

Cheltenham Borough Council
Cabinet – 14 May 2019
Volunteering Policy and Procedures

Accountable member	Cllr Flo Clucas
Accountable officer	Richard Gibson, Strategy and Engagement Manager
Ward(s) affected	All
Key/Significant Decision	No
Executive summary	<p>Cheltenham Borough Council (CBC) has been supported by the good will of local volunteers offering their time to help events and projects for a number of years. There is a clear benefit to CBC in harnessing this much needed support, and to the volunteers themselves in being able to be part of activities where they can make a positive difference to their town. However, there has been no volunteering policy in place nor clear guidance on how CBC supports and is supported by volunteers to ensure a consistent and safe approach.</p> <p>A new Volunteer Policy is proposed that will ensure that the experience of those who volunteer is a safe and positive one, with the right amount of support and supervision. The policy is supported by a volunteer handbook and application forms for both individuals wanting to volunteer for CBC and groups wanting to provide volunteers.</p> <p>It is proposed that the Participation and Engagement Team Leader role will act as the central management and data storage point for volunteer information.</p>
Recommendations	<p>That Cabinet adopts the following:</p> <ul style="list-style-type: none"> • The NCVO definition of volunteering (see section 1.4) • Cheltenham Borough Council’s Volunteer Policy (appendix 2) • Individual (appendix 3) and Group (appendix 4) volunteering application forms • Cheltenham Borough Council’s handbook for volunteers (appendix 5) <p>Cabinet also authorises the Strategy and Engagement Manager to keep the Policy and supporting documentation under review and make such changes as are necessary to reflect best practice as well as legal and operational requirements</p>

<p>Financial implications</p>	<p>There are no financial implications identified as a result of these recommendations</p> <p>Contact officer: Jon Whitlock Business Partner Accountant - Business Support Services Jon.Whitlock@publicagroup.uk 01242 264354</p>
<p>Legal implications</p>	<p>The legal status of the relationship between a volunteer and the recruiting organisation is much different from that between a recruiting organisation and a 'worker' or 'employee' and to minimise the risk that a volunteer may claim to be an employee, the Council should have a robust volunteer agreement recognising the volunteer status. It should ensure that any payments made to the volunteer are strictly to cover expenses and that any training given should be no more than is absolutely necessary in order to comply with the duties outlined below.</p> <p>The Council has duties under the Health and Safety at Work Act 1974 to ensure that volunteers undertake tasks in safe conditions and are provided with competent advice on health, safety and welfare matters. Volunteers are expected to be health and safety conscious and continuously aware of their own safety and the safety of others when undertaking tasks.</p> <p>The Council also has safeguarding duties under the Safeguarding Vulnerable Groups Act 2006 and subsequently towards those who volunteer and those individuals or groups who come into direct contact with volunteers, and must ensure its safeguarding policy is adhered to at all times. To this end the Council will ensure that DBS checks are carried out, where necessary.</p> <p>The Council must also ensure that it considers its duty of care to all those who undertake work in respect of the Council and that it has adequate public liability insurance or that those groups who carry out voluntary activities on council land or property have such insurance.</p> <p>The Council should also undertake an Equality Impact Assessment to ensure that it complies with the public sector equality duty under S149 of the Equality Act 2010 which came in to force in April 2011.</p> <p>The policy, handbook and application forms will be formulated to ensure Data Protection compliance. Consent to process personal data will be obtained from prospective volunteers, unless another processing condition under the Data Protection Legislations applies to the processing.</p> <p>Iona Moseley One Legal E: iona.moseley@tewkesbury.gov.uk T: 01684 272067</p>

HR implications (including learning and organisational development)	<p>As the council has a duty of care to its volunteers, it is critical that the council demonstrates it has a consistent approach to managing its volunteers to ensure that they remain safe and valued at all times.</p> <p>Julie McCarthy HR Manager – Operations Business Support Services M: 07917534487 T: 01242 264355 E: julie.mccarthy@publicagroup.uk</p>
Key risks	<p>Without a Volunteer Policy in place, there is a risk that CBC is not protecting itself and volunteers from a health and safety, GDPR, safeguarding and insurance risk. There is also a reputational risk if CBC is seen to be falling short on how we manage the volunteering process.</p>
Corporate and place vision implications	<p>The council has recently adopted a vision that Cheltenham is a place where everyone thrives. Within our place vision we acknowledge the importance of volunteering, making an explicit statement that</p> <p><i>“People and our communities thrive when there are more opportunities to volunteer, to give time and effort to making Cheltenham and its organisations and communities a better place</i></p>
Environmental and climate change implications	<p>None identified</p>
Property/Asset Implications	<p>None identified</p>

1. Background

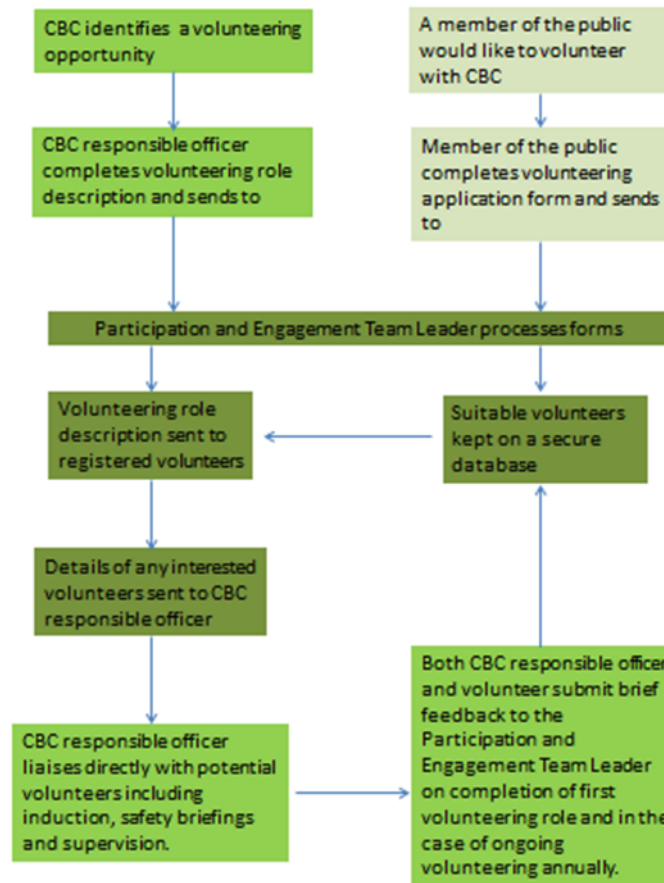
- 1.1 Cheltenham Borough Council (CBC) has been supported by the good will of local volunteers offering their time to help events and projects for a number of years. There is a clear benefit to CBC in harnessing this much needed support, and to the volunteers themselves in being able to be part of activities where they can make a positive difference to their town. However, there has been no volunteering policy in place or clear guidance on how CBC supports and is supported by volunteers to ensure a consistent and safe approach.
- 1.2 Across the organisation, different teams and departments have developed their own processes to manage volunteers and there has been no consistency across the organisation in how this process is managed.
- 1.3 In addition, the council has been fortunate to be supported by volunteer groups (such as friends of groups supporting work in our parks and gardens), but these have varied in their set up, some being constituted, some un-constituted, some with their own public liability insurance and some without. These groups have been managing their own volunteers but without a clear agreement on what their responsibilities are for the health and safety of these volunteers and for members of the public when working on CBC land.
- 1.4 The new Volunteer Policy (Appendix 2) seeks to rectify this and to provide a clear process for recruiting and managing volunteers. As part of this, CBC is being asked to adopt the National Council for Voluntary Organisations (NCVO) definition of volunteering which is:

Any activity that involves spending time, unpaid, doing something that aims to benefit the environment or someone (individuals or groups).

Central to this definition is the fact that volunteering must be a choice freely made by each individual

This can include formal activity undertaken through public, private and voluntary organisations as well as informal community participation and social action. Everyone has the right to volunteer and volunteering can have significant benefits for individuals.

- 1.5 The flow chart below shows the process that CBC volunteers will follow:



- 1.6 All individual volunteers will be asked to complete a Volunteering Application Form (Appendix 3) which is then processed and progressed as shown in the above flow chart. This includes volunteers who are volunteering with a group (such as a 'friends of' group) which is not constituted and does not have its own public liability insurance.
- 1.7 Groups which can provide volunteers and which are constituted with their own public liability insurance can complete the Group Volunteering Application Form (Appendix 4), where the group leader signs a disclaimer on behalf of the group.
- 1.8 Volunteering application forms are processed and details stored centrally by the Participation and Engagement Team Leader.
- 1.9 Volunteers will be provided with a Volunteer Handbook (Appendix 5) which outlines what they can expect from CBC while they are volunteering and what CBC asks of them.

2. Reasons for recommendations

- 2.1 There are clear advantages to having a Volunteering Policy. It provides an opportunity to promote CBC as an organisation which welcomes volunteer support; aims to give staff greater confidence in introducing new volunteering opportunities safely and in a consistent way and it helps to define the role of volunteers within the organisation, and how they can expect to be treated.

2.2 The Volunteer Policy:

- Demonstrates the organisation's commitment to its volunteer programme and its individual volunteers.
- Ensures consistency and that all volunteers are treated equally and fairly. Being able to refer to a written policy ensures that decisions do not have to be made on an ad hoc basis.
- Allows volunteers to know where they stand; it offers some security, in that they know how they can expect to be treated, and where they can turn to if they feel that things are going wrong.
- Helps ensure that paid staff, senior management and councillors fully understand why volunteers are involved, and what role they have within the organisation.

The proposed new policy clarifies:

- How volunteer opportunities are identified
- The recruitment and selection of volunteers
- Induction and training
- Health and Safety
- Safeguarding
- Confidentiality and Data Protection
- Ongoing Support

2.3 Volunteers do not have the same rights as employees or workers. However, they should be treated fairly and consistently. A volunteer agreement between organisations and their volunteers is a useful way of clarifying the expectations of both parties.

2.4 CBC has, for a long time been without a volunteer policy or any clear process on how volunteers are recruited or supported. There has been no consistency in how volunteers are treated across the organisation and as such this has left CBC open to a number of risks associated with health and safety, insurance, safeguarding and data protection.

2.5 Disclaimer – A volunteer disclaimer is now included in both the individual and group volunteering application forms. The volunteer disclaimer between CBC and their volunteers / constituted groups managing volunteers is a useful way of clarifying the expectations of both parties.

2.6 GDPR – The new forms make clear that volunteer and group data is stored in line with the CBC volunteers' privacy statement. Within this statement it is made clear that their information is kept by the council for a maximum of 5 years following the conclusion of their participation in volunteering. It is recommended that the Participation and Engagement team leader role is responsible for the collation and storage of this information so that there is one central collection point for the organisation.

3. Alternative options considered

3.1 Currently there is no consistency across the organisation about how volunteers are recruited, managed or supported. CBC could continue with the status quo. However there is a risk associated with this from a health and safety, safeguarding, GDPR, insurance and reputational angle.

4. Consultation and feedback

4.1 Officers have been in regular contact with Angela Gilbert, Support and Services Manager – GRCC, to help develop the proposed policy and supporting documents. Angela has a great deal of experience in supporting the voluntary community sector in developing robust policies and procedures.

4.2 Officers have also referred to the volunteer policies and procedures of other councils to share best practice.

5. Performance management –monitoring and review

5.1 It is proposed that the Volunteer Policy and associated documents (application forms, staff guidance and volunteer handbook) is reviewed after 12 months to ensure it is working effectively.

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Appendices	<ol style="list-style-type: none">1. Risk Assessment2. Volunteering Policy3. Volunteering Application Form4. Group Volunteering Application Form5. Volunteer Handbook

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	If a volunteer has an accident and the relationship between the council and volunteer is not clear, nor has been properly inducted the volunteer, there is a risk that this may lead to sanctions from the health and safety executive	Pat Pratley	15/03/19	4	2	8	Reduce	Implement the new Volunteer Policy to ensure a consistent approach and mutual expectations between CBC and its volunteers.	From May 2019	Louise Forey / Helen Down	
	If a volunteer uses the opportunity to develop inappropriate relationships with children or vulnerable adults, the council could face legal challenge or sanction from external partners	Pat Pratley	15/03/19	5	2	10	Reduce	Implement the new Volunteer Policy to ensure sufficient safeguards in place to ensure volunteers are effectively supervised	From May 2019	Louise Forey / Helen Down	
	If CBC allows people to volunteer for the organisation without proper supervision in place and a subsequent issue arises it will cause a reputational issue for the Council	Pat Pratley	15/03/19	3	2	6	Reduce	Implement the new Volunteer Policy including guidance for recruiting and managing volunteers	From May 2019	Louise Forey / Helen Down	
	If a volunteer has an unsatisfactory experience volunteering for the council, this may impact on the reputation of the council and also affect recruitment of other volunteers.	Pat Pratley	15/03/19	3	2	6	Reduce	Implement the new Volunteer Policy to ensure a consistent approach and mutual expectations between CBC and its volunteers	From May 2019	Louise Forey / Helen Down	
	If the personal details of a volunteer (which could include sensitive health and/or criminal record information) are not stored correctly in line with our GDPR obligations, the council could face sanction from the Information Commissioners Office	Pat Pratley	15/03/19	4	2	8	Reduce	Implement the new Volunteer Policy will help ensure that volunteer's personal details are managed in line with data protection regulations.	From May 2019	Louise Forey / Helen Down	
<p>Explanatory notes Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical) Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability) Control - Either: Reduce / Accept / Transfer to 3rd party / Close</p>											