

Health and safety for volunteers

Summary

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.

This Information Sheet has been written for organisations that involve volunteers. It's not a full account of such duties and responsibilities, but is intended to help organisations think through their responsibilities.

This Information Sheet covers:

- The common law 'duty of care'
- Health and safety legislation
- Basic principles of health and safety
- Considerations when working in partnership with other organisations

Organisations are strongly recommended to seek further advice in addition to this Information Sheet.

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 which could reasonably harm another, either physically, mentally, or economically.

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

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

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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](#)¹ (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 which 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. The results of the risk assessment will determine if the employer needs to provide volunteers with information and training.

For example, an employer may have a duty to supply information and training to a volunteer in a hospice who will be lifting patients in and out of bed. However, training would probably not be necessary for a volunteer who is running a raffle.

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.

¹ <http://www.hse.gov.uk/legislation/hswa.htm>

Basic principles of health and safety

Below we explain what to consider for each key area of basic health and safety. We also outline what is necessary for organisations with both paid staff and volunteers, and how this might be different for an organisation which has no paid staff and is entirely volunteer-run.

Committing to good health and safety practice

Organisations with paid staff and volunteers

Volunteering England 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

If an organisation has no employees, it may not be able to achieve the same standards of health and safety as are required for employees in the short term. However, by aiming to accomplish this, the organisation will demonstrate to its volunteers and the outside world the value it places on them and their efforts to support your organisation.

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. If an organisation involves volunteers, they should always be included in the health and safety policy as a matter of good practice. The HSE has [examples of model health and safety policies and a template](http://www.hse.gov.uk/simple-health-safety/write.htm)² which can be used for creating your own.

Volunteer-only organisations

If an organisation has no employees it is not obliged 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.

² <http://www.hse.gov.uk/simple-health-safety/write.htm>

Health, safety and welfare

Organisations with paid staff and volunteers

All employers must provide a safe place to work which 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 need to be put in place, if any, 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)³.

Organisations with paid staff and volunteers

Employers should ensure that their risk assessment always involves employees and volunteers who are involved in the activities which are being risk assessed.

Volunteer-only organisations

Voluntary groups with no employees are not bound 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.

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.

³ <http://www.hse.gov.uk/risk/assessment.htm>

The [COSHH regulations](#)⁴ 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 bound to conduct a COSHH assessment, but should consider doing one anyway if they wish to meet their duty of care. Risk assessments are an excellent way to avoid potential problems becoming real ones.

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. The [local fire brigade](#)⁵ should be consulted for advice.

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](#)⁶.

Volunteer-only organisations

Organisations without employees do not normally have to register their activities with the enforcement authorities unless they

- are involved in dangerous activities, such as putting on a fireworks display;
- own, control or are responsible for premises and buildings (register with the local fire authority); or
- prepare, store, supply or sell food on five or more days in any five-week period (register with the local environmental health department).

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

⁴ <http://www.hse.gov.uk/coshh/>

⁵ http://www.direct.gov.uk/en/Dio11/DoItOnline/DG_10027464

⁶ <http://www.direct.gov.uk/en/DI1/Directories/Localcouncils/index.htm>

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); and
- 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. Details of one-day courses to train appointed persons are available from [the HSE](http://www.hse.gov.uk/firstaid/)⁷.

Volunteer-only organisations

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

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.

⁷ <http://www.hse.gov.uk/firstaid/>

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 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; and
- how to record this information.

Further information

Community Matters

<http://www.communitymatters.org.uk>

020 7837 7887

This organisation provides a range of information sheets about health and safety considerations, particularly regarding the running of community buildings.

Directgov

<http://www.direct.gov.uk/en/Employment/HealthAndSafetyAtWork/index.htm>

Information on health and safety at work from the central government information website.

Health and Safety Executive

www.hse.gov.uk

0845 345 0055

For more information about all aspects of health and safety.

The Health & Safety Handbook for Voluntary & Community Organisations

<http://www.dsc.org.uk/Publications/Humanresources/@2729>

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