary groups with no employees are not legally required to conduct a COSHH assessment, but should consider doing one anyway if they wish to meet their duty of care and reduce the risk to volunteers who may come into contact with such substances in their role.

Fire safety and risk assessment

All public and community buildings, whether owned or operated by an employer or an organisation without employees, must meet minimum levels of standards so that the risk of fire is reduced. You can consult your local fire service for advice and HSE has further information and guidance on fire safety (<http://www.hse.gov.uk/toolbox/fire.htm>)

Registering your organisation's activities

Organisations with paid staff and volunteers

All employers must register their existence with the HSE or the environmental health department in the local authority.

Volunteer-only organisations

Organisations without employees do not normally have to register their activities unless they are involved in:

- dangerous activities, such as putting on a fireworks display
- owning, controlling or have responsibility for premises and buildings, in which case they must register with the local fire authority
- preparing, storing, supplying or selling food on a regular basis, in which case they must register with the local environmental health department. The Mothers' Union 'Food Safety and Hygiene' sheet (<https://www.mothersunion.org/system/files/resources/public/Food%20Safety.pdf>) has more information.

An organisation should always check with the authorities if they are in any doubt about the need for registering activities.

First aid

Organisations with paid staff and volunteers

All employers have a legal duty to make a first aid assessment. The need for first aid will depend on the organisation's activities. For instance, an outward bound centre will have very different needs from a morning coffee club.

At a minimum, an organisation with employees must provide at least one first aid box and display a notice that tells staff:

- the location of the first aid box
- who the first aider or appointed person is (see below)
- where the first aider or appointed person can be found.

An appointed person is someone who has basic first aid knowledge. They can take charge in an emergency and are responsible for calling the emergency services. Appointed persons will usually require some training and you can find details of one-day courses to train appointed persons from the HSE (<http://www.hse.gov.uk/firstaid/>).

Your local authority may also be able to provide you with information on local training providers.

Volunteer-only organisations

Voluntary groups with no employees are not legally required to conduct a first aid assessment, although it is good practice to do so. It can also be useful to have at least one volunteer trained to provide first aid.

In certain circumstances there may be a legal duty to provide first aid facilities. For example, if an organisation holds a public event without first aid facilities and someone is injured, they may have broken their duty of care. An organisation should always check with the authorities if they are in any doubt about the need for registering activities. Further information with regard to running community events is available from the Cabinet Office guide 'Organising a voluntary event': (<https://www.gov.uk/government/publications/can-do-guide-for-organisers-of-voluntary-events/the-can-do-guide-to-organising-and-running-voluntary-and-community-events>)

Working with other organisations

When organisations work together it can sometimes lead to gaps in health and safety provision. For example, one might assume that the other has taken responsibility. Alternatively, conflict or confusion can arise if two organisations have differing policies on health and safety.

When planning a partnership, whether on a long term basis or for a one-day project, organisations may find it helpful to work through the list of 'basic health and safety principles' given above. This should help to ensure both organisations understand their roles and responsibilities in terms of risk assessment etc.

When planning joint activity, organisations need to decide:

- who has ultimate responsibility
- how the organisation with responsibility will ensure its policies and procedures are implemented
- what the organisation will do if its standards are not met
- how to ensure volunteers understand their health and safety responsibilities
- what a volunteer should do if they are dissatisfied with or concerned about health and safety risks
- how to record this information.

Further information

Health and Safety Executive:

www.hse.gov.uk

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